

BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITY REGULAR OPEN MEETING
Tuesday, February 20, 2024
Chicago, Illinois

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

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

MICHAEL T. CARRIGAN, Commissioner (Springfield Office)

CONRAD REDDICK, Commissioner

STACEY PARADIS, Commissioner

ANN McCABE, Commissioner

MAGNA LEGAL SERVICES

BY: Michael Marciniak, CER

Notary Public

1 CHAIRMAN SCOTT: Good morning. Under the Open
2 Meetings Act I call the February 20, 2024 Regular Open
3 Meeting to order.

4 Commissioners McCabe, Reddick, and
5 Paradis are with me in Chicago, Commissioner Carrigan
6 is joining us from Springfield; we have a quorum.

7 We'll move on to our Public Utilities agenda.
8 There are edits to the February 8th public utility
9 regular open meeting minutes.

10 Are there any objections to approving the
11 minutes as edited?

12 (No verbal response)

13 CHAIRMAN SCOTT: Hearing none the minutes are
14 approved as edited.

15 Moving on to our electric items
16 Item E-1 concerns the published
17 price index for electricity for the 2024 calendar year
18 pursuant to part 451 of the commission's rules. The
19 order establishes a price index of \$40.07 per megawatt
20 hour for 2024

21 Are there any objections to approving the
22 order?

1 (No verbal response).

2 CHAIRMAN SCOTT: Hearing none, the order is
3 approved.

4 Item E-2 concerns a petition
5 from MidAmerican to reopen Docket 21-0853. MidAmerican
6 seeks to reopen the Docket to amend the intended
7 purpose of debt issued by the company and approved by
8 the Commission in this Docket. Commission Staff has no
9 objection to reopening the Docket, and the order
10 approves MidAmerican's petition to reopen the Docket.

11 Are there any objections to granting the
12 petition and approving the order?

13 (No verbal response)

14 CHAIRMAN SCOTT: Hearing none, the petition is
15 granted and the order is approved.

16 Item E-3 concerns an application
17 for certification to install, maintain, or repair
18 electric vehicle charging station facilities. The
19 order grants the certificate finding that the applicant
20 meets the certification requirements.

21 Are there any objections to approving the
22 order?

1 (No verbal response).

2 CHAIRMAN SCOTT: Hearing none, the order is
3 approved.

4 Item E-4 concerns a complaint
5 against ComEd in Sycamore. ComEd has filed a motion to
6 dismiss in the Docket arguing that the relief requested
7 by the complainant is outside the scope of the
8 Commission's authority. ComEd's motion further argues
9 that the complainants have abused the Commission's
10 informal and formal complaint processes many times
11 which have stagnated Commission processes to resolve
12 the issues. On the merits of this complaint, the order
13 grants ComEd's motion with prejudice, finding the scope
14 of the complaint to not be within the Commission's
15 authority. Further the order sets limitations on how
16 the complainants may proceed if they intend to file a
17 complaint before the Commission in the future. The
18 order affirms that ComEd is not prohibited by the
19 Commission's rules from disconnecting the complainants
20 for failure to pay amounts due and owing to ComEd as of
21 December 28th, 2022. If the complainants file another
22 informal complaint with the Commission.

1 Are there any objections to approving the
2 order and dismissing the matter with prejudice?

3 (No verbal response)

4 CHAIRMAN SCOTT: Hearing none, the order is
5 approved and the matter is dismissed with prejudice.

6 Item E-5 concerns a complaint
7 against Smart Energy Holdings in Mason, Illinois. The
8 order dismisses the proceeding finding that the
9 complainant does not intend to pursue the matter any
10 further.

11 Are there any objections to approving the
12 order and dismissing the complaint?

13 (No verbal response).

14 CHAIRMAN SCOTT: Hearing none, the order is
15 approved and the matter is dismissed.

16 Item E-6 concerns a petition for
17 a waiver of part 410 of the Commission's rules and
18 ComEd's tariff regarding separate metering requirements
19 from Standard Greenleaf Venture LP. Greenleaf and
20 ComEd have filed a stipulation setting forth a common
21 agreement on the matter. The order grants the waiver
22 and approves this stipulation.

1 Are there any objections to approving the
2 order?

3 (No verbal response)

4 CHAIRMAN SCOTT: Hearing none, the order is
5 approved.

6 Items E-7 and E-8 concern
7 petitions for the reconciliation of various riders from
8 Mount Carmel and MidAmerican. The orders approve the
9 reconciliations as set forth in the appendices to each
10 order, finding that the costs have been appropriately
11 reconciled and prudently incurred.

