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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
PUBLIC UTILITY REGULAR OPEN MEETING  
Thursday, February 23rd, 2023  
Chicago, Illinois

Met pursuant to notice via videoconference at  
11:30 AM at 160 North LaSalle Street, Chicago,  
Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairwoman (via Chicago office)
- D. ETHAN KIMBREL, Commissioner (via telephone)
- MICHAEL T. CARRIGAN, Commissioner (via Chicago office)
- ANN MCCABE, Commissioner (via Chicago office)

BRIDGES COURT REPORTING  
BY: Quinn Dean  
Notary Public

1 CHAIR ZALEWSKI: Under the Open Meetings Act, I  
2 call the February 23rd, 2023, Regular Open Meeting to  
3 order. Commissioners Carrigan and McCabe are with me  
4 in Chicago.

5 Commissioner Kimbrel is seeking to --  
6 excuse me -- participate by phone. Commissioner  
7 Kimbrel, are you there? Can you hear us?

8 COMMISSIONER KIMBREL: Yes, Madam Chair. I can  
9 hear you. Thank you.

10 CHAIR ZALEWSKI: Great. Are there any objections  
11 to allowing Commissioner Kimbrel to participate by  
12 phone?

13 (No verbal response.)

14 CHAIR ZALEWSKI: Hearing none, Commissioner  
15 Kimbrel is granted permission to participate by phone.

16 We're moving on to our Public Utilities  
17 Agenda. There are edits to the February 2nd, 2023  
18 Regular Open Meeting minutes.

19 Are there any objections to approving  
20 the minutes as edited?

21 (No verbal response.)

22 CHAIR ZALEWSKI: Hearing none, the minutes are

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1 approved.

2 Under our electric items, Item E-1  
3 concerns ComEd's filing to improve a new proposed Rider  
4 IGP, Infrastructure Grant Programs. The rider will  
5 allow ComEd to fund portions of plant investment  
6 through participation in federal infrastructure grant  
7 programs under the Infrastructure Investments and Jobs  
8 Act.

9 Staff notes that ComEd's Rider IGP  
10 impacts plant investing funding and many stakeholders  
11 will have an interest in and may potentially urge the  
12 Commission to modify the proposed rider. Accordingly,  
13 Staff recommends the Commission suspend this filing for  
14 a formal hearing process. The order suspends the  
15 filing until June 15th of 2023.

16 Are there any objections to approving  
17 the suspension order?

18 (No verbal response.)

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

21 Item E-2 concerns a Commission order  
22 adopting a published price index for the purposes of

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1 establishing alternative retail electric suppliers  
2 financial qualifications under Part 451 of the  
3 Commission rules. The order adopts the index of \$99.82  
4 per hour for the purpose of setting the dollar amounts  
5 of any unconditional guarantee payment bond or a letter  
6 of credit.

7 Are there any objections to approving  
8 the order?

9 (No verbal response.)

10 CHAIR ZALEWSKI: Hearing none, the order is  
11 approved.

12 Items E-3 and E-4 concern citations for  
13 failure to comply with annual and quarterly filing  
14 requirements. The orders terminate the respondent's  
15 alternative retail electric supplier certificates,  
16 finding that the respondents failed to appear in this  
17 proceeding and file the required reports within six  
18 months of the date of the initiating order.

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

21 (No verbal response.)

22 CHAIR ZALEWSKI: Hearing none, the orders are

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1 approved.

2 Items E-5 through E-7 concern  
3 applications for certification to install, maintain or  
4 repair electric vehicle charging station facilities in  
5 Illinois. The orders grant the certificates, finding  
6 that the applicants meet licensing requirements.

7 Are there any objections to considering  
8 these items together and approving the orders?

9 (No verbal response.)

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

12 Items E-8 through E-17 concern  
13 applications for certifications to install distributed  
14 generation facilities in Illinois. The orders grant  
15 the certificates, finding that the applicants meet the  
16 requirements.

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

19 (No verbal response.)

20 CHAIR ZALEWSKI: Hearing none, the orders are  
21 approved.

22 Item E-18 concerns Ameren's petition

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1 for approval of release of one nonresidential customer  
2 to the City of Flora. There are no disputes between  
3 the parties as to the customer release. The order  
4 grants the petition.

5 Are there any objections to approving  
6 the order?

7 (No verbal response.)

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

10 Item E-19 concerns a ComEd petition for  
11 approval of a limited permanent exception from  
12 requirements of Part 280 of the Commission rules that  
13 require retail customers to provide a written  
14 confirmation of their choice or acceptance of delivery  
15 of utility bills by electronic means. This exemption  
16 will permit automatic default enrollment of eligible  
17 residential retail customers in the electronic  
18 paperless billing through the process described in its  
19 petition. The Staff does not oppose the petition. The  
20 order grants the petition.

21 Are there any objections to approving  
22 the order?

1 (No verbal response.)

