

1 Public Utility Agenda, we will start with approval of
2 minutes from the February 9th Bench Session. I
3 understand amendments have been forwarded.

4 Is there a motion to amend the
5 minutes?

6 ACTING COMMISSIONER COLGAN: So moved.

7 ACTING CHAIRMAN SCOTT: Is there a second?

8 COMMISSIONER ELLIOTT: Second.

9 ACTING CHAIRMAN SCOTT: It's been moved and
10 seconded.

11 All in favor, say "aye."

12 (Chorus of ayes.)

13 ACTING CHAIRMAN SCOTT: Any opposed, "nay"?

14 (No response.)

15 ACTING CHAIRMAN SCOTT: The vote is 5 to
16 nothing amending the minutes for February 9th.

17 Is there a motion to approve the
18 minutes as amended?

19 ACTING COMMISSIONER COLGAN: So moved.

20 ACTING CHAIRMAN SCOTT: Is there a second?

21 COMMISSIONER ELLIOTT: Second.

22 ACTING CHAIRMAN SCOTT: It's been moved and

1 seconded.

2 All in favor, say "aye."

3 (Chorus of ayes.)

4 ACTING CHAIRMAN SCOTT: Any opposed, "nay"?

5 (No response.)

6 ACTING CHAIRMAN SCOTT: The vote is 5 to
7 nothing approving the minutes for February 9th as
8 amended.

9 Moving now to the Electric portion of
10 the today's agenda. Item E-1 is Docket No. 08-0136.
11 This item concerns a Petition by ComEd for an
12 extension in time for authority previously granted to
13 obtain loans, issue bonds and sell notes up to an
14 aggregate principal amount of \$700 million. ALJ
15 Haynes recommends that the Commission enter an Order
16 approving the Company's Petition and granting the
17 extension of time.

18 Is there a motion to enter the Order
19 approving the Petition?

20 COMMISSIONER ELLIOTT: So moved.

21 ACTING CHAIRMAN SCOTT: Is there a second?

22 COMMISSIONER O'CONNELL-DIAZ: Second.

1 ACTING CHAIRMAN SCOTT: It's been moved and
2 seconded.

3 All in favor, say "aye."

4 (Chorus of ayes.)

5 ACTING CHAIRMAN SCOTT: Any opposed?

6 (No response.)

7 ACTING CHAIRMAN SCOTT: The vote is 5 to
8 nothing. The Order is entered and the extension in
9 time for this authority is granted.

10 We will use this 5 to nothing vote for
11 the remainder of the Public Utility Agenda unless
12 otherwise noted.

13 Item E-2 is Docket No. 10-0157. This
14 item will be held for disposition at a future
15 Commission meeting.

16 Item E-3 is Docket No. 10-0517. This
17 item will also be held for disposition at a future
18 Commission meeting.

19 Item E-4 is Docket No. 10-0740. This
20 item is Chris Hitler's complaint as to billing and/or
21 charges against ComEd. Parties have entered into a
22 stipulation for a dismissal, and ALJ Kimbrel

1 recommends that the Commission enter an Order
2 dismissing the complaint.

3 Is there any discussion?

4 (No response.)

5 ACTING CHAIRMAN SCOTT: Any objections?

6 (No response.)

7 ACTING CHAIRMAN SCOTT: Hearing none, the Order
8 is entered and the complaint is dismissed.

9 Item E-5 is Docket No. 10-0742. This
10 is Martha Esparza's complaint as to billing and/or
11 charges against ComEd. The Complainant has brought a
12 Petition for Interlocutory Review regarding denial of
13 a motion for substitution of the ALJ in this case.
14 ALJ Haynes recommends that the Commission deny the
15 Complainant's Petition for Interlocutory Review of
16 that ruling.

17 Is there any discussion?

18 (No response.)

19 ACTING CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 ACTING CHAIRMAN SCOTT: Hearing none, the
22 Petition is denied.

1 Item E-6 is Docket No. 11-0042. This
2 is Ameren's Petition requesting waivers from certain
3 technical provisions of Title 83, Chapter 285, of the
4 Illinois Administrative Code regarding information
5 requirements for rate case filings. ALJ Albers
6 recommends that the Commission enter an Order
7 granting the requested relief.

