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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(PUBLIC UTILITY)
Wednesday, January 28, 2015
Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.

PRESENT:
BRIEN J. SHEAHAN, Acting Chairman
ANN McCABE, Commissioner
SHERINA E. MAYE, Commissioner
MIGUEL DEL VALLE, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170

1 ACTING CHAIRMAN SHEAHAN: All right. Pursuant
2 to the provisions of the Open Meetings Act, I now
3 convene a special open meeting of the Illinois
4 Commerce Commission.

5 With me in Chicago are Commissioners
6 McCabe, del Valle and Maye. I am Chairman Sheahan.
7 We have a quorum.

8 Before moving into the agenda,
9 according to Section 1700.10 of the Title 2 of the
10 Administrative Code, this is the time we usually
11 consider public comments.

12 Members of the public wishing to
13 address the Commission must notify the Chief Clerk's
14 office at least 24 hours prior to Commission
15 meetings. According to the Chief Clerk's office, we
16 have no granted requests to speak at today's Bench
17 Session.

18 We will move on to the Public Utility
19 section of our agenda. We are going to take a
20 matter of other business out of order. We have
21 Mr. David Swain, President of Liberty Energy
22 Utilities (Midstates Natural Gas) Corp., d/b/a

1 Liberty Utilities to present the Company's Annual
2 Reorganization Report.

3 Welcome, sir. The floor is yours.

4 PRESENTATION

5 BY

6 MR. SWAIN:

7 Good morning. Thank you for inviting
8 me to be here again today. I was here the last time
9 on October 23, 2013 to provide a first update to the
10 acquisition to Liberty Utilities and to provide a
11 brief update today as to how that acquisition is
12 going since then.

13 First of all, on July 30, 2014 we
14 filed the reports that indicated total compliance
15 and then, in addition, this presentation
16 today would be the final presentation under that
17 acquisition Order.

18 One thing I would like to point out is
19 that since we have been operating as Liberty
20 Utilities we wanted to insure, and certainly you had
21 an expectation, that we would provide good customer
22 service, that we did that and we were able to

1 report.

2 So we have done two different customer
3 satisfaction surveys that compared us to the
4 benchmark of other utilities and both of those
5 summaries reported in an 85 percent customer
6 satisfaction growth for Liberty Utilities, and from
7 all indications we're on the road to set those
8 measurements that were considered best in class.

9 So we are very proud of that,
10 especially coming through two very cold winters that
11 we've had since being Liberty Utilities, so several
12 compliments to a lot of hard-working employees who
13 have made me to be able to say that today.

14 In addition, if you are following
15 along at Page 5, it's always a pleasure for me to
16 brag on our front-line employees that's not just
17 working for the utility but they provide good
18 leadership within the communities that they serve.
19 There's some pictures there of our employees that
20 are involved in current events after a tornado where
21 people lost their lives.

22 We were some of the first individuals

1 on that scene and not only did the work that we were
2 required to do as a utility, they were there to help
3 that community in a lot of different ways, and then
4 you will see in the pictures after that, we were
5 still there to provide support and help them to
6 re-establish some funds that had been used and badly
7 needed today, so we helped with that.

8 The other pictures are of our
9 employees in the Harrisburg community. If you go
10 there, you will find that a lot of our employees are
11 providing leadership for the American Cancer Society
12 and recognized statewide as being leaders.

13 In virtually every community that we
14 serve, our employees are providing leadership.
15 They're a great asset to their communities, and it's
16 a great byproduct I think to have those kinds of
17 people working for Liberty Utilities. We are very
18 proud of them.

19 In addition, on the next page you can
20 see that since we were required as part of eight
21 audits that were completed by the Pipeline Safety
22 Division, and there were no notices of violations,

1 and some of those were record audits and some of
2 those were field audits. We had to review our
3 O & M Manual, and all of those have now been
4 reviewed and in compliance and everybody has signed
5 off on those.

