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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES MEETING
Thursday, January 19, 2023
Springfield, Illinois
Met pursuant to notice via videoconference at
11:30 AM at 527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairwoman (via Chicago office)
- ETHAN KIMBREL, Commissioner (via Chicago office)
- MICHAEL CARRIGAN, Commissioner (via videoconference)
- ANN MCCABE, Commissioner (via Chicago office)

BRIDGES COURT REPORTING
BY: Quinn Dean
Electronic Reporter

1 CHAIR ZALEWSKI: Good morning. Under the Open
2 Meetings Act, I call the January 19th, 2023, Regular
3 Open Meeting to order. Commissioners Kimbrel and
4 McCabe are with me in Chicago. We have a quorum.

5 Commissioner Carrigan is seeking
6 permission to participate remotely for health reasons.
7 Are there any objections to allowing Commissioner
8 Carrigan to participate remotely?

9 (No verbal response.)

10 CHAIR ZALEWSKI: Hearing none, Commissioner
11 Carrigan is granted permission to participate remotely.
12 Commissioner Carrigan, I want to do a quick sound
13 check. Can you hear us?

14 COMMISSIONER CARRIGAN: I can hear you and see
15 you, Chair.

16 CHAIR ZALEWSKI: Great. Thank you. We have no
17 request to speak today.

18 Moving onto our Public Utilities
19 Agenda.

20 Under our electric items, Item E-1
21 concerns Ameren's filing to update its peak time
22 rewards rider or Rider PTR. The updates include

1 revisions to remove obsolete provisions, sunset dates
2 and restrictions around customer enrollment periods, as
3 well as revisions to conform with current MISO rules.
4 Staff recommends not suspending the filing.

5 Are there any objections to not
6 suspending the filing?

7 (No verbal response.)

8 CHAIR ZALEWSKI: Hearing none, the filing is not
9 suspended.

10 Item E-2 concerns ComEd's filing to
11 revise its carbon free resource adjustment Rider, or
12 CFRA. The revisions allow ComEd to recover costs or
13 provide credits faster than the current tariff allows,
14 implement monthly reconciliation, align audit
15 requirements to correspond with monthly reconciliation
16 and allow ComEd to adjust Rider CFRA rates based not
17 only on anticipated differences, but based -- but also
18 based on past payments or credits. Staff recommends
19 not suspending the filing.

20 Are there any objections to not
21 suspending the filing hearing?

22 (No verbal response.)

1 CHAIR ZALEWSKI: Hearing none, the filing is not
2 suspended.

3 Item E-2 concerns the initiation of
4 reconciliation proceedings for Ameren, ComEd, and
5 Mid-American. The proceedings are for revenues
6 collected under power procurement riders for the
7 June 1st, 2021 through May 31st of 2022 reconciliation
8 period. The orders -- the order, rather, initiates the
9 reconciliation proceedings.

10 COMMISSIONER MCCABE: It was E-3.

11 CHAIR ZALEWSKI: I'm sorry. Thanks for
12 correcting me. Item E-3 was meant to call.

13 Are there any objections to approving
14 the order?

15 (No verbal response.)

16 CHAIR ZALEWSKI: Hearing none, the order is
17 approved.

18 Item E-4 concerns an application for a
19 certification to install, maintain, or repair electric
20 vehicle charging station facilities. The order denies
21 the certificate, finding that the applicant failed to
22 meet the necessary requirements for certification.

1 Are there any objections to approving
2 the order?

3 (No verbal response.)

4 CHAIR ZALEWSKI: Hearing none, the order is
5 approved.

6 Item E-5 concerns MidAmerican's
7 reconciliation of revenues collected under its
8 transmission service rider, or Rider TS, for the 2021
9 reconciliation period. The order approves the
10 reconciliation as set in the appendix to the order,
11 finding that the costs during the reconciliation period
12 were prudently incurred.

13 Are there any objections to approving
14 the order?

15 (No verbal response.)

16 CHAIR ZALEWSKI: Hearing none, the order is
17 approved.

18 Item E-6 concerns Ameren's
19 reconciliation of revenues collected under its clean
20 energy assistance charge rider, or Rider CEAC, for the
21 12 month reconciliation period ending on May 31st of
22 2022. The order approves a reconciliation as set in

1 the appendix to the order, finding that the costs
2 during the reconciliation period were prudently
3 incurred.

4 Are there any objections to approving
5 the order?

6 (No verbal response.)

7 CHAIR ZALEWSKI: Hearing none, the order is
8 approved. Items E-7 through E-11 concern applications
9 for certification to install distributed generation
10 facilities in Illinois. The orders approve the
11 certifications, finding that the applicants meet the
12 licensing requirements.