8 Is there any discussion?

9 (No response.)

10 ACTING CHAIRMAN SCOTT: Any objections?

11 (No response.)

12 ACTING CHAIRMAN SCOTT: Hearing none, the
13 waivers are granted.

14 Items E-7 through is E-11 can be taken
15 together. These items each concern customer
16 complaints regarding billing and/or charges against
17 ComEd. In each case the parties have apparently
18 settled their differences and brought joint motions
19 to dismiss which the ALJs recommend that it be
20 granted.

21 Is there any discussion?

22 (No response.)

1 of the Proposed Amendment to Part 595.

2 Is there any discussion?

3 (No response.)

4 ACTING CHAIRMAN SCOTT: Any objections?

5 (No response.)

6 ACTING CHAIRMAN SCOTT: Hearing none, the Order
7 is entered.

8 Items G-2 and G-3 can be taken
9 together. These items are filings by Peoples and
10 North Shore Gas Companies concerning tariff changes
11 surrounding their Small-Volume Transportation
12 Programs. Staff recommends that the Commission allow
13 the Companies' proposals by not suspending the
14 filings.

15 Is there any discussion?

16 (No response.)

17 ACTING CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 ACTING CHAIRMAN SCOTT: Hearing none, the
20 filings will not be suspended.

21 Item G-4 is a Petition for Special
22 Permission by North Shore Gas to make changes in its

1 rate schedule for its Small-Volume Transportation
2 Program and give effect to these changes on less than
3 45-day notice. Staff recommends that the Commission
4 allow the Company's proposal by granting special
5 permission.

6 Is there any discussion?

7 (No response.)

8 ACTING CHAIRMAN SCOTT: Any objections?

9 (No response.)

10 ACTING CHAIRMAN SCOTT: Hearing none, special
11 permission is granted.

12 Item G-5 is Docket No. 08-0623. This
13 is AmerenCILCO's reconciliation case concerning
14 revenues collected under gas adjustment charges. ALJ
15 Albers recommends that the Commission enter an Order
16 approving the reconciliation.

17 Is there any discussion?

18 (No response.)

19 ACTING CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 ACTING CHAIRMAN SCOTT: Hearing none, the Order
22 is entered.

1 Item G-6 will be held for a later
2 date.

3 Commissioner O'Connell-Diaz.

4 COMMISSIONER O'CONNELL-DIAZ: If I might ask
5 Judge Gilbert to give us a briefing on this. It's
6 kind of an extensive order, and I would personally
7 just like to spend more time with it; but I think it
8 would be good for all of us if he gave us a briefing
9 of his findings and recommendation.

10 ACTING CHAIRMAN SCOTT: Very well.

11 Judge.

12 JUDGE GILBERT: Each year Peoples Gas and North
13 Shore Gas have to make filings with respect to their
14 Rider EEP or Enhanced Energy -- I'm sorry -- Enhanced
15 Efficiency Programs.

16 Rider EEP is something that you
17 approved in the 2007 rate case for Peoples and North
18 Shore. And the annual filings require an explanation
19 and justification of what has happened up to a
20 certain point and an explanation and justification
21 for a surcharge or rider charge that will apply going
22 forward.

1 The filings in a technical sense were
2 fine and there were really no objections with respect
3 to those. There were three challenges brought by
4 Staff with respect to the prudence of three
5 particular energy efficiency measures that the
6 utilities adopted. And there were several disputed
7 issues with respect to how to evaluate prudence; how
8 to apply it in the specific context of an Energy
9 Efficiency Program; and then there were the specific
10 applications of those principles to the three energy
11 efficiency measures.

12 And there's several decisions made
13 during the body of the order with respect to how
14 to -- how to define and apply prudence in this case
15 and then there are the specific applications of those
16 principles to tankless water heaters, wall
17 insulation and -- now suddenly I'm forgetting the
18 third piece, even though I've been playing with this
19 forever -- clothes washers -- I'm sorry --
20 high-efficiency clothes washers.