6 In this business you recognize that
7 our first and foremost priority has to be safety and
8 I think out of safety, the byproduct becomes the
9 necessary reliability and certainly our customers
10 expect both of those.

11 One of the things that you I think
12 have seen, as evidenced by the audits, that we were
13 committed to that and I can assure you that as long
14 as we're Liberty Utilities that will remain a
15 priority and we'll make sure that those systems
16 operate safely, efficiently and that they continue
17 to be reliable.

18 We began last year in a ten-year Fiber
19 Replacement Plan in the state. We are planning to
20 replace all the bare steel, the ineffective utility
21 pipe and the PVC pipe within the state over that
22 ten-year period. So we are making a substantial

1 capital investment and we are making replacements in
2 conjunction with our ten-year plan, so we are well
3 on our way to doing that and we'll continue that in
4 2015.

5 We believe that the acquisition has
6 been successful for Liberty Utilities and for its
7 customers in the communities. We are looking
8 forward to continue to provide service to those
9 customers, and if the opportunity arises, we hope to
10 add communities to our customer list.

11 And thank you for the opportunity and
12 the trust that you put in us to allow us to operate
13 this system. I'll be glad to answer any questions
14 that you might have.

15 ACTING CHAIRMAN SHEAHAN: Thank you.

16 Commissioners del Valle.

17 COMMISSIONER del VALLE: Thank you, Mr. Chairman.

18 On your customer satisfaction level,
19 the survey indicated 85 percent customer
20 satisfaction, and I know that there will always be a
21 customer out there who's not satisfied for some type
22 of legitimate reason, and sometimes there are other

1 reasons, but could you tell me out of the 15 percent
2 what were the main issues or reasons, I should say,
3 for customer dissatisfaction, what steps are you
4 taking to address some of those?

5 MR. SWAIN: Yes. The survey is based on dozens
6 of different questions, and so the compilation of
7 all those questions -- the answer to all those
8 brings up to the 85 percent mark.

9 I am personally familiar with some of
10 the small number of complaints that we have had.
11 Obviously, those customers were not satisfied with
12 us if they filed a complaint, most of which center
13 around our collection activities.

14 A customer would naturally be upset
15 because we disconnected their service, and that
16 would have been the result of not paying their bill,
17 and in every case that we have looked at we did
18 follow those rules. We did it according to the
19 questions that are already set, but, obviously, when
20 a customer's utilities are interrupted, they're not
21 always happy and I can tell you that over the last
22 winter we had many discussions about that and we

1 knew that some of our customer were going to be in a
2 bad spot because energy usages were up and bills
3 were higher, and we went above and beyond to try to
4 work with those customers.

5 What I can say if they tried -- if
6 they worked with us and they did their best, then we
7 did what we could to lead them along. Some
8 customers were upset about that.

9 There might have been some situations
10 where somebody thought that we were suppose to be
11 there when we made an appointment, although I can
12 tell you that those are few and far between. I do
13 know that probably over the last year a couple of
14 those situations where we made a commitment to be at
15 somebody's house and we didn't show up, and there's
16 two that I'm thinking of, as it were, were a result
17 of a reconnect as a result of the customer being
18 shutoff for non-pay, but we had some communication
19 issues with the CSR on the phone and said we will
20 get this back on, and once they communicated with
21 the field personnel, we had to go back on.

22 I know in at least one of those

1 situations we did that on a weekend. We made it
2 right, turned that customer back on. Those are a
3 couple of examples.

4 ACTING CHAIRMAN SHEAHAN: Thank you for your
5 response.

6 MR. SWAIN: Thank you.

7 ACTING CHAIRMAN SHEAHAN: Commissioner Maye.

8 COMMISSIONER MAYE: Thank you. Good morning,
9 Mr. Swain. Have you had any safety incidents in
10 internal or otherwise in the last year?

