

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION
3 PUBLIC UTILITIES REGULAR OPEN MEETING
4 Thursday, February 17, 2022
5 Chicago, Illinois

6
7 Met pursuant to notice at 11:30 a.m.
8 at 160 North LaSalle Street, Chicago, Illinois.

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11 PRESENT:

- 12 CARRIE ZALEWSKI, Chairwoman
13 D. ETHAN KIMBREL, Commissioner
14 MARIA S. BOCANEGRA, Commissioner
 (via videoconference)
15 MICHAEL T. CARRIGAN, Commissioner
16 ANN MCCABE, Commissioner

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21 BRIDGES COURT REPORTING
 BY: Stephen Mortensen,
22 Notary Public, CER

1 CHAIRWOMAN ZALEWSKI: Good morning. I have
2 11:30. So I'm going to go ahead and get started.
3 Under the Open Meetings Act, I call the February 17th,
4 2022, Regular Open Meeting to order. Commissioners
5 Carrigan, Kimbrel and McCabe are with me in Chicago.
6 We have a quorum.

7 Commissioner Bocanegra has requested to
8 participate remotely. Are there any objections to
9 allowing Commissioner Bocanegra to participate
10 remotely?

11 (No verbal response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none,
13 Commissioner Bocanegra can participate in today's
14 meeting remotely.

15 Commissioner Bocanegra, I just want to
16 make sure you can hear us and we can hear you.

17 COMMISSIONER BOCANEGRA: I can hear you. Good
18 morning.

19 CHAIRWOMAN ZALEWSKI: Good morning.

20 So let's proceed with the agenda.

21 We have no requests to speak.

22 Item 0-1 on our agenda is the annual

1 reorganization report by the Liberty Utilities. And
2 for logistical reasons, we're going to hear this item
3 first. So with us today we have Michael Beatty,
4 Liberty's central region vice president, and Kenneth
5 Tillotson, director of legal services for Liberty's
6 central region. And we also have Arthur Bresnahan, who
7 is counsel for Liberty. And it's my understanding that
8 Mr. Bresnahan is going to go first if that's correct.
9 You can correct me if not, but either way, you may
10 proceed.

11 MR. BRESNAHAN: Thank you, Commission and Chair.

12 All I wanted to do is just introduce to
13 the Commission, Mike Beatty, who is the senior vice
14 president responsible for the Liberty Mid-States
15 Utility, and that includes the Illinois operations. So
16 with no further ado, thank you for having us.

17 MR. BEATTY: Good morning. And really good to be
18 here in person. My slide deck's teed up, so before I
19 advance to the next slide, I'd really like to call your
20 attention, Liberty is in a -- we've -- re-branding. So
21 we're going from Liberty Utilities and we've just
22 dropped the Utilities and now we're called Liberty.

1 And you can see that the L to the left of Liberty,
2 that's -- we've captured that and we've made that a
3 radiant heart. It really goes to our customer care
4 that we're all about. So just wanted to grab that
5 attention that we're re-branding that. So, next slide.

6 So the agenda here is things that we
7 just want to cover with you all. You know, obviously,
8 our introductions and company background. Some safety
9 metrics we're really proud of. Bringing you up to
10 speed on our Tamms acquisition, talk a little bit about
11 COVID and the Public Acts. And then obviously, open it
12 for questions from the Commission.

13 Go past that one.

14 So who is Liberty in Illinois? Well,
15 we are a subsidy of Algonquin Power and Utility Corp.
16 Greater company is made up of electric, natural gas,
17 water, waste water and some fiber spread across not
18 only North America but we have water customers in
19 Chile, we have electric customers in Bermuda -- so an
20 international company. But here in Illinois, we're
21 natural gas.

22 Obviously, we bought the utilities from

1 Atmos Energy. And believe it or not, it's been 10
2 years. I mean, I think July 1, 2012, is 10 years ago
3 that that's happened. So time flies.

4 We currently serve 21,200 customers in
5 Illinois. That's spread across 31 counties. 102 towns
6 and villages that we serve.

7 I've got 26 field employees that work
8 here. 5 CSRs, customer service reps, that work in
9 Illinois. I put the metric there that we've driven
10 almost 500,000 miles in 2021. That's an average for
11 the field employees of almost 18,000 miles a year. So
12 we're pretty rural. We get around.