21 The result is that tankless water
22 heaters and high-efficiency clothes washers are

1 considered equally included in the program and that
2 wall insulation was not. And there's a disallowance
3 amounting to about 3,000-and-some with respect to
4 North Shore and about -- I think it's 15,000 with
5 respect to Peoples out of a program that spent, I
6 think, about a million and a half.

7 And so -- I don't know if that's a
8 satisfactory summary for you at this point.

9 COMMISSIONER O'CONNELL-DIAZ: Thank you. I
10 just think since we're kind of setting the table with
11 regard to our Energy Efficiency Programs, and it
12 was -- I kind of had some questions that -- I may
13 have more questions, but I think we need to get it
14 right up front and then obviously this will be used
15 as we move forward with this program.

16 So I may have more questions based
17 upon a much deeper read, but it's an extensive Order.
18 So thank you.

19 ACTING CHAIRMAN SCOTT: So Item G-6 then will
20 be held for disposition at a future Commission
21 meeting.

22 Thank you, Judge.

1 Item G-7 is Docket Nos. 10-0237 and
2 10-0238 consolidated. This is North Shore and
3 Peoples Gas' Petitions to initiate proceedings to
4 determine the accuracy of their Rider VBA
5 Reconciliation Statements. ALJ Gilbert recommends
6 that the Commission enter an Order approving the
7 Utilities' filings.

8 Is there any discussion?

9 (No response.)

10 ACTING CHAIRMAN SCOTT: Any objections?

11 (No response.)

12 ACTING CHAIRMAN SCOTT: Hearing none, the Order
13 is entered.

14 Item G-8 is Docket No. 09-0621. This
15 is Ivie Clay's complaint as to service against
16 Peoples Gas concerning alleged improperly billed
17 charges. ALJ Benn recommends that the Commission
18 enter an Order denying the complaint.

19 Is there any discussion?

20 (No response.)

21 ACTING CHAIRMAN SCOTT: Any objections?

22 (No response.)

1 (No response.)

2 ACTING CHAIRMAN SCOTT: Any objections?

3 (No response.)

4 ACTING CHAIRMAN SCOTT: Hearing none, the
5 Orders are entered and the requested relief is
6 granted for two years.

7 Moving now to Telecommunications.

8 Item T-1 and T-2 can be taken together. These items
9 concern filings by Frontier Communications of the
10 Carolinas and Frontier North to add language to the
11 Company's tariffs dealing with requests to change or
12 relocate facilities. Staff recommends that the
13 Commission allow their request by not suspending the
14 filings.

15 Is there any discussion?

16 (No response.)

17 ACTING CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 ACTING CHAIRMAN SCOTT: Hearing none, the
20 filings will not be suspended.

21 Item T-3 is Docket No. 09-0603. This
22 is Worldwide Marketing Solutions' Application for a

1 Certificate to Provide Resold Interexchange
2 Telecommunication Services in Illinois. ALJ Benn
3 recommends that the Commission enter an Order
4 dismissing the docket for want of prosecution.

5 Is there any discussion?

6 (No response.)

7 ACTING CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 ACTING CHAIRMAN SCOTT: Hearing none, the
10 docket is dismissed.

11 Item T-4 is Docket No. 10-0677. This
12 is Budget Call Long Distance's Application for
13 cancellation of a Certificate of Interexchange
14 Authority previously issued in Docket No. 93-0443.
15 ALJ Baker recommends that the Commission enter on
16 Order granting the application for cancellation.

17 Is there any discussion?

18 (No response.)

19 ACTING CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 ACTING CHAIRMAN SCOTT: Hearing none, the Order
22 is entered and the certificate is cancelled.

1 Items T-5 and T-6 can be taken
2 together. These items concern Joint Petitions for
3 Amendments to Interconnection Agreements under 47
4 U.S.C. Section 252. In each docket ALJ Baker
5 recommends entering an Order approving the amendment
6 of the existing agreement.

7 Is there any discussion?

8 (No response.)

9 ACTING CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 ACTING CHAIRMAN SCOTT: Hearing none, the
12 Orders are entered.