11 MR. SWAIN: Can you ask that again.

12 COMMISSIONER MAYE: I was curious to know whether
13 or not you had any safety incidents internal or
14 otherwise.

15 MR. SWAIN: We have not. Now on a day-to-day
16 basis we will receive calls from customers saying
17 they smell gas or that they have an issue with
18 pressure. Those come in on a daily basis. We
19 respond to those in a timely manner, but beyond
20 that, no, we have not had any others.

21 COMMISSIONER MAYE: Thank you.

22 ACTING CHAIRMAN SHEAHAN: Commissioner McCabe.

1 COMMISSIONER McCABE: Seconded.

2 ACTING CHAIRMAN SHEAHAN: All those in favor, say
3 aye.

4 (Chorus of ayes.)

5 The Minutes of the January 6th open
6 meeting, as amended, are approved.

7 Item E-1 is Ameren-Illinois Company's
8 filings to revise its gas and electric tariff pages
9 governing eligibility for service, deposits, payment
10 practices, and discontinuance of electric and gas
11 service consistent with the recent Commission Order
12 in Docket No. 06-0703 regarding 83 Illinois Code
13 Part 280. Staff recommends that we approve the
14 revisions by not suspending the filing.

15 Is there any discussion?

16 (No response.)

17 Is there a motion not to suspend the
18 filing?

19 COMMISSIONER McCABE: So moved.

20 ACTING CHAIRMAN SHEAHAN: Is there a second?

21 COMMISSIONER MAYE: Seconded.

22 ACTING CHAIRMAN SHEAHAN: All in favor, say aye.

1 (Chorus of ayes.)

2 The motion carries 4 to 0 and the
3 filing is not suspended.

4 We will ask for leave for unanimous
5 consent for the following items: Item No. E-2 is
6 MidAmerican Energy Company's filing updating Rider
7 Energy Efficiency Cost Recovery (Rider EECR) to
8 include an information sheet and to comply with
9 Docket No. 13-0423/13-0424 (Consolidated).

10 Staff recommends that we approve the
11 update by not suspending the filing.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Without objection, the Order is
17 entered.

18 Item No. E-3 is our investigation into
19 the Customer Authorization Required for Access to
20 Third Parties Other Than Retail Electric Suppliers
21 to Advanced Metering Infrastructure Interval Meter
22 Data.

1 Staff recommends entry of an Order
2 initiating the investigation.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the Order is entered.

8 Item No. E-4 is Docket 12-0456. This
9 is our rulemaking proceeding to develop and adopt
10 rules concerning municipal aggregation.

11 On June 11, 2014, the Commission
12 issued its Second Notice Order authorizing the
13 Proposed Rules to be submitted to the Joint
14 Committee on Administrative Rules ("JCAR") to begin
15 the Second Notice Period.

16 At JCAR's October 14, 2014 meeting,
17 JCAR voted objection to, and prohibited the filings
18 of, the Proposed Rules.

19 Since that time, the parties to the
20 proceeding have suggested additional changes to the
21 Part 470 language to provide additional RES customer
22 protections. The language requires an additional

1 statement be included in the customer disclosure
2 sent to RES customers. It also requires that the
3 RES customer information not be retained by the
4 Aggregation Supplier and prohibits further use of
5 the information for marketing.

6 ALJ Haynes recommends entry of the
7 Post-prohibition Order and Appendix.

8 Is there any discussion?

9 (No response.)

10 Are there any objections?

11 (No response.)

12 Hearing none, the Order and Appendix
13 are entered.

14 Item E-5 is Docket 13-0527. This is
15 our Reconciliation of Revenues Collected under
16 Ameren's Power Procurement Riders with Actual Costs
17 Associated with Power Procurement Expenditures.

18 ALJ Sainsot recommends entry of an
19 Order approving the reconciliation.

20 Is there any discussion?

21 (No response.)

22 Are there any objections?

1 (No response.)