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

14 (No verbal response)

15 CHAIRMAN SCOTT: Hearing none, the orders are
16 approved.

17 Items E-9 and E-10 concern
18 applications for licenses to operate as retail electric
19 agents brokers and consultants in Illinois. The orders
20 grant the licenses finding the applicants meet the
21 requirements.

22 Are there any objections to considering these

1 items together and approving the orders?

2 (No verbal response)

3 CHAIRMAN SCOTT: Hearing none, the orders are
4 approved.

5 Item E-11 concerns a petition
6 for Mount Carmel to incur debt to purchase vehicles for
7 utility operations. The order grants the petition.

8 Are there any objections to approving the
9 order?

10 (No verbal response)

11 CHAIRMAN SCOTT: Hearing none, the orders are
12 approved.

13 Items E-12 through E-14
14 concern applications for certifications to install
15 energy efficiency measures in Illinois. The orders
16 grant the certificates finding that the applicants meet
17 the requirements.

18 Are there any objections to considering these
19 items together and approving the orders?

20 (No verbal response)

21 CHAIRMAN SCOTT: Hearing none, the orders are
22 approved.

1 edits.

2 (No verbal response.)

3 CHAIRMAN SCOTT: Hearing none, the edits are
4 approved.

5 Are there any objections to approving the
6 order as edited?

7 (No verbal response.)

8 CHAIRMAN SCOTT: Hearing none, the order is
9 approved as edited.

10 Item G-2 concerns a
11 complaint against Nicor in Calumet City, Illinois. The
12 order dismisses the proceeding finding that the
13 complainant does not intend to pursue the matter any
14 further.

15 Are there any objections to approving the
16 order and dismissing the complaint?

17 (No verbal response)

18 CHAIRMAN SCOTT: Hearing none, the order is
19 approved and the matter is dismissed.

20 Items G-3 through G-6 concern
21 petitions for the reconciliation of various riders from
22 Ameren, Nicor, North Shore and Peoples Gas. The orders

1 approve the reconciliations as set forth in the
2 appendices to each order, finding that the costs have
3 been appropriately reconciled and prudently incurred.

4 Are there any objections to considering these
5 items together and approving the orders?

6 (No verbal response).

7 CHAIRMAN SCOTT: Hearing none, the orders are
8 approved.

9 Item G-7 concerns Docket
10 23-0068/ 23-0069 consolidated which relates to North
11 Shore and People's Gas 2023 rate case. North Shore has
12 filed an unopposed motion for an interim order on
13 rehearing the timeline for the company to update its
14 billing system to monthly billing. The proposed
15 interim order on rehearing grants the motion to allow
16 North Shore to implement the new billing system during
17 the February 2024 billing cycle.

18 There are substantive edits to the order.

19 In the introduction and procedural background section
20 of the order, the edits clarify why the Commission
21 denied North Shore's November 27th 2023 expedited
22 motion for relief from the Commission's final order.

1 The edits explained the Commission's decision
2 reiterating that the request was procedurally improper.
3 I move the edits, is there a second?

4 COMMISSIONER MCCABE: Second.

5 CHAIRMAN SCOTT: Seconded by Commissioner McCabe.

6 Are there any objections to approving the
7 edits?

8 (No verbal response)

9 CHAIRMAN SCOTT: Hearing none, the edits are
10 approved.

11 Are there any objections to approving the
12 order as edited?

13 (No verbal response)

14 CHAIRMAN SCOTT: Hearing none, the order is
15 approved as edited.

16 Items G-8 and G-9 concern
17 petitions for confidential treatment of portions of the
18 petitioners reports. The orders grant the petitions,
19 finding the material to be highly confidential and
20 proprietary.

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

1 (No verbal response)

2 CHAIRMAN SCOTT: Hearing none, the orders are
3 approved.

4 Moving on to our Telecommunication items.

5 Item T-1 concerns the motion to
6 withdraw an application for a certificate of service
7 authority to operate as a telecommunications carrier.
8 The ALJ recommends granting the motion and dismissing
9 the proceeding without prejudice.

10 Are there any objections to granting the
11 motion and dismissing the proceeding without prejudice?

12 (No verbal response.)

13 CHAIRMAN SCOTT: Hearing none, the motion is
14 granted and the proceeding is dismissed without
15 prejudice.

16 Item T-2 concerns a request to
17 cancel a certificate of service authority to provide
18 telecommunication services. The order cancels the
19 certificate finding that the cancellation will not
20 deprive any Illinois customers of necessary
21 telecommunications service and is not otherwise
22 contrary to the public interest.

1 Are there any objections to approving the
2 order?

3 (No verbal response.)