13 Item T-7 has been withdrawn.

14 Items T-8 through T-21 can be taken
15 together. These items each concern potential
16 citation proceedings against telecommunications
17 carriers for failure to file their 2009 Annual
18 Reports with the Commission. In each case Staff
19 recommends that the Commission enter an Order
20 initiating the citation proceeding against the
21 Company.

22 Is there any discussion?

1 (No response.)

2 ACTING CHAIRMAN SCOTT: Any objections?

3 (No response.)

4 ACTING CHAIRMAN SCOTT: Hearing none, the
5 Orders are entered and the citation proceedings are
6 initiated.

7 Item T-22 has been withdrawn.

8 Items T-23 through T-26 can also be
9 taken together. These items also each concern
10 potential citation proceedings against
11 telecommunications carriers for failure to file their
12 2009 Annual Reports with the Commission. In each
13 case Staff recommends that the Commission enter an
14 Order initiating the citation proceeding against the
15 company.

16 Is there any discussion?

17 (No response.)

18 ACTING CHAIRMAN SCOTT: Any objections?

19 (No response.)

20 ACTING CHAIRMAN SCOTT: Hearing none, the
21 Orders are entered and the citation proceedings are
22 initiated.

1 Item T-27 is Docket No. 10-0524. This
2 is MTI's Application For Designation as an Eligible
3 Telecommunications Carrier to Receive Federal
4 Universal Service Support. ALJ Riley recommends that
5 the Commission enter an Order granting the requested
6 designation.

7 Is there any discussion?

8 (No response.)

9 ACTING CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 ACTING CHAIRMAN SCOTT: Hearing none, the Order
12 is entered.

13 Items T-28 through T-36 can be taken
14 together. These items concern Petitions to protect
15 against the disclosure of confidential and/or
16 proprietary information in Petitioners' Annual
17 Reports. In each case, the ALJ recommends entry of
18 an Order granting the requested relief for a period
19 of two years.

20 Is there any discussion?

21 (No response.)

22 ACTING CHAIRMAN SCOTT: Any objections?

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(No response.)

ACTING CHAIRMAN SCOTT: Hearing none, the Orders are entered and the requested relief is granted for two years.

We have one miscellaneous item for today. Item M-1 is Docket No. 10-0281. This docket concerns amendments to Title 83, Part 300, of the Administrative Code addressing notice to landowners in eminent domain proceedings. ALJ Sainsot recommends that the Commission enter an Order authorizing submission of the proposed amendments to the Joint Committee on Administrative Rules.

Is there any discussion?

(No response.)

ACTING CHAIRMAN SCOTT: Any objections?

(No response.)

ACTING CHAIRMAN SCOTT: Hearing none, the Order is entered and the proposed amendments will be sent to JCAR.

We have a few additional items to take care of here today. First up is Liberty Consulting Group's Eighth Quarterly Report concerning the

1 Peoples Gas Pipeline Safety Program. Someone from
2 Staff able to brief us on this report? Or not?

3 MR. BURK: Yes, Mr. Chairman. Darin Burk from
4 Pipeline Safety is available.

5 ACTING CHAIRMAN SCOTT: Thank you very much.

6 MR. BURK: This update covers the eighth and
7 final quarterly update of the Liberty Consulting
8 Group. It covers the months September through
9 November 2010.

10 Liberty's verification commitment has
11 been completed. Liberty expressed concerns related
12 to nine recommendations. Of those recommendations,
13 three have been classified as verified and closed;
14 but further verification by Pipeline Safety Staff is
15 recommended. Six of the recommendations were left
16 open and require Staff follow-up. Staff is
17 developing a plan to follow up on all nine
18 recommendations, and I have a summary of that that I
19 will provide here.

20 Recommendations 2-3 discusses
21 evaluating the cast iron replacement policies and
22 increased replacement rates in the Northern District.

1 Staff will conduct annual review of the process being
2 used to select the main segments to be replaced and
3 will verify that a risk-based process is being used.

4 Recommendation 2-25 demonstrates
5 implementation of best practices. This
6 recommendation was targeted at corrosion control
7 policies and practices and will be reviewed through
8 record and field inspections. Staff will also
9 schedule annual meetings to discuss best practices
10 that have been implemented and additional practices
11 and equipment available to the operator.