2 Hearing none, the order is approved.

3 Item E-20 concerns Docket 22-0720,  
4 which is a petition to cancel a certificate of service  
5 authority to operate as an agent, broker, or  
6 consultant, ABC. The Administrative Law Judge  
7 recommends that the Commission dismiss this Docket  
8 No. 22-0720 since the petitioner's certificate of  
9 service authority to operate as an ABC has already been  
10 terminated in another docket, Docket No. 22-0686, in  
11 January of 2023.

12 Are there any objections to dismissing  
13 this docket?

14 (No verbal response.)

15 CHAIR ZALEWSKI: Hearing none, the docket is  
16 dismissed.

17 Item E-21 concerns a petition to cancel  
18 a certificate of authority to operate as an agent,  
19 broker, or consultant. The order grants the petition  
20 and cancels the certificate.

21 Are there any objections to approving  
22 the order?

1 (No verbal response.)

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

4 Item E-22 concerns an application for a  
5 license to operate as an electronic -- an electric  
6 retail agent, broker, and consultant in Illinois. The  
7 order grants the certificate, finding that the  
8 applicant meets the licensing requirements.

9 Are there any objections to approving  
10 the order?

11 (No verbal response.)

12 Hearing none, the order is approved.

13 Items E-23 through E-25 concern  
14 termination of abandoned licenses to operate as retail  
15 electric agents, brokers, and consultants in Illinois.  
16 The orders terminate the abandoned licenses, finding  
17 that the petitioners failed to show cause as to why  
18 their certificates should not be terminated.

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

21 (No verbal response.)

22 CHAIR ZALEWSKI: Hearing none, the orders are

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1 approved. Item E-26 concerns a petition to cancel a  
2 certificate of authority to install energy efficiency  
3 measures in Illinois. The order grants the petition  
4 and cancels the certificate.

5 Are there objections to approving the  
6 order?

7 (No verbal response.)

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

10 Items E-27 through E-37 concern  
11 applications for certification to install energy  
12 efficiency measures in Illinois. The orders grant the  
13 certificates, finding that the applicants meet the  
14 requirements.

15 Are there any objections to considering  
16 these items together and approving the orders?

17 (No verbal response.)

18 CHAIR ZALEWSKI: Hearing none, the orders are  
19 approved.

20 Under our gas items, Items G-1 through  
21 G-4 concern requests for proprietary treatment of  
22 information in the petitioner's reports. The orders

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1 grant for protections finding that the information is  
2 highly proprietary and confidential.

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

5 (No verbal response.)

6 Hearing none, the orders are approved.

7 Item G-5 concerns North Shore and  
8 Peoples Gas's request to reconcile revenues under the  
9 Invested Capital Tax Adjustment rider, or Rider ICTA.  
10 The order approves the reconciliation as set in the  
11 appendices to the order, finding the costs during the  
12 reconciliation period 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 G-6 concerns North Shore and  
19 Peoples Gas's request to reconcile revenues under  
20 Rider 1, additional charges for taxes and customer charge  
21 adjustments, public utility assessment charge. The  
22 order approves the reconciliation as set in the

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

3 Are there any objections to approving  
4 the order?

5 (No verbal response.)

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

8 Item G-7 concerns a complaint against  
9 Nicor Gas regarding delay in service. The parties have  
10 settled all issues and filed a stipulation and joint  
11 motion to dismiss with prejudice.

12 Are there any objections to granting  
13 the motion to dismiss?

14 (No verbal response.)

15 CHAIR ZALEWSKI: Hearing none, the motion is  
16 granted.

17 Item G-8 concerns Illinois Gas  
18 Company's proposed general rate increase and revisions  
19 to other terms and conditions of service. The Company  
20 filed a stipulation by which accepted and stipulated to  
21 all adjustments and recommendations proposed by Staff,  
22 which resolves all remaining issues in this docket.

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1 The order approves the stipulation and grants the  
2 Company's request for a rate increase of \$867,688, as  
3 well as the approved total operating revenues.

4 Are there any objections to approving  
5 the order?

6 (No verbal response.)

7 CHAIR ZALEWSKI: Hearing none, the order is  
8 approved.

9 Moving on to our telecommunications  
10 items, Items T-1 through T-9 concern requests for  
11 proprietary treatment of information in the  
12 petitioner's reports. The orders grant the  
13 protections, finding that the information is highly  
14 proprietary and confidential.

15 Are there any objection to considering  
16 these items together and approving the orders?

17 (No verbal response.)

18 CHAIR ZALEWSKI: Hearing none, the orders are  
19 approved.

20 Moving on to our miscellaneous items,  
21 Item M-1 concerns Navigator Heartland Greenway LLC's  
22 application for a certification of authority to

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1 construct and operate a carbon dioxide pipeline.  
2 Navigation Heartland now filed a motion to withdraw  
3 application for an order voluntarily dismissing the  
4 application without prejudice, indicating that the  
5 Company will be seeking authorization to construct,  
6 install, operate, and maintain an additional lateral  
7 pipeline to additional sequestration locations.

8                   Instead of filing a separate  
9 application for the lateral pipeline, the Company seeks  
10 to streamline the application process by withdrawing  
11 its current application and re-filing a new application  
12 to include the new lateral pipeline.