13 But on reliability, just as a metric,
14 just to show the reliability metric, by code we're
15 required to respond to a leak call or a low pressure
16 call within an hour. Our metric for July was under 30
17 minutes, it was actually 27 minutes. And we had 53
18 calls that month. So just kind of give you a flavor
19 for who we are and how rural we are.

20 Now, I really want to spend a little
21 time on this page, I mean, this operating philosophy
22 here. That we're really proud of the employees in

1 Illinois. Our tagline, "Local, responsive and caring."
2 It really -- well, I'm going to give you an example of
3 that. We really dig into the communities, our
4 employees live in the communities. In fact, in Girard,
5 Illinois, there was an issue at the school where they
6 had a CO issue. We actually received the call from the
7 parents before the fire department even got the call.
8 So we're in the community, we work in the community,
9 and we're proud of that.

10 You know, our -- Liberty's purpose is
11 sustained energy and water for life. Now, our values
12 are make a positive difference, do the right thing, and
13 we think creatively. All right? We've got a proven
14 track record of delivering safe, reliable service. And
15 then I want to go in -- the next page, maybe a little
16 -- there's a lot of information there. But I think
17 it's important for me to go through that with you all
18 on our safety metrics.

19 So you can see for the last three
20 years --

21 COMMISSIONER CARRIGAN: Mr. Beatty?

22 MR. BEATTY: Yes.

1 COMMISSIONER CARRIGAN: Maybe you said it and I
2 apologize. How many employees do you have in Illinois?

3 MR. BEATTY: 26 field employees and 5 customer
4 service reps. 31, sir.

5 COMMISSIONER CARRIGAN: Okay. Thank you.

6 MR. BEATTY: Yes, sir.

7 So with that, I would -- we have not
8 had a lost-time injury in Illinois for over 3 years.
9 And to go on even further, the Liberty central, which
10 consists of six states, we have surpassed 5,000,000
11 hours and are well on our way to 6,000,000 hours
12 without a lost time. So we are proud of that metric.

13 And then you can see the other metrics.
14 You know, no vehicle accidents last year. And no
15 recordable incidents. So very proud of that group.
16 They're very safety minded. And I wanted to bring that
17 to your attention. And while I have that slide up,
18 there was just a lot of other metrics there that you
19 could go through if you're curious about some of our
20 other metrics.

21 One of our latest acquisitions, and we
22 have done three, just to bring you up to speed. We did

1 the city of Pittsburg, or the Village of Pittsburg,
2 Village of Creal Springs and the Village of Tamms.
3 Pittsburg and Creal Springs was a couple years ago.
4 But this Tamms acquisition is new for us.

5 You know, when we went in, we completed
6 a leak survey, made sure everything was safe. There's
7 about 240 customers in that village, you know. And we
8 went in and replaced all that PVC main. All right? We
9 commissioned a study with GTI which is here in Chicago
10 and they went out and studied our PVC. And just as
11 kind of a background, the PVC main was put in in the
12 '60s. And this study showed that the PVC is at the end
13 of its life and is becoming brittle. So we're going
14 after the PVC in our systems and try to replace those
15 in a timely manner.

16 So Tamms was one of those. We've done
17 that. And we anticipate that we'll complete that whole
18 project, hopefully, by May 1 of this year. And we have
19 100 percent automated meter reading in Illinois with
20 all of our customers. Now, automated meter reading
21 means that we go around in a vehicle and it -- the
22 radio signal is sent to that truck and it's collected.

1 It's not an automated meter infrastructure where that's
2 automatically collected through a hub base. But we
3 have AMR. And we have had it since 2017.

4 Going -- next page. Sorry.

5 Going into the city of Tamms, you know,
6 the ICC safety staff had some issues with this -- the
7 Village of Tamms before we acquired it. And this is
8 just a rundown of a list of what they saw and how we
9 addressed that and we are compliant with the ICC today.

10 Just an update, as I mentioned earlier,
11 you know, Creal Springs, Pittsburg, Farmersville --
12 well, it's not really an acquisition. We've had
13 Farmersville for quite some time. I wanted to include
14 it on the list because we just replaced all the PVC in
15 Farmersville, also. So we're well on our way of trying
16 to work through the PVC.