12 Recommendation 3-7, reevaluate the
13 odorant sampling and documentation and convert it to
14 an electronic format. The process has been developed
15 and was scheduled to go live in 2011. Staff will be
16 following up on that as well.

17 The recommendations that were left
18 open by Liberty are Recommendations 2-19, evaluate
19 atmospheric corrosion inspection practices. Peoples
20 continues to struggle with adequate atmospheric
21 corrosion control monitoring, especially in the
22 bridge and tunnel area. Staff will conduct field

1 inspections and interview the key employees to
2 determine the progress.

3 Recommendation 2-20, test casings to
4 ensure electrical isolations from the carrier pipe.
5 Peoples Gas needs to complete the testing for
6 electrical isolation of the casings from the carrier
7 pipe. They've encountered difficulties in completing
8 that task. Staff will conduct quarterly inspections
9 to determine the progress toward identification of
10 all casing locations and the corrective actions being
11 taken to isolate the piping.

12 Recommendation 3-17, reduce the
13 year-end leak backlog. The pending leak backlog has
14 grown due to the reduction of the Cast Iron
15 Replacement Program after the last two years.
16 Peoples will focus on Class 2 leak repair and
17 evaluate the costs needed and feasibility of Class 3
18 repair based on the Replacement Program.

19 Staff will continue to monitor leak
20 backlog to verify that the replacement program is
21 reducing the backlog. If the backlog is increasing,
22 Staff will discuss the need for additional resources

1 being assigned to leak repair.

2 Recommendation 4-7, conduct
3 inspections of contractor crews as required. The
4 lack of qualified compliance monitoring group
5 personnel has been limiting the inspections and
6 contractor audits. Peoples has had difficulty moving
7 experienced people from union positions or bargaining
8 unit positions to management. Peoples has hired and
9 are in discussions with retired training and
10 operations personnel to supplement the inspection
11 process until the qualified individuals can be hired
12 for permanent positions.

13 Recommendation 5-8, improve the
14 Quality Assessment/Quality Control Program. Again,
15 they're having difficulty recruiting qualified
16 individuals. The contractor's employees that were
17 mentioned above -- or before are -- will be used to
18 supplement the program until the positions can be
19 filled with qualified personnel. And Pipeline Safety
20 will continue to monitor that progress.

21 Recommendation 5-9, provides the means
22 for and require that general supervisors spend more

1 time in the field on job sites with the crews.
2 Peoples has not made significant progress toward
3 providing additional supervision in the field
4 operations. The implementation of the Work Assets
5 Management Program will reduce the administrative
6 workload on supervisors and centralized scheduling
7 should provide administrative duty relief. Those
8 programs are still in development and have not been
9 fully implemented. Staff will conduct field
10 inspections to determine if supervision is present
11 during critical maintenance activities.

12 Liberty also indicated that Staff
13 needs to continue to address Recommendations 2-5
14 through 2-11, although they have been closed. The
15 recommendations discuss third-party damages within
16 the City of Chicago. Liberty identified the lack of
17 enforcement in the City of Chicago as a contributing
18 factor to the damages that Peoples Gas continues to
19 experience on their natural gas systems. They
20 recommend that Peoples support the Damage Prevention
21 Act to include enforcement in the City of Chicago and
22 Peoples should continue to enhance damage prevention

1 activities, such as excavation site inspections.

2 Staff will verify that Peoples is
3 meeting the excavation site inspection goals and
4 following all the requirements under 192 -- under CFR
5 Part 192.

6 That concludes my update.

7 Are there any questions?

8 ACTING CHAIRMAN SCOTT: Does anyone have any
9 questions?

10 COMMISSIONER FORD: No. I'll save my comments.
11 Thank you.

12 ACTING CHAIRMAN SCOTT: Commissioner
13 O'Connell-Diaz.

14 COMMISSIONER O'CONNELL-DIAZ: Mr. Burk, with
15 regard to these items that you have -- the nine items
16 that you just spoke about, is there, like, a time
17 line or what -- are these just going to be
18 open-ended?