13                   Are there any objections to granting  
14 the motion to withdraw?

15                   (No verbal response.)

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

18                   Item M-2 concerns a request for oral  
19 argument in Docket 22-0499, which is Grain Belt Express  
20 LLC's application for an order granting a certificate  
21 of public convenience and necessity to construct,  
22 operate and maintain a high voltage direct current

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1 electric service transition line.

2 Landowner alliance -- can you please  
3 mute your phone, Ms. Klevs. Thank you. Landowner  
4 Alliance.

5 MS. KLEVS: It's not me.

6 CHAIR ZALEWSKI: Oh, I'm sorry. Can everyone  
7 who's not speaking please mute their line? We're  
8 hearing feedback. Thank you.

9 Landowner Alliance requested in their  
10 joint reply brief that the Commission hold oral  
11 arguments on the initial briefs and reply briefs filed  
12 by the parties. Commission Staff and the ALJ recommend  
13 denying the request, noting that the record contains  
14 substantial evidence from Grain Belt Express Staff  
15 intervenors.

16 The ALJ agrees with Staff that the  
17 parties have had ample time to present their positions  
18 and arguments in this proceeding. Alternatively, Staff  
19 recommends that if Commission grants the request, the  
20 scope of the oral argument should be narrowed. The  
21 Commission is interested in hearing the oral argument  
22 on some of the most contested issues in this docket.

1 The Commission thus would like to grant the oral  
2 argument request partially with the limited scope that  
3 will be specified in the notice of oral argument  
4 containing discussion on the following issues:

5 First, does the Commission need to make  
6 a finding under Section 8-406(a)?

7 Second, does the Commission need to  
8 make a finding of public convenience and necessity  
9 under Section 8-406.1(f)?

10 And third, is section 8-503  
11 authorization premature?

12 Are there any objections to granting  
13 the requests for oral argument?

14 (No verbal response.)

15 CHAIR ZALEWSKI: Hearing none, the request is  
16 granted. The notice of oral argument will be issued  
17 shortly.

18 Items 0-2 and 0-3 concern approvals of  
19 batches, contracts and confirmations under Adjustable  
20 Block Program and Solar for All Program.

21 Are there any objections to approving  
22 the program administrator's submissions?

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1 (No verbal response.)

2 CHAIR ZALEWSKI: Hearing none, the program  
3 administrator submissions are approved.

4 Item O-3 concerns February 2022  
5 solicitation of bids to sell zonal resource credits to  
6 Ameren.

7 Are there any objections to approving  
8 the procurement administrator's recommendations on  
9 selection of winning bids?

10 (No verbal response.)

11 CHAIR ZALEWSKI: Hearing none, the procurement  
12 administrator's recommendations are approved.

13 Item O-4 concerns approval of Illinois  
14 Power Agency's proposed contract for the program  
15 evaluator for the Illinois Solar for All Program.

16 Are there any comments from  
17 Commissioners?

18 COMMISSIONER MCCABE: I'm abstaining.

19 CHAIR ZALEWSKI: Thank you.

20 Are there any objections to approving  
21 the proposed contract?

22 (No verbal response.)

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1 CHAIR ZALEWSKI: Hearing none, the contract is  
2 approved with three votes, and please note Commissioner  
3 McCabe's abstention.

4 This concludes our Public Utilities  
5 agenda.

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

8 JUDGE TEAGUE-KINGSLEY: No, Madam Chair. I just  
9 wanted to confirm you went through O-2, O-3, O-4.

10 CHAIR ZALEWSKI: I'm sorry, say that --

11 JUDGE TEAGUE-KINGSLEY: I just wanted to confirm  
12 that you went through O-2, O-3, O-4; correct?

13 CHAIR ZALEWSKI: I believe I did.

14 JUDGE TEAGUE-KINGSLEY: Okay.

15 CHAIR ZALEWSKI: I think I called O-1 and O-2  
16 together.

17 JUDGE TEAGUE-KINGSLEY: Okay.

18 CHAIR ZALEWSKI: It's my understanding, yes. I'm  
19 getting nods from my policy advisors.

20 JUDGE TEAGUE-KINGSLEY: Okay. Thank you. I just  
21 wanted to clarify. There isn't anything else.

22 CHAIR ZALEWSKI: Thanks for checking. Thank you.

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1                   Any other Commissioners have other  
2 business to discuss?

3                   (No verbal response.)

4                   Hearing none --

5           COMMISSIONER KIMBREL: Madam Chair --

6           CHAIR ZALEWSKI: Sure.

7           COMMISSIONER KIMBREL: Yeah. I would just like  
8 to thank the folks here at Metra Electric. My train is  
9 obviously moving, but we were handling a downed wire  
10 situation. The conductors kept us all safe. It was an  
11 anxious moment to say the least, but I'm on the move,  
12 but -- Thank you.

13           CHAIR ZALEWSKI: Great. Glad you're safe and  
14 moving.

15                   If there's no other objection and  
16 comments, the meeting is adjourned. Thank you.

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

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