2 Hearing none, the Order is entered.

3 We can consider E-6, 7 and 8 together.

4 These items are Applications for

5 Certification as an Installer of Distributed

6 Generation Facilities under Section 16-128A of the

7 Public Utilities Act.

8 In each case the ALJ recommends entry

9 of an Order granting the requested certificate.

10 Is there any discussion?

11 (No response.)

12 Any objections to combining and

13 approving E-6, 7 and 8?

14 (No response.)

15 COMMISSIONER McCABE: I will just note that two

16 of those are starting vehicles.

17 ACTING CHAIRMAN SHEAHAN: So with that

18 correction, are there any other objections?

19 (No response.)

20 Hearing none, the Order is entered.

21 Item No. G-1 has been pulled from the

22 agenda.

1 Item G-2 and G-3 can be considered
2 together. These items are our reconciliation of
3 revenues collected under North Shore Gas Company and
4 Peoples Gas, Light and Coke Company's Coal Tar
5 Riders with prudent costs associated with Coal Tar
6 Cleanup Expenditures.

7 In both cases ALJ Haynes recommends
8 entry of an Order approving the reconciliation.

9 Is there any discussion?

10 (No response.)

11 Are there any objections?

12 (No response.)

13 Hearing none, the Orders are entered.

14 Item G-4 is Docket 13-0460. This is
15 our citation proceeding against The Peoples Gas,
16 Light and Coke Company for two alleged violations of
17 CFR Sections 192.615(a) and 192.703(b), which are
18 among the federal safety requirements that the
19 Commission has adopted in its rules at Part 590 and
20 which concern emergency operation procedures.

21 Peoples Gas and Staff have come to an
22 agreed Stipulation in which the company agrees to

1 pay a fine of \$400,000 into the State of Illinois
2 General Revenue Fund and agrees to take several
3 steps to address unauthorized gas use.

4 ALJ Benn recommends entry of an Order
5 adopting the stipulation.

6 Is there any discussion?

7 (No response.)

8 Are there any objections?

9 (No response.)

10 Hearing none, the Order is entered.

11 Item G-5 is Docket No. 14-0445. This
12 is Steven Smith's complaint against Peoples Gas as
13 to inaccurate billing in Chicago. It appears the
14 parties have settled their differences and filed a
15 stipulation and joint motion to dismiss. ALJ Benn
16 recommends that we grant this motion and dismiss the
17 complaint.

18 Is there any discussion?

19 (No response.)

20 Any objections?

21 (No response.)

22 Hearing none, the motion is granted

1 and the complaint is dismissed.

2 Item G-6 is Docket 14-0677. This is
3 Thomas Coyle's complaint as to inappropriate billing
4 in Lake Bluff, Illinois. The petitioner has filed a
5 voluntary withdrawal of his complaint.

6 As a result, ALJ Benn recommends we
7 dismiss the complaint without prejudice.

8 Is there any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none, the complaint is
13 dismissed.

14 Item G-7 is Docket No. 14-0687. This
15 is Nicor's application pursuant to Section 9-201 and
16 Section 19-140 of the Public Utilities Act for
17 consent to and approval of an increase in funding
18 for its On-bill Financing Program.

19 ALJ Teague-Kingsley recommends entry
20 of an Order approving the request to increase
21 On-bill Financing Funding and a related change to
22 the company's tariff.

1 Is there any discussion?

2 (No response.)

3 Are there any objections?

4 (No response.)

5 Hearing none, the Order is entered.

6 Item G-8 is Docket No. 14-0224 and
7 14-0225 (consolidated). This is North Shore Gas
8 Company and The Peoples Gas, Light and Coke
9 Company's proposed general increase in gas rates.

10 Staff identified some numerical errors
11 in the January 21, 2015 Order, and ALJs Hilliard and
12 Kimbrel recommend entry of an Amendatory Order
13 correcting those errors.

14 Is there any discussion?

15 (No response.)