13 Are there any objections to considering
14 these items together and approving the orders?

15 (No verbal response.)

16 CHAIR ZALEWSKI: Hearing none, the orders are
17 approved.

18 Item E-12 concerns an application for
19 certification to install, maintain, or repair electric
20 vehicle charging station facilities. The order grants
21 the certificate finding that the applicant meets the
22 licensing requirements.

1 Are there any objections to approving
2 the order?

3 (No verbal response.)

4 CHAIR ZALEWSKI: Hearing none, the order is
5 approved.

6 Items E-13 and E-14 concern motions to
7 withdraw application seeking authority to operate as a
8 retail electricity supply agents, broker or consultants
9 in Illinois. The applicants decided not to proceed
10 with their applications and motioned to withdraw them.

11 Are there any objections to considering
12 these items together and granting the motions to
13 withdraw?

14 (No verbal response.)

15 CHAIR ZALEWSKI: Hearing none, the motions are
16 granted.

17 Item E-15 concerns an application for a
18 license to operate as a retail electric agent, broker,
19 or consultant in Illinois. The order grants the
20 license, finding that the applicant meets the
21 requirements.

22 Are there any objections to approving

1 the order?

2 (No verbal response.)

3 CHAIR ZALEWSKI: Hearing none, the order is
4 approved.

5 Items E-16 and E-17 concern petitions
6 to cancel certificates of service authority to act as
7 agents, brokers or consultants in Illinois. The orders
8 cancel the certificates and order the petitioners to
9 file their section 454 compliance reports for the years
10 they have not yet filed for.

11 Are there any objections to considering
12 these items together and approving the orders?

13 (No verbal response.)

14 CHAIR ZALEWSKI: Hearing none, the orders are
15 approved.

16 Items E-18 through E-21 concern
17 applications for certifications to install energy
18 efficiency measures in Illinois. The orders grant the
19 certificates, finding that the applicants meet the
20 licensing requirements.

21 Are there any objections to considering
22 these items together and approving the orders?

1 (No verbal response.)

2 CHAIR ZALEWSKI: Hearing none, the orders are
3 approved.

4 Moving on to our gas items, Items G-1
5 through G-4 concern filings of proposed general rate
6 increases and revisions to other terms and conditions
7 of service by Nicor, Ameren, North Shore, and Peoples
8 Gas. The orders suspend the filings for further
9 Commission review and investigation.

10 Are there any objections to considering
11 these items together and approving the suspension
12 orders?

13 (No verbal response.)

14 CHAIR ZALEWSKI: Hearing none, the orders are
15 approved.

16 Items G-5 through G-7 concerns the
17 initiation of reconciliation of revenues through
18 various riders for Ameren, Nicor, North Shore, and
19 Peoples Gas. The orders commence the next annual
20 reconciliation proceedings under the riders.

21 Are there any objections to considering
22 these items together and approving the orders?

1 (No verbal response.)

2 CHAIR ZALEWSKI: Hearing none, the orders are
3 approved.

4 Item G-6 concerns a motion to withdraw
5 by American Power and Gas in Illinois relating to the
6 company's request for confidential treatment of its
7 natural gas rate report.

8 COMMISSIONER MCCABE: G-8.

9 CHAIR ZALEWSKI: What did I say?

10 COMMISSIONER MCCABE: G-6.

11 CHAIR ZALEWSKI: I'm sorry. G-8 is the docket.
12 Not G-6. So Item G-6 concerns a motion to withdraw --
13 did I just say it again? G-8.

14 Item G-8 concerns a motion to withdraw
15 filed by American Power and Gas Illinois relating to
16 the company's request for confidential treatment of its
17 natural gas rate report. Staff recommends granting the
18 motion to withdraw.

19 Are there any objections to granting
20 the motion to withdraw?

21 (No verbal response.)

22 CHAIR ZALEWSKI: Hearing none, the motion is

1 granted.

2 Item G-9 concerns Nicor's petition to
3 reconcile revenues under Rider 30, which allows Nicor
4 to recover from certain group of customers costs, fees
5 and charges related to state-mandated energy efficiency
6 measures and on-bill financing programs. The revenue
7 reconciliation is for the 2020 calendar year. The
8 order approves the reconciliation as set in the
9 appendix to the order, finding that the costs during
10 the reconciliation period were prudently incurred.

11 Are there any objections to approving
12 the order?

13 (No verbal response.)

