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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
PUBLIC UTILITY
Wednesday, March 9, 2016
Chicago, Illinois

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

- PRESENT:
- BRIEN J. SHEAHAN, Chairman
 - ANN MCCABE, Commissioner (via telephonically)
 - SHERINA E. MAYE EDWARDS, Commissioner
 - MIGUEL DEL VALLE, Commissioner
 - JOHN R. ROSALES, Commissioner

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

1 CHAIRMAN SHEAHAN: Good morning. Are we ready to
2 proceed in Springfield?

3 MR. MATISCH Yes, we are.

4 CHAIRMAN SHEAHAN: Pursuant to the Open Meeting
5 Act, I call the March 9, 2016 Regular Open Meeting
6 of the Illinois Commerce Commission to order.

7 Commissioners del Valle, Edwards and
8 Rosales are present with me in Chicago. We have a
9 quorum. Commissioner McCabe is participating by
10 phone.

11 Commissioner McCabe, are you with us?

12 COMMISSIONER McCABE: Yes, I am.

13 CHAIRMAN SHEAHAN: I move to allow Commissioner
14 McCabe to participate by phone.

15 Is there a second?

16 COMMISSIONER ROSALES: Seconded.

17 CHAIRMAN SHEAHAN: Any discussion?

18 (No response.)

19 All in favor, say aye.

20 (Chorus of ayes.)

21 Opposed, say no.

22 (No response.)

1 (A brief pause.)

2 (Whereupon, Commissioner
3 Maye Edwards returned to
4 the room.)

5 Items E-2 through 30, concerns the
6 Commission's Own Motion to Initiate Citation
7 proceedings against various entities for failure to
8 file compliance recertification reports as required
9 by the Illinois Administrative Code.

10 Item E-4 has been withdrawn.

11 Are there any objections to
12 considering these items together and approving the
13 Orders initiating Citation Proceeding?

14 (No response.)

15 Hearing none, the Orders initiating
16 Citation Proceedings are approved.

17 Item E-31 concerns a Tri-County's
18 complaint pursuant to the Electric Supplier Act.

19 Are there any objections to approving
20 the proposed Order denying the complaint?

21 (No response.)

22 Hearing none, the Order is approved.

1 Items E-32, 33 and 34 concern various
2 customer complaints regarding billing charges.

3 Are there any objections to
4 considering these items together and approving the
5 parties' Joint Motions to Dismiss?

6 (No response.)

7 Hearing none, the Orders are approved
8 and the complaints are dismissed.

9 Item E-35 concerns a customer billing
10 complaint against ComEd.

11 Are there any objections to approving
12 the proposed Order granting the complaint in part
13 and denying in part?

14 (No response.)

15 Hearing none, the Order is approved.

16 Items E-36 and 7 are Applications for
17 Certifications as Installer of Distributed
18 Generation Facilities under the Public Utilities
19 Act.

20 Are there any objections to
21 considering these items together and approving the
22 proposed Orders?

1 (No response.)

2 Hearing none, the Orders are approved.

3 Item E-38 is Bid On Energy's Petition
4 Requesting Cancellation on its Certificate of
5 Service Authority.

6 Are there any objections to approving
7 the proposed Order?

8 Hearing none, the Order is approved.

9 Item E-39 -- Items E-39 and 40 are
10 Applications for Certificates of Authority.

11 Commissioner McCabe, I understand you
12 may have some questions.

13 COMMISSIONER McCABE: Yes, I have a few questions
14 on E-40, which is Docket 16-0059. First is why the
15 Application for a Certificate of Service Residence
16 in the territory is contingent upon the ICC's
17 receipt of proof of membership.

18 JUDGE JORGENSEN: Good morning. Yes.

19 COMMISSIONER del VALLE: Good morning.

20 JUDGE JORGENSEN: To conduct business in both a
21 ComEd service territory and the MISO service
22 territory, our Administrative Code requires that the

1 applicant be a member of the RTO for the service
2 territory that the utility covers, so in this case
3 the Ameren service territory.

4 They agreed that they're going to
5 purchase 100 percent of the energy from the RTO, in
6 this case it will be MISO's service territory, so
7 they have to be a market participant.

8 COMMISSIONER McCABE: Thank you. And the
9 Commission has commissioned ARES certificates like
10 this before, correct?

11 JUDGE JORGENSON: Yes. I mirrored this Order
12 after one that was previously granted by the
13 Commission in Docket 15-0440. That was MidAmerican
14 Energy Service, LLC. This exact same thing happened
15 there. Initially MidAmerican was going to operate
16 in the ComEd and Ameren service territory and their
17 membership for MISO was pending.

18 COMMISSIONER McCABE: And are there any legal
19 concerns with issuing a certificate conditioned upon
20 receiving evidence in the future especially where
21 the evidence is required by the Commission's rules
22 to grant a certificate?

1 JUDGE JORGENSEN: I do not believe so, because in
2 this case, the way the Order's written, they do not
3 get the certificate for the Ameren territory unless
4 they comply with everything that they need to comply
5 with according to our rules and statutes, so they
6 cannot operate in the Ameren Service Territory until
7 they are a member of MISO and supply that
8 documentation.