4 CHAIRMAN SCOTT: Hearing none, the order is
5 approved.

6 Items T-3 and T-4 concern
7 applications for certificates of wireless authority to
8 operate as resellers of telecommunication services
9 throughout Illinois. The orders grant the certificates
10 finding that the applicants meet the requirements.

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

13 (No verbal response)

14 CHAIRMAN SCOTT: Hearing none, the orders are
15 approved.

16 Items T-5 through T-8 concern
17 requests for proprietary treatment of information in
18 the petitioners reports. The orders grant the
19 protections finding that the information is highly
20 proprietary and confidential.

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

1 (No verbal response).

2 CHAIRMAN SCOTT: Hearing none, the orders are
3 approved.

4 Moving on to our Water and Sewer items.

5 Items W-1 and W-2 concern
6 petitions for the reconciliation of various riders from
7 Prairie Path Water and Aqua Illinois. The orders
8 approve the reconciliations as set forth in the
9 appendices to each order, finding that the costs have
10 been appropriately reconciled.

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

13 (No verbal response).

14 CHAIRMAN SCOTT: Hearing none, the orders are
15 approved.

16 Item W-3 concerns a motion from
17 Illinois American Water to enter an amendatory order
18 in Docket 23-0397 to make technical changes to the
19 final order. The ALJ recommends granting the motion,
20 and the amendatory order makes the changes proposed by
21 Illinois American.

22 Are there any objections to granting the

1 motion and approving the order?

2 (No verbal response.)

3 CHAIRMAN SCOTT: Hearing none the motion is
4 granted and the order is approved.

5 Moving on to our miscellaneous items.

6 Item M-1 concern the approval of
7 IPA's 2024 long-term renewable resources procurement
8 plan. The proposed order approves the plan with
9 modifications.

10 There are substantive edits to the proposed order.

11 First: Regarding Group A over subscription
12 challenges and solutions the edits clarify the order
13 adopts the IPA's 5 proposed reforms to address uneven
14 subscription issues.

15 Second: Regarding traditional community solar
16 scoring guidelines the edits adapt the IPA's proposed
17 relating to project scoring for the use of equity
18 equity eligible contractors or EC and subcontractors
19 the edits decline to adopt the joint solar parties or
20 JSP proposal on accounting for potential non EEC
21 subcontractors clarify the business model proposed by
22 the JSP is not prohibited and state that the

1 traditional community solar projects receiving points
2 for EC commitment may not subcontract work to non EEC
3 firms.

4 The edits further preserve a signed
5 interconnection agreement as one of the criteria in the
6 IPA's traditional community solar scoring guidelines.
7 The edits find that continuing to award points for
8 signed interconnection agreement balances the interests
9 of utilities, developers, and the IPA to ensure further
10 development of traditional community solar projects.
11 However, the edits recognize the issues raised by
12 parties on this topic and urge all stakeholders to
13 continue exploring options to expedite project
14 development.

15 Third: Regarding the REC pricing model the edits
16 clarify the adoption of the JSP's proposal to increase
17 certain engineering, procurement, and construction
18 costs for Group B projects and the REC model. The
19 edits further agree with the IPA regarding the model's
20 discount rate and decline to adopt ComEd's proposal to
21 incorporate levelized cost of energy calculations.

22 Fourth: Regarding residential and small

1 commercial customer participation, the edits adopt the
2 NRG's companies' position regarding the 25 kilowatt cap
3 per subscriber for the small commercial and residential
4 requirements of a community solar project. The edits
5 state that a customer may have subscriptions in the
6 aggregate, totaling over 25kW across multiple projects
7 and still count as a "residential or small commercial
8 customer" for purposes of a single family's 50%
9 subscriber requirement.

10 Fifth: Regarding the Illinois Solar for All
11 program, the edits direct the IPA to add a
12 self-attestation income verification option to the
13 Bright Neighborhood's program. Specifically, customers
14 participating in the program who live within housing
15 and Urban development qualified census tracts will have
16 an option to sign an affidavit confirming that they
17 make less than 80% of the area median income. The
18 edits direct IPA to provide recommendations in its next
19 plan on whether to incorporate self-attestation based
20 on the expansion of self-attestation to the pilot.

21 Sixth: Regarding consumer protections, the edits
22 approved the IPA's proposal to implement an economic

1 incentive through A REC adder for approved vendors that
2 assists stranded customers. The edits further approve
3 the IPA's proposed stakeholder process to develop the
4 initiative, the possible REC adder to be available for
5 REC contracts that pre-date the IPA's 2024 plan. And
6 the IPA's request to make the adder available after
7 base REC payments have been made.