14 CHAIR ZALEWSKI: Hearing none, the order is
15 approved.

16 Item G-10 concerns Liberty Utility's to
17 reconcile revenues under their purchased gas adjustment
18 charges for the 2021 calendar year. The order approves
19 the reconciliation as set in the appendix to the order,
20 finding that the costs during the reconciliation period
21 were prudently incurred.

22 Are there any objections to approving

1 the order?

2 (No verbal response.)

3 CHAIR ZALEWSKI: Hearing none, the order is
4 approved.

5 Item G-11 concerns Liberty Utility's
6 petition to reconcile revenues under its value
7 balancing adjustment Rider, or Rider VBA, for 2021
8 calendar year. The order approves the reconciliation
9 as set in the appendix to the order, finding that the
10 costs during the reconciliation period were prudently
11 incurred.

12 Are there any objections to approving
13 the order?

14 (No verbal response.)

15 CHAIR ZALEWSKI: Hearing none, the order is
16 approved. Item G-12 concerns a complaint against Nicor
17 Gas regarding unauthorized charges. The parties filed
18 a stipulation and joint motion to dismiss, stipulating
19 that all matters have been resolved. The order grants
20 the joint motion, dismissing the proceeding with
21 prejudice.

22 Are there any objections to granting

1 the joint motion to dismiss?

2 (No verbal response.)

3 CHAIR ZALEWSKI: Hearing none, the motion is
4 granted. Item G-13 concerns Illinois Gas Company's
5 proposed general rate increase. On September 15th of
6 2022, the Commission suspended the filing through
7 January 26th of 2023. The Commission's investigation
8 in this matter has not concluded, and the order
9 resuspends the filing until July 26th of 2023.

10 Are there any objections to approving
11 the resuspension order?

12 (No verbal response.)

13 CHAIR ZALEWSKI: Hearing none, the order is
14 approved.

15 Moving on to our telecommunications
16 items. Items T-1 and T-2 concern citation orders to
17 initiate proceedings to consider revoking certificates
18 of authority. The orders initiate proceeding against
19 the named companies to show cause why their
20 certificates of authorities should not be revoked as a
21 result of the issues raised in Staff's report.

22 Are there any objections with -- to

1 considering these items together and approving the
2 orders?

3 (No verbal response.)

4 CHAIR ZALEWSKI: Hearing none, the orders are
5 approved.

6 Item T-3 concerns an application for a
7 certificate of local exchange carrier authority to
8 operate as a reseller and/or facilities-based carrier
9 of telecommunications through the state of Illinois.
10 Staff has indicated that the applicant no longer wishes
11 to pursue the application. The order dismisses the
12 application without prejudice.

13 Are there any objections to approving
14 the order?

15 (No verbal response.)

16 CHAIR ZALEWSKI: Hearing none, the order is
17 approved.

18 Items T-4 through T-6 concern petitions
19 to cancel various certificates. The orders cancel the
20 certificates.

21 Are there any objections to considering
22 these items together and approving the orders?

1 (No verbal response.)

2 CHAIR ZALEWSKI: Hearing none, the orders are
3 approved.

4 Items T-7 and T-8 concern applications
5 for certificates of wireless authority to operate as a
6 reseller of telecommunication services throughout
7 Illinois. The orders grant the certificates, finding
8 that the applicants meet the licensing requirements.

9 Are there any objections to considering
10 these items together and approving the orders?

11 (No verbal response.)

12 CHAIR ZALEWSKI: Hearing none, the orders are
13 approved.

14 Item T-9 concerns a request for
15 proprietary treatment of information in the
16 petitioner's annual filing. The order grants the
17 protection, finding that the information is proprietary
18 and confidential.

19 Are there any objections to approving
20 the order?

21 (No verbal response.)

22 CHAIR ZALEWSKI: Hearing none, the order is

1 approved.

2 Moving on to our water and sewer items.
3 Item W-1 concerns Illinois-American Water's petition to
4 review the accuracy and prudence of the company's
5 qualifying infrastructure plan expenses and to
6 reconcile the costs with revenues for the 2021 calendar
7 year. The order approves the reconciliation, finding
8 the company's investment to be prudent and reasonable.

9 Are there any objections to approving
10 the order?

11 (No verbal response.)

12 CHAIR ZALEWSKI: Hearing none, the order is
13 approved.

14 Item W-2 concerns a complaint against
15 Aqua Illinois regarding unauthorized charges in Monee,
16 Illinois. The parties filed a stipulation and joint
17 motion to dismiss, stipulating that all matters have
18 been resolved. The order grants the joint motion,
19 dismissing the proceeding with prejudice.

20 Are there any objections to granting
21 the joint motion to dismiss?

22 (No verbal response.)