19 MR. BURK: A lot of it just depends on the
20 implementation of the data processing systems, also
21 the availability of the resources to accomplish the
22 tasks. For example, the electrical isolation of

1 casings is a very specialized task and there are only
2 a handful of people employed by Peoples Gas that are
3 capable of doing that type of work.

4 So it will be an ongoing process.
5 They haven't really committed to any definite time
6 line.

7 COMMISSIONER O'CONNELL-DIAZ: I mean, if that's
8 the case then, do they have a training program so
9 that there are more people in the lineup to do that
10 work? Because what if somebody retires and...

11 MR. BURK: There are a couple of things in the
12 works with regard to that. As a result of this
13 Liberty audit, Peoples Gas has started sending
14 their -- or has designated individuals to be
15 corrosion technicians. The corrosion technicians are
16 going through The National Association of Corrosion
17 Engineers Training and Certification. It's a
18 multi-level qualification. And they are allowing the
19 people to go as high as they would like to in that
20 training. As they progress through that training,
21 more people will be qualified.

22 They are also in negotiations with the

1 union local to discuss a training process or program
2 that they are going to sponsor to bring more
3 qualified individuals into the work force. The plan
4 is to have these people go through approximately nine
5 to eleven months of intensified training before they
6 even become employees of Peoples Gas. That hasn't
7 been fully developed at this time, but that is in the
8 works as well.

9 COMMISSIONER O'CONNELL-DIAZ: And particularly
10 when you say "difficulties in completing the task" on
11 several of the items, how can we spur that forward?

12 I -- 3.17, when you were talking about
13 the difficulties in achieving that goal, and that's
14 having to do with the Cast Iron Replacement
15 Program -- I mean, I think our Order was really clear
16 that we didn't want other parts of their distribution
17 systems stopping because of that rider recovery.
18 That's separate and distinct items.

19 So I'm having problems understanding
20 how they're not completing those tasks that were part
21 of their normal duties and obligations separate and
22 distinct from that Cast Iron Replacement Program,

1 which they're recovering separately under a rider.

2 MR. BURK: Well, prior to granting of the rider
3 they had cut back their Cast Iron Replacement Program
4 from roughly 46 miles a year to about 17.

5 COMMISSIONER O'CONNELL-DIAZ: Right.

6 MR. BURK: Basically they were just keeping up
7 with the public improvement programs and hazardous
8 leak requirements. We anticipate that the
9 Replacement Program that the Commission has ordered
10 will reduce the backlog of the leaks and start to
11 relieve the problems.

12 This year they intend to retire
13 approximately 100 miles of the cast iron, which will
14 require them to install approximately 170 miles of
15 new main based on the dynamics of the system. So we
16 will continue to look at that and hope that that goes
17 down.

18 I have discussed this issue with the
19 Vice President of Operations of Peoples Gas and he
20 has committed that if they don't see a reduction in
21 backlog, they will enter into discussions with the
22 Union to either bring on more personnel or allow

1 contractors into the city to help with the leak
2 backlog.

3 COMMISSIONER O'CONNELL-DIAZ: And how long out
4 is that going to be?

5 MR. BURK: Well, this year will be the first
6 year of the replacement so we are going to look at
7 the results after this year.

8 COMMISSIONER O'CONNELL-DIAZ: Then another year
9 down the pike and then we're already behind with the
10 17 miles versus the -- whatever that number you gave
11 me before. So they probably should be sitting down a
12 little sooner than the end of the year. There's a
13 problem already. So...

14 MR. BURK: I can have Staff meet with Peoples
15 Gas and see where they're at after the first quarter
16 of this year and see if their numbers are higher or
17 lower than last year. That would give us an
18 indicator of where they're going on the leaks.

19 COMMISSIONER O'CONNELL-DIAZ: Well, I mean, I
20 think if you were talking about sitting down with the
21 Union and -- we're talking about a process that has
22 to start and it's got to start sooner rather than

1 later. And they're already behind the eight ball
2 with regard -- before they've even started the Rider
3 Program. So...