17 Acquisition date -- obviously, was in
18 '19. Customer count in Creal Springs is 139. It
19 wasn't PVC main replacements there. There was a lot of
20 meter issues and we've taken care of that. They had an
21 odorizer issue that we took care of. So we're looking
22 to continue to improve that system. It actually has a

1 high-pressure main that comes through town that has
2 farm taps off of it. We believe we can lower the
3 pressure of that main line and take the farm taps out
4 of the system. So we're still looking at how we can
5 streamline the system in Creal Springs.

6 Then the Village of Pittsburg was a few
7 years ago in '15. You all may remember that one.
8 Customer count of 138. We replaced all of its PVC main
9 there. Again, AMR meters were there, replaced, and we
10 put in a new interconnect gate station there and a new
11 odorizer. There was some 40,000 feet of main that was
12 replaced in the city of -- or the village of Pittsburg.
13 And then Farmersville, as I've mentioned, we've
14 replaced all of the PVC in Farmersville. So we're well
15 on our way.

16 Just as a kind of an idea going into
17 the end of 2020, we had 8 1/2 miles of PVC still left
18 in the system. At the end of this year we should have
19 around 5 miles. So we're just systematically working
20 through those replacement projects.

21 We also are going after bare steel
22 main. We have more bare steel main that we're working

1 on, but we feel like the PVC is a little bit higher on
2 the replacement list. But we are starting to kick off
3 what we would call phase 2 of our bare steel
4 replacement in Metropolis, Illinois.

5 COVID. Man, like I said, I'm glad
6 we're sitting in this room. COVID, hopefully, is on
7 the down, so, you know, we actually made a company-wide
8 announcement before, you know, the Commission requested
9 us to. We were -- we're seeing that company-wide. So
10 we did some initiatives there. And, you know, we're
11 also very mindful of this payment assistance program.
12 You know, there's \$125,000 in those funds. Through the
13 end of -- or -- yeah, through January 1st or the end of
14 2021, we had dispersed about \$92,000 of that. So we're
15 working to still disperse those funds. Good program
16 for us.

17 And then the Public Acts. You all see
18 those Public Acts there, the electric and gas public
19 utility ethical conduct and transparency. You know, I
20 can say ethics is definitely a part of the culture at
21 Liberty. We're working on those projects trying to
22 pull together some trainings so our field employees

1 that work here in Illinois know exactly how they are
2 supposed to act. You know, the prohibition on deposits
3 for low-income customers and the rest of these that are
4 here. You know, we've definitely worked through those.
5 And plan to meet the deadlines that are there.

6 With that, I think that's the end of my
7 formal presentation, but I'll definitely open it up for
8 questions from the Commission.

9 CHAIRWOMAN ZALEWSKI: Mr. Beatty, thanks for
10 being here today. We appreciate the information. I
11 have one question: How has Liberty been able to
12 support its customers with the increased wholesale gas
13 prices this year?

14 MR. BEATTY: Gas prices have went up -- the PGA
15 costs have went up --

16 CHAIRWOMAN ZALEWSKI: I'm sorry. I'm struggling
17 to hear you.

18 MR. BRESNAHAN: You're correct. The PGA portion
19 of the bill has went up. You know, gas prices have
20 basically doubled in a year. You know, and then
21 obviously, we had Storm Erie also. We're working with
22 the customers there. We do have the -- what's the name

1 of the program? The agencies that help us with those
2 dollars to help those -- LIHEAP. Yeah. The LIHEAP
3 program. So we continue to help our customers there
4 with that program. And we push them to -- introduce
5 them to the programs that help them pay their bills.

6 CHAIRWOMAN ZALEWSKI: Do other Commissioners have
7 questions?

8 COMMISSIONER MCCABE: Have you seen any trends in
9 customer outreach during COVID?

10 (Mr. Bresnahan speaking off-mic.)

11 MR. BEATTY: Right. And it was part of the
12 program -- I'm flipping through the pages to see if the
13 program has a name. But -- yeah, the Illinois bill
14 payment assistant program. We had \$125,000 in that
15 account and we have only dispersed about \$92,000 of
16 that. So we're still working through that.

17 COMMISSIONER MCCABE: I was just curious if you
18 saw more customers reaching out since more were working
19 from home, that type of thing.