16 Any objections.

17 (No response.)

18 Hearing none, the Amendatory Order is
19 entered.

20 Moving onto telecommunications Item
21 No. T-1 is Docket 14-0695. This is Metro Fibernet,
22 LLC's application for a Certificate of Local and

1 Interexchange Authority to Operate as a Reseller and
2 Facilities-based Carrier of Telecommunications
3 Services in the State of Illinois. ALJ Benn
4 recommends entry of an Order granting the requested
5 relief.

6 Is there any discussion?

7 (No response.)

8 Are there any objections?

9 (No response.)

10 Hearing none, the Order is entered.

11 Item T-2 is Docket No. 14-0705. This
12 is MTI (USA) LLC's Application for a Certificate of
13 Prepaid Calling Service Provider Authority in the
14 State of Illinois.

15 ALJ Riley recommends entry of an Order
16 granting the requested certificate.

17 Is there any discussion?

18 (No response.)

19 Any objections?

20 (No response.)

21 Hearing none, the Order is entered.

22 Item T-3 has been pulled from the

1 agenda.

2 Item T-4 is Docket No. 14-0686. This
3 is Century Link Communications LLC d/b/a Madison
4 River Communications Petition to Discontinue ATM
5 Services in Peoria and Bloomington, Illinois.

6 ALJ Riley recommends entry of an Order
7 granting the requested relief.

8 Any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none, the Order is entered.

13 Item T-5 is Docket No. 14-0743. This
14 is AMI Communications Inc.'s Application for
15 Cancellation of its Certificate of Local and
16 Interexchange Authority.

17 ALJ Benn recommends entry of an Order
18 granting the requested relief.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the Order is granted.

2 Item T-6 is Docket No. 14-0756. This
3 is Data-Tel of Illinois, Inc., d/b/a Data-Tel
4 Communications Petition to Withdraw its Certificates
5 of Local Exchange and Interexchange Service
6 Authority and to Cancel its Tariffs.

7 ALJ Riley recommends entry of an Order
8 granting the requested relief.

9 Is there any discussion?

10 (No response.)

11 Are there any objections?

12 (No response.)

13 Hearing none, the Order is entered.

14 Item T-7 is Docket No. 14-0129. This
15 is Mary Weathersby's complaint against Illinois Bell
16 Telephone Company d/b/a AT&T Illinois d/b/a AT&T
17 Wholesale as to billing/charges in Chicago.

18 ALJ Haynes recommends entry of an
19 Order denying the complaint, in part and granting
20 the complaint, in part.

21 Is there any discussion?

22 (No response.)

1 Any objections?

2 (No response.)

3 Hearing none, the Order is entered.

4 Items T-8, 9 and 10 can be considered
5 together. These items are petitions for
6 Confidential/Proprietary Treatment of Petitioners'
7 Annual Reports for not less than two years.

8 In each case the ALJ recommends entry
9 of an Order granting the requested relief.

10 Is there any discussion?

11 (No response.)

12 Any objections?

13 (No response.)

14 Hearing none, the Orders are entered.

15 Items T-11, 12, 13, 14 and 15 may be
16 considered together. These items are Joint
17 Petitions for Approval of Interconnection Agreements
18 or amendments to Interconnection Agreements pursuant
19 to 47 U.S.C., Section 252.

20 In each case the ALJ recommends entry
21 of an Order approving the agreement or amendment to
22 the agreement.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Orders are entered.

6 Moving on to our Water and Sewer
7 agenda, Item No. W-1 is Docket 14-0447. This is
8 Illinois-American Water Company's Application for a
9 Consolidated Certificate of Public Convenience and
10 Necessity for its Peoria District, pursuant to
11 Section 8-406(e) of the Illinois Public Utilities
12 Act.

13 ALJ Yoder recommends entry of an Order
14 approving the Certificate of Public Convenience and
15 Necessity.

16 Is there any discussion?

17 (No response.)