9 I will just note that the Commission
10 has various cases in the past granted a conditional
11 Order. One of the more recent ones was for the
12 Nicor reorganization when you put in a bunch of
13 conditions, one of which after granting the Order
14 the company had to file a copy of the service
15 agreement and tax allocation agreement, so we have
16 done unconditional orders before.

17 COMMISSIONER McCABE: Thank you.

18 And what other options then to split
19 the request to an authority to a separate treatment
20 for ComEd and for Ameren?

21 JUDGE JORGENSEN: I sorry. I couldn't hear you.

22 COMMISSIONER McCABE: Did you consider issuing an

1 Interim Order providing the request for relief for
2 ComEd's territory but withholding the request for
3 Ameren's territory?

4 JUDGE JORGENSEN: I would not do an Interim
5 Order, because the Interim Order is not a final
6 Order. It is not a final judgment decision on
7 granting or denying the certificate, and there's a
8 45-day statutory deadline.

9 COMMISSIONER McCABE: Thank you, Judge Jorgenson.

10 JUDGE JORGENSEN: Thank you.

11 CHAIRMAN SHEAHAN: Are there any other questions
12 regarding C-39 through 40?

13 (No response.)

14 Are there any objections to
15 considering these items together and approving the
16 proposed Order?

17 (No response.)

18 Hearing none, the Orders are approved.

19 Item E-41 concerns Ameren
20 Transmission's Petition Requesting Authorization to
21 use Eminent Domain for various parcels.

22 Are there any objections to approving

1 the proposed Order?

2 (No response.)

3 Hearing none, the Order is approved.

4 Item E-42 concerns ComEd's Petition
5 Requesting Expedited Approval of Revisions to its
6 Distribution System Extension Rider.

7 Are there any objection to approving
8 the proposed Order?

9 (No response.)

10 Hearing none, the Order is approved.

11 Moving on to our Gas agenda, Item
12 G-1 concerns customer billing against Peoples Gas.

13 Are there any objections to
14 granting the parties' Joint Motion to Dismiss?

15 (No response.)

16 Hearing none, the motion is granted
17 and the complaint is dismissed.

18 Item T-1 concerns IRU Network's
19 Application for a Certificate of Interexchange
20 Authority to Operate as a Reseller of
21 Telecommunications Services in Illinois.

22 Are there any objections to approving

1 the proposed Order granting the Certificate?

2 (No response.)

3 Hearing none, the Order is approved.

4 Items T-2 through 6 concern various
5 petitions seeking Confidential Treatment of certain
6 reports.

7 Are there any objections to
8 considering these items together and approving the
9 proposed Orders?

10 (No response.)

11 Hearing none, the Orders are approved.

12 Item W-1 concerns Illinois-American
13 Water's Petition seeking approval of its Purchased
14 Water and Purchased Sewage Treatment Surcharges for
15 2011 Reconciliation Hearing.

16 Are there any objections to approving
17 the proposed Order?

18 (No response.)

19 Hearing none, the Order is approved.

20 Item W-2 concerns Aqua Illinois'
21 Amended Petition Requesting Approval of an Asset
22 Purchase Agreement.

1 Are there any objections to approving
2 the proposed Order?

3 (No response.)

4 Hearing none, the Order is approved.

5 Item M-1 concerns the ICC's Own Motion
6 to Initiate Proceedings to Consider Approval of the
7 Latest Annual Provisions of the Illinois Technical
8 Reference Manual 5.0.

9 Are there any objections to approving
10 the proposed Order?

11 (No response.)

12 Hearing none, the Order is approved.

13 Item M-2 concerns an Order Initiating
14 a Rulemaking Proceeding for Part 286 Submission of
15 Rate Case Testimony.

16 Are there any objections to approving
17 the proposed Order?

18 (No response.)

19 Hearing none, the Order is approved.

20 Moving on to other business, in honor
21 of Women's History Month, celebrated during the
22 month of March, and the International Women's Day,

1 celebrated just yesterday, I would like to salute
2 our colleagues, Commissioner Ann McCabe and
3 Commissioner Sherina Maye Edwards, for their service
4 on the Commission.

5 Helen Schmidt was the first woman
6 appointed to the ICC in 1973. While the energy
7 industry and regulatory commissions across the
8 nation have come a long way when it comes to women
9 in leadership, we still have strides to make.

10 A 2014 study showed women represent
11 just 77 of the 239 commissioners nationwide.

12 I would also like to note that we have
13 had some significant milestones at the ICC in the
14 past year, the first and second female bureau chiefs
15 of External Relations and the first African American
16 female bureau chief. Half of our Commissioner's
17 assistants are young women, and so I feel like, you
18 know, we certainly are making progress here at the
19 ICC, although we still have work to do.

20 So thank you to Commissioners McCabe
21 and Edwards for your service.

22 Do we have any other business before

1 we adjourn?

2 (No response.)

3 Hearing none, we stand adjourned.

4 Thank you.

5 (Whereupon, the above

6 matter was adjourned.)

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