20 MR. BRESNAHAN: Well, one thing that we did was
21 with the bill payment assistant program, we employed
22 kind of a marketing firm that reached out to customers

1 -- because what we were seeing a little bit was that
2 with the moratorium on disconnections, we were getting
3 large balances without customers reaching out to us and
4 so we actually hired a firm to reach out to the
5 customers and try to say, "Hey," you know, there's --
6 with the incentive of the bill payment assistance
7 program to get them to kind of talk to us and be active
8 about kind of managing those balances that I think are
9 -- people are suffering from in the state. So we're
10 trying to mitigate that.

11 COMMISSIONER MCCABE: Okay.

12 MR. BEATTY: As an example of that, throughout
13 the year the -- I won't say the debt issue that we had
14 on those customers -- I mean, it fluctuated through the
15 year up to \$250,000 but it ended in 2021 at about
16 \$85,000. So...

17 CHAIRWOMAN ZALEWSKI: Last call for Commissioner
18 questions.

19 (No verbal response.)

20 CHAIRWOMAN ZALEWSKI: Okay. Hearing none.

21 Thank you to Liberty representatives
22 being here. We do appreciate the information. Thanks.

1 There are edits to the January 20th,
2 2022, Regular Open Meeting Minutes. Are there any
3 objections to approving the minutes as edited?

4 (No verbal response.)

5 CHAIRWOMAN ZALEWSKI: Hearing none, the minutes
6 are approved.

7 Under our Electric Items.

8 Item E-1 concerns ComEd's filing
9 proposing housekeeping revisions to general terms and
10 conditions to reflect acceptable forms of
11 identification related to a service application.
12 Commission Staff has reviewed the filing and recommends
13 not suspending the filing. Are there any objections to
14 not suspending the filing?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the filing is
17 not suspended.

18 Item E-2 and E-3 concern ComEd's and
19 Ameren's proposed new Riders Revenue Balancing
20 Adjustments, or Riders RBAs, to comply with Section
21 16-105.7 of the Public Utilities Act. The riders seek
22 to prevent ComEd and Ameren from undercollecting or

1 overcollecting distribution revenues as compared to
2 revenue requirements approved by the Commission. Staff
3 knows that ComEd's and Ameren's Riders RBAS contemplate
4 an important transition for electric rates, and that
5 many stakeholders will have an interest in and may
6 potentially urge the Commission to modify ComEd's and
7 Ameren's Riders RBAs. Accordingly, Staff recommends
8 the Commission suspend these filings for formal hearing
9 processes. The order suspends the filings. Are there
10 any objections to considering these items together and
11 approving the orders?

12 (No verbal response.)

13 CHAIRWOMAN ZALEWSKI: Hearing none, the orders
14 are approved.

15 Item E-4 concerns Staff's assessment of
16 Ameren Illinois' reliability report and electric
17 reliability performance for calendar year 2020, as
18 required by 83 Ill. Adm. Code 411. The Staff's
19 assessment recommends actions that Ameren could
20 undertake to improve system reliability. The order
21 adopts Staff's reliability assessment and makes it a
22 part of the record. Are there any objections to

1 approving the order?

2 (No verbal response.)

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

5 Item E-5 concerns a citation against
6 Better Cost Energy LLC for failure to file its annual
7 recertification report for 2018 and failure to maintain
8 a license or permit bond as required by Part 454 of
9 Commission rules. Staff filed a motion to dismiss
10 indicating that the 2018 information was received from
11 respondent, and the Commission's clerk had recently
12 received filings documenting that respondent has a
13 license or permit bond in effect. Are there any
14 objections to granting the motion to dismiss?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the motion is
17 granted.

18 Item E-6 concerns a complaint against
19 ComEd regarding billing charges in Chicago. The order
20 grants ComEd's motion to dismiss with prejudice,
21 finding that the complainant failed to make full
22 monthly payments over a long period of time and that

1 the complaint fails as a matter of law because it is
2 barred by the statute of limitations and ComEd's
3 Commission-approved tariffs. Are there any objections
4 to approving the order?

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
7 approved.

8 Item E-7 concerns a complaint against
9 ComEd for billing and charges in Wilmette, Illinois.
10 The parties filed a joint motion to dismiss the
11 complaint, noting that all matters in the dispute have
12 been resolved and requesting that the Commission
13 dismiss the complaint with prejudice. Are there any
14 objections to granting the motion to dismiss?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the motion is
17 granted.

18 Item E-8 concerns ComEd's
19 reconciliation of revenues collected under its Purchase
20 of Receivables with Consolidated Billing Rider, or
21 Rider PORCB, for the period of January 2019 through
22 December of 2020. The order approves the

1 reconciliation as set in the appendix to the order,
2 finding that the costs during the reconciliation period
3 were prudently incurred. Are there any objections to
4 approving the order?