4 COMMISSIONER FORD: Quarterly report I think
5 would be an excellent indicator of service.

6 ACTING CHAIRMAN SCOTT: Anyone else?

7 Thank you, Mr. Burk.

8 MR. BURK: Thank you.

9 ACTING CHAIRMAN SCOTT: Is there a motion to
10 accept the Report and have the Report posted on the
11 Commission's Web site?

12 COMMISSIONER ELLIOTT: So moved.

13 ACTING CHAIRMAN SCOTT: Is there a second?

14 COMMISSIONER O'CONNELL-DIAZ: Second.

15 ACTING CHAIRMAN SCOTT: It's been moved and
16 seconded.

17 All in favor, say "aye."

18 (Chorus of ayes.)

19 ACTING CHAIRMAN SCOTT: Any opposed?

20 (No response.)

21 ACTING CHAIRMAN SCOTT: The vote is 5 to
22 nothing. The Report is accepted and the Report will

1 be posted on the Commission's Web site.

2 Our last two items today are FERC
3 matters concerning pending litigation. We will go
4 into closed session to address them.

5 Is there a motion to go into closed
6 session?

7 ACTING COMMISSIONER COLGAN: So moved.

8 ACTING CHAIRMAN SCOTT: Is there a second?

9 COMMISSIONER ELLIOTT: Second.

10 ACTING CHAIRMAN SCOTT: It's been moved and
11 seconded.

12 All in favor, say "aye."

13 (Chorus of ayes.)

14 ACTING CHAIRMAN SCOTT: Any opposed, "nay"?

15 (No response.)

16 ACTING CHAIRMAN SCOTT: The vote is 5 to
17 nothing to go into closed session.

18 (Whereupon at this point Pages
19 34-52 of the proceedings are
20 contained in a separate closed
21 transcript.)

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CONTINUATION OF PROCEEDINGS

ACTING CHAIRMAN SCOTT: In closed session the Commission discussed making a filing with FERC in FERC Docket EL11-21-000.

Is there a motion to file the Comments with FERC?

COMMISSIONER ELLIOTT: So moved.

ACTING CHAIRMAN SCOTT: Is there a second?

ACTING COMMISSIONER COLGAN: Second.

ACTING CHAIRMAN SCOTT: It's been moved and seconded.

All in favor, say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN SCOTT: Any opposed, "nay"?

(No response.)

ACTING CHAIRMAN SCOTT: The vote is 5 to nothing and the comments will be filed with FERC.

The Commission also discussed making a filing with FERC in FERC Docket No. ER10-1791-002.

It there a motion to file the comments with FERC?

ACTING COMMISSIONER COLGAN: So moved.

1 ACTING CHAIRMAN SCOTT: Is there a second?

2 COMMISSIONER O'CONNELL-DIAZ: Second.

3 ACTING CHAIRMAN SCOTT: It's been moved and
4 seconded.

5 All in favor, say "aye."

6 (Chorus of ayes.)

7 ACTING CHAIRMAN SCOTT: Any opposed?

8 (No response.)

9 ACTING CHAIRMAN SCOTT: The vote is 5 to
10 nothing and the Comments will be filed with FERC.

11 One last item for today, the
12 Commission will be convening again at 1:30 p.m. today
13 for a meeting of our initiative on plug-in electric
14 vehicles. Hope to see you folks there.

15 And just want to say how glad I am to
16 be a part of the Commission and I'm really looking
17 forward to this work and to working with all of you
18 and working on these very important issues. And we
19 also want to thank Acting Chairman Flores for his
20 time serving the Commission and look forward to what
21 lies ahead for us.

22 So it's good to be here. Thank you.

1 COMMISSIONER ELLIOTT: Welcome aboard.

2 ACTING COMMISSIONER COLGAN: Welcome.

3 ACTING CHAIRMAN SCOTT: Thank you.

4 Judge Dolan, are there any other
5 matters to come before the Commission today?

6 JUDGE DOLAN: No, Chairman.

7 ACTING CHAIRMAN SCOTT: Thank you, sir.

8 Hearing none, this meeting stands
9 adjourned.

10 MEETING ADJOURNED

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