18 Any objections?

19 (No response.)

20 Hearing none, the Order is entered.

21 Item W-2 is Docket 15-0017. This is
22 Aqua Illinois and IAWC's Petition to Initiate a

1 Rulemaking for Approval of Amendments to 83 Illinois
2 Administrative Code Part 656, Qualifying
3 Infrastructure Plant Surcharge.

4 ALJ Jones recommends that we initiate
5 the rulemaking proceeding by commencing hearings
6 pursuant to 83 Illinois Administrative Code 200.210.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Hearing none, the ALJ is directed to
12 commence hearings in this matter.

13 On to Petitions for Rehearing, Item
14 No. PR-1 is Docket No. 07-0446. This is Illinois
15 Extension Pipeline Company, LLC's (IEPC) Application
16 pursuant to Sections 8-503, 8-509 and 15-401 of the
17 Public Utilities Act, to Construct and Operate a
18 Petroleum Pipeline and when necessary, to Take
19 Private Property as Provided by the Law of Eminent
20 Domain. Petitions for Rehearing have been filed by
21 the Pliura Intervenors, Turner Intervenors and IEPC.

22 ALJ Jones recommends that we deny all

1 three petitions.

2 Is there any discussion?

3 (No response.)

4 Any objections to denying all three
5 petitions?

6 (No response.)

7 Hearing none, the petitions are
8 denied.

9 Item PR-2 is Docket 14-0312. This is
10 ComEd's Annual Formula Rate Update and Revenue
11 Requirement Reconciliation under Section 16-108.5 of
12 the Public Utilities Act.

13 We have three petitions for rehearing,
14 the first by ComEd, the second by CUB/IIEC and the
15 third by the AG's office. ALJ Haynes and
16 Teague-Kingsley recommend that we deny all three
17 petitions.

18 Beginning with ComEd's petition for
19 rehearing, is there any discussion?

20 (No response.)

21 Is there a motion to deny the petition
22 for rehearing?

1 COMMISSIONER McCABE: So moved.

2 ACTING CHAIRMAN SHEAHAN: Is there a second?

3 COMMISSIONER MAYE: Seconded.

4 ACTING CHAIRMAN SHEAHAN: It's been moved and
5 seconded.

6 All in favor, say aye.

7 (Chorus of ayes.)

8 Opposed?

9 (No response.)

10 The vote is 4 to 0 and ComEd's
11 Petition for Rehearing is denied.

12 Is there any discussion regarding
13 CUB/IIEC's petition for rehearing?

14 (No response.)

15 Is there a motion to deny the petition
16 for rehearing?

16 (No response.)

17 COMMISSIONER MAYE: So moved.

18 ACTING CHAIRMAN SHEAHAN: Is there a second?

19 COMMISSIONER McCABE: Seconded.

20 ACTING CHAIRMAN SHEAHAN: It's been moved and
21 seconded. All in favor, say aye.

22 (Chorus of ayes.)

1 Opposed, say no.

2 (No response.)

3 The vote is 4 to 0 and CUB/IIEC's
4 Petition for Rehearing is denied.

5 Is there any discussion with respect
6 to the AG's petition for rehearing the topic of
7 either the reconciliation balance and ADIT or
8 ComEd's Annual Incentive Compensation Program (AIP)?

9 We will handle this in two motions.
10 The first will be with respect to the reconciliation
11 balance and ADIT or ComEd's Annual Incentive
12 Compensation.

13 Is there a motion to deny the
14 rehearing on the issues related to ADIT?

15 COMMISSIONER McCABE: So moved.

16 ACTING CHAIRMAN SHEAHAN: Is there a second?

17 COMMISSIONER MAYE: Seconded.

18 ACTING CHAIRMAN SHEAHAN: All those in favor, say
19 aye.

20 (Chorus of ayes.)

21 Any opposed?

22 (No response.)