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
7 approved.

8 Items E-9 through 11 concern
9 applications for certifications to install distributed
10 generation facilities in Illinois. The orders grant
11 the certificates finding that the applicants meet the
12 requirements. Are there any objections to considering
13 these items together and approving the orders?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the orders
16 are approved.

17 Item E-12 concerns ComEd's request that
18 the Commission grant its motion to dismiss or a
19 verified petition to initiate a reconciliation
20 proceeding under Rider REA, or Renewable Energy
21 Adjustment, and the corresponding docket as moot.
22 ComEd states that the reconciliation previously

1 required by Rider REA will no longer occur and has been
2 replaced by a revised reconciliation that will be filed
3 in 2023 in compliance with Public Act 102-0662. Are
4 there any objections to granting the motion to dismiss.

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the motion is
7 granted.

8 Item E-13 concerns a petition to cancel
9 a certificate to operate as an agent, broker or
10 consultant. Petitioner has not operated under the
11 certificate for several years and does not have a
12 related bond in place. The order cancels the
13 certificate and requires petitioner to file its
14 Part 454 report for calendar year 2021 within 14
15 calendar days of entry of the order. Are there any
16 objections to approving the order?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
19 approved.

20 Item E-14 concerns a petition to cancel
21 a distributed generation certificate. Petitioner no
22 longer installs photovoltaic types of distributed

1 generation facilities and has no plans to complete
2 distributed generation projects in the future. The
3 order grants the petition to cancel finding that the
4 cancellation will not deprive Illinois residents of any
5 necessary service that -- and is not otherwise contrary
6 to public interest. Are there any objections to
7 approving the order?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
10 approved.

11 Items E-15 through E-23 concern
12 applications for certifications to install energy
13 efficiency measures in Illinois. The order the grants
14 certificates finding that the applicants meet the
15 requirements. Are there any objections to considering
16 these items together and approving the orders?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the orders
19 are approved. Moving onto -- yep.

20 COMMISSIONER MCCABE: It's actually through E-25.

21 CHAIRWOMAN ZALEWSKI: Sorry if I said that
22 incorrectly. It was Items E-15 through E-25.

1 Okay. Thanks, Commissioner.

2 Okay. Moving onto our Gas Items.

3 Item G-1 concerns approval of an agreed
4 penalty against Ameren for violations of gas safety
5 requirements identified in Staff's report for
6 November 22, 2021. The order approves a proposed
7 penalty of \$227,250 and corrective actions including
8 improving annual training programs to address Staff's
9 concerns. Are there any objections to approving the
10 order?

11 (No verbal response.)

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

14 Item G-2 concerns Nicor Gas's motion to
15 withdraw a petition for an order authorizing the use of
16 eminent domain power. According to the motion, Nicor
17 Gas and CC&P have resolved the means by which Nicor Gas
18 will have the necessary rights to access the Galena
19 Right-of-Way to replace a portion of the natural gas
20 pipeline. Are there any objections to granting the
21 motion to withdraw?

22 (No verbal response.)

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

3 Item G-3 concerns Nicor's
4 reconciliation of revenue under its Rider 30, or Energy
5 Efficiency Plan Post Recovery -- or Rider 30 for plan
6 year 2019. The order approves a reconciliation finding
7 that the -- that Nicor Gas complied with its
8 obligations under Rider 30 and that Nicor Gas's Rider
9 30 reconciliation calculations for plan year 2019 are
10 accurate and that Nicor Gas's actual plan year 2019
11 expenses, subject to adjustments recommended by Staff,
12 were reasonably and prudently incurred. Are there any
13 objections to approving the order?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
16 approved.

17 Item G-4 concerns Ameren's
18 reconciliation of revenues under its Rider GER, or Gas
19 Energy Efficiency Cost Recovery, in connection with
20 energy efficiency and demand response programs for the
21 2020 calendar year. The order approves the
22 reconciliation as summarized in the appendix to the

1 order finding that the costs were reasonably and
2 prudently incurred. Are there any objections to
3 approving the order?

4 (No verbal response.)

5 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
6 approved.