8 Regarding Illinois Shines Community Solar programs
9 offered to low income customers, the edits acknowledge
10 the concerns with low and moderate income customers
11 enrolling in community solar projects without awareness
12 of Illinois solar for all options. The Commission is
13 not convinced that providing a one-page marketing
14 handout with other solar materials will increase
15 awareness of, or enrollment in Solar for All. The
16 edits further acknowledge the Solar for All program's
17 low enrollment rates and the direct IPA to host a
18 stakeholder process to explore marketing solutions that
19 educate eligible communities of the Solar for All
20 program.

21 Seventh: Regarding diversity equity and
22 inclusion. The Commission declines to adopt the IPA's

1 socio-economic status determination requirement, or the
2 IPA's proposal to require that EEPs must demonstrate
3 control or active management of an EEC. The edits
4 direct the IPA to hold stakeholder processes regarding
5 socio-economic status reporting requirements and
6 control or active management requirements for EEPs.
7 The stakeholder processes shall be intended to
8 determine the most appropriate requirements going
9 forward that prevent manipulation of the program
10 without overly burdening equity eligible persons.
11 The edits further approve the IPA's proposal to add
12 language to the definition of project workforce as it
13 relates to the minimum equity standard.

14 I move the edits, is there a second?

15 COMMISSIONER PARADIS: Second.

16 CHAIRMAN SCOTT: Seconded by Commissioner
17 Paradis.

18 Are there any objections to approving the
19 edits?

20 (No verbal response)

21 CHAIRMAN SCOTT: Hearing none, the edits are
22 approved.

1 Are there any objections to approving the
2 order as edited?

3 (No verbal response).

4 CHAIRMAN SCOTT: Hearing none, the order is
5 approved as edited.

6 Moving on to our Petitions for Rehearing.

7 Item PR-1 concerns A petition
8 for rehearing from choose energy in Docket 23-0106.
9 The ALJ recommends denying the petition finding that
10 the Commission has already considered the arguments
11 raised by the company.

12 Are there any objections to denying the
13 petition for rehearing?

14 (No verbal response)

15 CHAIRMAN SCOTT: Hearing none, the petition is
16 denied.

17 Moving on to Other Business.

18 Items O-1 and O-2 concern
19 approval of batches, contracts, and confirmations under
20 the Illinois Adjustable Block Program and the Illinois
21 Solar for All Program.

22 Are there any objections to considering these

1 items together and to approving the program
2 Administrators submissions?

3 (No verbal response).

4 CHAIRMAN SCOTT: Hearing none, the submissions
5 are approved.

6 Item 0-3 concerns the
7 Commission' Thermal Energy Network Report to be
8 submitted to the Governor and the General Assembly as
9 required by public act 103-0580. The report includes
10 findings and recommendations stemming based on a series
11 of workshops held by the Commission staff and
12 stakeholder comments.

13 Are there any objections to accepting the
14 report?

15 (No verbal response)

16 CHAIRMAN SCOTT: Hearing none, the report is
17 accepted and shall be submitted to the Governor and
18 General Assembly as required by public act 103-0580 and
19 should complement and inform the upcoming future of gas
20 proceedings.

21 Item 0-4 concerns the request
22 for rehearing drafted by Commission staff and FERC

1 Docket ER24-462-000 regarding the FERC's decision to
2 establish a fifth cost of new entry area for the ComEd
3 region of PJM.

4 Are there any objections to approving the
5 submission of the request for rehearing?

6 (No verbal response)

7 CHAIRMAN SCOTT: Hearing none, the submission of
8 the request is approved.

9 This concludes our Public Utilities agenda.
10 Judge Teague Kingsley do we have any other matters to
11 come before the Commission?

12 JUDGE KINGSLEY: No Mr. Chairman.

13 CHAIRMAN SCOTT: Do the commissioners have any
14 other business to discuss?

15 (No verbal response).

16 CHAIRMAN SCOTT: If there are no further comments
17 and without objections, this meeting is adjourned thank
18 you.

19 (Which were all the proceedings had in
20 the above-entitled cause on this
21 date.)

22

1 STATE of ILLINOIS.)

) SS:

2 COUNTY of COOK)

3

4 I, Michael Marciniak, CER, Notary Public,
5 electronic reporter doing business in the State of
6 Illinois; reported the proceedings that were held on
7 the date, time and place set out on the title page
8 hereof; and that the foregoing is a true and correct
9 transcript of report of proceedings so taken aforesaid.

10 I further certify that I am not related
11 to any of the parties, and I have no financial interest
12 in the outcome of this matter.

13

14

15

Michael R. Marciniak

16

MICHAEL R. MARCINIAK.

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Certified Electronic Reporter, CER-2316

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Notary Public

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