1 The rehearing on the topic of ADIT is
2 denied.

3 Is there a motion to deny the
4 rehearing on the issue related to AIP?

5 Is there a motion to deny that
6 rehearing?

7 COMMISSIONER MAYE: So moved.

8 ACTING CHAIRMAN SHEAHAN: Is there a second?

9 COMMISSIONER McCABE: Seconded.

10 ACTING CHAIRMAN SHEAHAN: Is there any
11 discussion?

12 (No response.)

13 All those in favor of denying the
14 motion for rehearing, say aye.

15 (No response.)

16 Opposed, say no.

17 COMMISSIONER del VALLE: No.

18 ACTING CHAIRMAN SHEAHAN: The vote is 3 to 1 and
19 the rehearing on the topic of AIP is denied.

20 Along with its Petition for Rehearing,
21 the Attorney General also filed a Motion for Partial
22 Collection of Revenues Subject to Refund which ALJs

1 Haynes and Teague-Kingsley recommend we grant in
2 part with regard to ADIT and deny in part with
3 regard to API.

4 Is there a motion to deny the motion
5 for rehearing?

6 COMMISSIONER McCABE: So moved.

7 ACTING CHAIRMAN SHEAHAN: Is there a second?

8 COMMISSIONER MAYE: Seconded.

9 ACTING CHAIRMAN SHEAHAN: All those in favor, say
10 aye.

11 (No response.)

12 Opposed, say no.

13 COMMISSIONER del VALLE: No.

14 ACTING CHAIRMAN SHEAHAN: The vote is 3 to 1 and
15 the motion is denied.

16 Item PR-3 is Docket 14-0317. This is
17 Ameren's Rate MAP-P Modernization Action
18 Plan-Pricing Annual Update Filing. We have two
19 Applications for Rehearing in this proceeding, the
20 first by CUB/IIEC (collectively "CI") and the second
21 by the Attorney General's office.

22 ALJs Albers and Von Qualen recommend

1 that we deny both applications.

2 JUDGE WALLACE: Mr. Chairman --

3 ACTING CHAIRMAN SHEAHAN: Sure.

4 JUDGE WALLACE: -- This is Judge Wallace.

5 Could we back up to PR-2. I think
6 that last one is a motion rather than a Petition for
7 Rehearing. It's slightly different. The AG has a
8 motion for partial collection of revenues subject to
9 refund. That's separate from the Petitions for
10 Rehearing.

11 ACTING CHAIRMAN SHEAHAN: Right. And I think we
12 voted to deny both of those.

13 JUDGE WALLACE: I just wanted to clarify that it
14 was to deny the motion.

15 ACTING CHAIRMAN SHEAHAN: That's correct.

16 JUDGE WALLACE: Okay. Thank you, sir.

17 ACTING CHAIRMAN SHEAHAN: Thank you for that
18 clarification.

19 Back to 14-0317, this is PR-3 Docket
20 14-0317. The ALJs recommend that we deny both
21 applications.

22 Is there any discussion on the

1 Applications for Rehearing?

2 (No response.)

3 Is there a motion to deny the
4 applications?

5 COMMISSIONER MAYE: So moved.

6 ACTING CHAIRMAN SHEAHAN: Is there a second?

7 COMMISSIONER McCABE: Seconded.

8 ACTING CHAIRMAN SHEAHAN: It's been moved and
9 seconded that we deny that application.

10 All in favor, say aye.

11 (Chorus of ayes.)

12 Opposed, say no.

13 (No response.)

14 The vote is 4 to 0 and both
15 applications are denied along with the Petition for
16 Rehearing. The Attorney General has also filed a
17 Motion for Partial Collection of Revenues Subject to
18 Refund which ALJs Albers and Von Qualen recommend we
19 grant.

20 Is there a motion to grant the motion
21 consistent with the ALJs recommendation?

22 COMMISSIONER del VALLE: So moved.

1 ACTING CHAIRMAN SHEAHAN: Is there a second?

2 (No response.)