7 Item G-5 concerns Ameren's
8 reconciliation of revenues under the Invested Capital
9 Tax Cost Adjustment, or Rider ICTA, for 2019. The
10 order approves the reconciliation as summarized in the
11 appendix to the order finding that the costs are
12 reasonable, accurate, and consistent with the terms of
13 the rider. Are there any objections to approving the
14 order hearing?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the rider --
17 excuse me, the order is approved.

18 Items G-6 and G-7 concern petitions for
19 confidential treatment of information in the
20 petitioner's reports. The orders grant the protection
21 finding that the information is highly proprietary and
22 confidential. Are there any objections to considering

1 these items together and approving the orders?

2 (No verbal response.)

3 CHAIRWOMAN ZALEWSKI: Hearing none, the orders
4 are approved.

5 Items G-8 and G-9 concern customer
6 complaints against Peoples Gas regarding billing and
7 tampering. The parties filed joint motions to dismiss
8 the complaint noting that all matters in dispute have
9 been resolved and requesting that the Commission
10 dismiss the complaints with prejudice. Are there any
11 objections to considering these items together and
12 granting both motions to dismiss?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the motions
15 are granted.

16 Item G-10 concerns a complaint against
17 Nicor Gas regarding gas shutoff. The complainant has
18 not made an appearance in any of the three scheduled
19 hearings and has communicated that he does not want to
20 participate in any hearing scheduled in the future.
21 The order dismisses the complaint for want of
22 prosecution without prejudice. Are there any

1 objections to approving the order?

2 (No verbal response.)

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

5 Under Telecommunications Items.

6 Items T-1 through T-5 concern
7 revocation of certificates of service authority for
8 failure to maintain managerial resources and abilities.
9 Respondents failed to appear at hearings to show cause
10 why the Commission should not revoke their licenses or
11 take other actions. The orders revoke the respondent's
12 licenses. Are there any objections to considering
13 these items together and approving the orders?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the orders
16 are approved.

17 Item T-6 concerns a citation for
18 failure to file annual reports from 2012 to 2020.
19 Following a hearing, Staff filed a motion to dismiss
20 indicating that the respondent is now in compliance and
21 recommending that this matter be dismissed with
22 prejudice. Are there any objections to granting the

1 motion to dismiss?

2 (No verbal response.)

3 CHAIRWOMAN ZALEWSKI: Hearing none, the motion is
4 granted.

5 Item T-7 concerns application for
6 approval of restructuring of Connect Holding and others
7 as a result of Lumen Technology, Inc.'s, sale and
8 transfer of its Illinois incumbent local exchange
9 carriers to Connect Holding. The order approves the
10 proposed reorganization finding that it satisfies the
11 requirements of Section 7-204(b) and 7-204(c) of the
12 Public Utilities Act. Are there any objections to
13 approving the order?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
16 approved. Item T-8 concerns an application for
17 certificate of authority to operate as a
18 facilities-based carrier of wholesale telecommunication
19 services. The applicant filed a request to withdraw
20 the application, noting that activities identified in
21 the application are not within the jurisdiction of the
22 Commission and do not require or allow for the issuance

1 of a certificate. Are there any objections to granting
2 the motion to withdraw?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the motion is
5 granted. Items T-9 through T-22 concern petitions for
6 confidential treatment of information in the
7 petitioner's reports. The orders grant the protection
8 finding that the information is highly proprietary and
9 confidential. Are there any objections to considering
10 these items together and approving the orders?

11 (No verbal response.)

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

14 Under our Water and Sewer Items.

15 Item W-1 concerns Illinois-American
16 Water's application for the approval of the purchase of
17 certain water distribution assets of Jim McDonald
18 Sales, Inc., and establishment of customer rates and
19 ratemaking rate base. The order finds that the
20 approval of the transaction is necessary to provide
21 adequate reliable and efficient water and wastewater
22 service to the customers in the Country Meadows Mobile

1 Home Park area. The order approves the proposed
2 acquisition and the use of the procedures set forth
3 under Section 9-210.5 of the Public Utilities Act to
4 establish the ratemaking rate base of the Country
5 Meadows Mobile Home Park water distribution system.