1 CHAIR ZALEWSKI: Hearing none, the motion is
2 granted.

3 Moving on to our miscellaneous items.
4 Item M-1 concerns a rulemaking proceeding in response
5 to Public Act 102-0662 to amend part 288 of the
6 administrative code and create a consumer intervenor
7 compensation fund. The second notice order adopts
8 recommendations by Staff, ComEd, and the AG, Community
9 Organizing and Family Issues, or COFI, that the scope
10 of 288 is not limited to article 9 rate cases. The
11 order also drops ComEd's proposal to broaden the scope
12 of the role.

13 There are substantive edits to the
14 order. The edits add clarifying language to section
15 288.200(a)(4) to exempt residential and small
16 commercial utility customers for the definition of,
17 quote, "parties that have financial interest in the
18 outcome of the proceeding," end quote. The edits also
19 adopt AG/COFI's recommendation to remove the
20 requirements that a consumer-interest representative
21 seeking compensation from the fund must provide
22 advanced notice to the ALJ overseeing the relevant

1 docket.

2 The Commission finds that this action
3 is not required by the act and may be potentially
4 burdensome to some intervenors. I move the edits. Is
5 there a second.

6 COMMISSIONER MCCABE: Second.

7 CHAIR ZALEWSKI: Are there any objections to
8 approving the edits?

9 (No verbal response.)

10 CHAIR ZALEWSKI: Hearing none, the edits are
11 approved.

12 Are there any comments from
13 Commissioners?

14 COMMISSIONER MCCABE: Yes. I note that the
15 second notice rule approved today will require consumer
16 interest representatives, or CIRs, to pay back funds
17 received if the final order does not adopt their
18 material recommendation in whole, in part, or with
19 modification.

20 The Commission's order finds that its
21 modifications to subsection (b)(7) provide a greater
22 likelihood that intervenors will not have to return the

1 funds. If a CIR is awarded compensation during the
2 proceeding and is successful in some fashion, the
3 likelihood that Subsection (b)(7) is not met at the
4 proceedings end is small.

5 Maximizing the administrator's
6 discretion will help ensure participating consumer
7 interest representatives are not financially harmed by
8 accessing the intervenor compensation fund. The fund
9 exists to increase procedural equity among interested
10 parties and to broaden participation in expertise
11 before the Commission.

12 Siege implementation is taking us into
13 new territory. Experience over the next few years will
14 inform whether future adjustments are needed.

15 CHAIR ZALEWSKI: Thank you. Any other comments?

16 Are there any objections to approving
17 the order as edited?

18 (No verbal response.)

19 CHAIR ZALEWSKI: Hearing none, the order is
20 approved.

21 Moving on to our petitions for
22 rehearing. Item PR-1 concerns an application for

1 rehearing by the Village of Bolingbrook in a complaint
2 against Illinois American Water and American Lake Water
3 Company regarding an overcharge for Lake Michigan
4 water. The order found that the Respondents acted in
5 accordance with their tariff and the village was
6 properly charged for water service.

7 The ALJ recommends denying the
8 application for hearing as Bolingbrook offers no new
9 argument or evidence for the Commission to consider the
10 rehearing. The Commission agrees with the ALJ.

11 Are there any objections to denying the
12 application for hearing?

13 (No verbal response.)

14 CHAIR ZALEWSKI: Hearing none, the application is
15 denied.

16 Under other business, Item 0-1 concerns
17 the Commission's 2022 annual report to the governor and
18 the general assembly on electricity, gas, water and
19 sewer utilities. The annual report is required by
20 section 4-304 of the Public Utilities Act. The report
21 includes a review of the Commission's 2022 activities
22 and the State of Illinois utility industry in 2022,

1 among others topics.

2 Are there any objections to approving
3 the report?

4 (No verbal response.)

5 CHAIR ZALEWSKI: Hearing none, the report is
6 approved.

7 Item 0-2 concerns approval of batches,
8 contracts, and confirmations under the adjustment block
9 program.

10 Are there any objections to approving
11 the program administrators' submissions?

12 (No verbal response.)

13 CHAIR ZALEWSKI: Hearing none, the submissions
14 are approved.

15 This concludes our Public Utilities
16 Agenda.

17 Judge Haynes, do we have any other
18 matters to come before the Commission today?

19 JUDGE HAYNES: Nothing further, Chair.

20 CHAIR ZALEWSKI: Do Commissioners have other
21 business to discuss?

22 (No verbal response.)

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CHAIR ZALEWSKI: Hearing none, and without
objection, the meeting is adjourned. Thanks.

(WHEREUPON, the above-entitled matter
was adjourned at 11:50 AM.)