3 There's no second.

4 So, for the lack of a second, we will
5 not take any action on Docket No. 14-0317.

6 COMMISSIONER MAYE: Mr. Chairman, if I may, I
7 would like to move to deny the motion.

8 COMMISSIONER McCABE: Seconded.

9 ACTING CHAIRMAN SHEAHAN: Is there any
10 discussion?

11 (No response.)

12 All those in favor, say aye.

13 (No response.)

14 Opposed, say aye.

15 COMMISSIONER del VALLE: No.

16 ACTING CHAIRMAN SHEAHAN: The vote is 4 to 0 and
17 the motion is granted.

18 COMMISSIONER del VALLE: Three.

19 ACTING CHAIRMAN SHEAHAN: The vote is 3 to 1 and
20 the motion is granted.

21 COMMISSIONER MAYE: Denied.

22 ACTING CHAIRMAN SHEAHAN: Denied. So I thank

1 you.

2 Moving on to other business, we have
3 two remaining items of other business on today's
4 agenda. The first is the ICC's 2014 Annual Report
5 on Gas, Electricity and Water.

6 Are there any questions on the annual
7 report?

8 COMMISSIONER McCABE: I just want to ask if Staff
9 would accept a few non-sub edits.

10 MR. FEIPEL: Always.

11 COMMISSIONER McCABE: Thank you.

12 ACTING CHAIRMAN SHEAHAN: Is there a motion to
13 approve the report to be sent to the Governor and
14 General Assembly.

15 COMMISSIONER del VALLE: So moved.

16 COMMISSIONER McCABE: Seconded.

17 ACTING CHAIRMAN SHEAHAN: All those in favor, say
18 aye.

19 (Chorus of ayes.)

20 Any opposed, say aye.

21 (No response.)

22 The vote is 4 to 0. That's the item

1 on our agenda that concerns pending litigation, and
2 we'll go into closed session to discuss that.

3 Is there a motion to go into closed
4 session?

5 COMMISSIONER McCABE: So moved.

6 ACTING CHAIRMAN SHEAHAN: Is there a second?

7 COMMISSIONER MAYE: Seconded.

8 ACTING CHAIRMAN SHEAHAN: It's been moved and
9 seconded that we go into closed session.

10 All in favor, say aye.

11 (Chorus of ayes.)

12 Opposed, say no.

13 (No response.)

14 The vote is 4 to 0 to go into closed
15 session, and we just ask to clear the room.

16 (Whereupon pages 37 through
17 44 are contained in a
18 separate transcript for
19 Closed Session)

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1 (Whereupon, the commission
2 returned to open session)

3 So we'll open the doors here and reconvene into
4 open session.

5 JUDGE WALLACE: We are ready in Springfield.

6 (A brief pause.)

7 Okay. We are back in open session.

8 In closed session, the Commission discussed FERC
9 Docket No. ER-15-834-000, which concerns the ICC's
10 Comments on the Illinois Municipal Electric Agency's
11 Request for Waiver of Language in PJM's Reliability
12 Assurance Agreement Applicable to the May 2015,
13 Reliability Pricing Model Base Residual Auction.

14 Is there a motion to pre-file these
15 comments with FERC?

16 COMMISSIONER McCABE: So moved.

17 ACTING CHAIRMAN SHEAHAN: Is there a second?

18 COMMISSIONER MAYE: Seconded.

19 ACTING CHAIRMAN SHEAHAN: It's been moved and
20 seconded. All in favor, say aye.

21 (No response.)

22 Opposed, say no.

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(No response.)

The vote is 4 to 0.

Judge Wallace, is there anything to come before the Commission?

JUDGE WALLACE: No. That's all, Mr. Chairman. Thank you.

ACTING CHAIRMAN SHEAHAN: Without objection, we are adjourned.

(Whereupon the meeting was Adjourned)