6 Are there any objections to approving the order?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
9 approved.

10 Item W-2 concerns a complaint against
11 Illinois-American Water regarding billing. The order
12 denies the complaint. The order finds that the
13 complainant agreed the leak and subsequent flooding of
14 the complainant's house was not the company's fault.
15 Based on the testimony presented, the complainant
16 failed to identify any provision in the company's
17 tariff, the Commission's rules, or state law that holds
18 the company responsible for mitigating the damage and
19 excessive water usage due to a water leak not caused by
20 the company or the company's equipment. Are there any
21 objections to approving the order?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the order is
2 approved.

3 Item W-3 concerns Illinois-American
4 Water's reconciliation of revenues under the Utility
5 Assessment Charge Rider, or UAC Rider, for the 2021
6 fiscal year. The order approves the reconciliation as
7 summarized in the appendix to the order finding that
8 the costs are reasonable, accurate, and consistent with
9 the terms of the rider. Are there any objections to
10 approving the order?

11 (No verbal response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none, the order's
13 approved.

14 Moving onto our Petitions for
15 Rehearing.

16 Item PR-1 concerns Nicor Gas's
17 application for permanent certificate of public
18 convenience and necessity to construct, operate and
19 maintain gas distribution facilities, and to transact
20 the business of furnishing gas service to the public in
21 Kankakee County. On February 4th of 2022, an
22 application for rehearing was filed by the Pembroke

1 Environmental Justice Coalition, Blacks in Green, Green
2 Power Alliance, and the Environmental Defense Fund.

3 Applicants request rehearing on two issues.

4 First, the application of Section 8-406
5 of the act, and second, whether Nicor Gas satisfied the
6 requirements of Section 8-406.2 of the act.

7 Applicants also request that the
8 Commission grant rehearing to consider new evidence.
9 The ALJ recommends denying the rehearing, noting that
10 the applicants did not present any new evidence or
11 additional evidence to warrant rehearing on this issue,
12 and that none of the new evidence or information
13 provided by the applicants warrants the Commission
14 granting rehearing in this matter.

15 I'm going to do a roll call on this
16 vote. So if you are in favor of denying the
17 application for rehearing, please say "Aye." If you
18 are opposed, please say "Nay."

19 Commissioner Bocanegra?

20 COMMISSIONER BOCANEGRA: Aye.

21 CHAIRWOMAN ZALEWSKI: Commissioner Carrigan?

22 COMMISSIONER CARRIGAN: Aye.

1 CHAIRWOMAN ZALEWSKI: Commissioner Kimbrel?

2 COMMISSIONER KIMBREL: Aye.

3 CHAIRWOMAN ZALEWSKI: Commissioner McCabe?

4 COMMISSIONER MCCABE: Abstained.

5 CHAIRWOMAN ZALEWSKI: Abstained.

6 I vote "aye."

7 So the four ayes have it with one
8 abstention. And the rehearing is denied.

9 Item PR-2 concerns a complaint against
10 Peoples Gas as to billing. The complaint was dismissed
11 because complainant failed to appear at two scheduled
12 hearings. On February 9th of 2022, complainant filed
13 an application for rehearing stating that complainant
14 did not receive notice of a rehearing date and was
15 unable to plead the case.

16 The ALJ recommends the Commission grant
17 the application for rehearing since the complainant's
18 application for rehearing was timely filed and it
19 appears that the complainant wants to proceed with the
20 complaint.

21 Are there any objections to granting
22 the application for rehearing?

1 (No verbal response.)

2 CHAIRWOMAN ZALEWSKI: Hearing none, the rehearing
3 is granted.

4 Under Other Business.

5 Item 0-1 concerns annual reorganization
6 report by the Liberty Utilities. We already heard on
7 this item at the beginning of the meeting, so there's
8 no further action to be taken.

9 Item 0-2 concerns approval of batches,
10 contracts, and confirmations under the adjustable block
11 program. Are there any objections to approving the
12 program administrator's submission?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the
15 submissions are approved.

16 Item 0-3 concerns approval of batches,
17 contracts, and confirmations under the Illinois Solar
18 For All Program. Are there any objections to approving
19 the program administrator's submissions?

20 (No verbal response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the
22 submissions are approved.

1 This concludes our Public Utilities
2 Agenda.

3 Judge Teague Kingsley, do we have other
4 matters to come before the Commission today?

5 THE COURT: No, Madam Chairman.

6 CHAIRWOMAN ZALEWSKI: Do the Commissioners have
7 any other business to discuss?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, and without
10 objection, the meeting is now adjourned. Thank you.

11 (Whereupon, the above-entitled matter
12 was adjourned.)

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