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BEFORE THE  
Illinois Commerce Commission  
REGULAR OPEN MEETING  
Thursday, March 17, 2022  
Chicago, Illinois  
Met pursuant to notice at 11:30 a.m. at 160 North  
LaSalle Street, Chicago, Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairman
- ETHAN KIMBREL, Commissioner
- MARIA BOCANEGRA, Commissioner
- MICHAEL CARRIGAN, Commissioner
- ANN MCCABE, Commissioner

BRIDGES COURT REPORTING  
BY: Quinn Dean  
Electronic Reporter

1           CHAIRMAN ZALEWSKI: Under the Open Meetings Act,  
2 I call the March 17th, 2022, Regular Open Meeting to  
3 order.

4                       Commissioners Bocanegra, Carrigan,  
5 Kimbrel and McCabe are with me in Chicago. We have a  
6 quorum.

7                       We are moving on to our Public  
8 Utilities Agenda.

9                       There are edits to the February 17,  
10 2022, Regular Open Meeting Minutes.

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

13                      Hearing none, the minutes are approved.

14                      Under our Electric Items, Item E-1  
15 concerns MidAmerican's filing to propose changes to  
16 Rider Curtailment Service tariff. In anticipation of  
17 changes to MISO's updated electric tariff, which  
18 impacts the eligibility of demand resources and  
19 associated accreditation, MidAmerican states that it  
20 must increase the number of potential curtailments that  
21 could be called. Commission Staff recommends not  
22 suspending the filing.

1                   Are there any objections to not  
2 suspending the filing?

3                   (No verbal response.)

4                   Hearing none, the filing is not  
5 suspended.

6                   The Item E-2 concerns ComEd's filing to  
7 propose revisions to its Rider Energy Efficiency  
8 Pricing and Performance to comply with Public Act  
9 102-0662. The changes clarify the recovery of cost as  
10 such with ComEd's Public Schools Carbon-Free Assessment  
11 Program through the Energy Efficiency revenue  
12 requirement. Commission Staff recommends not  
13 suspending the filing.

14                   Are there any objections to not  
15 suspending the filing?

16                   (No verbal response.)

17                   Hearing none, the filing is not  
18 suspended.

19                   Item E-3 concerns Ameren's filing to  
20 update its sample bill image to reflect the addition of  
21 the new Rider Energy Transition Assistance Charge,  
22 which was made effective January 3rd of 2022, in order

1 to comply with Public Act 102-0662. Commission Staff  
2 recommends not suspending the filing.

3 Are there any objections to not  
4 suspending the filing?

5 (No verbal response.)

6 Hearing none, the filing is not  
7 suspended.

8 Item E-4 concerns the Commission's  
9 proposed initiation of an investigation to determine  
10 whether the behind-the-meter terms and conditions of  
11 Ameren's net metering tariff are just and reasonable.

12 On January 13th of 2022, the Commission  
13 approved its final order in Docket Number 21-0859,  
14 which approved, with modifications, the community solar  
15 net metering portions of Ameren's tariff to comply with  
16 statutory deadlines set in Public Act 102-0662. In  
17 response to concerns regarding additional time needed  
18 to address the behind-the-meter portions of the Rider  
19 Net Metering 2 tariff, the Commission in its order  
20 found that a separate investigation proceeding should  
21 be initiated to address all modifications to  
22 behind-the-meter provisions in Ameren's net metering

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1 tariff. The Commission directed Staff to initiate an  
2 investigation proceeding pursuant to Section 9-10 --  
3 excuse me, 201(b) to determine whether the  
4 behind-the-meter terms and conditions of Rider Net  
5 Metering 2 are just and reasonable.

6 Separately, on December 14th of 2021,  
7 Ameren filed in Docket 22-0037, its proposed changes to  
8 its Rider Net Metering tariff. And on January 20th of  
9 2022, the Commission suspended the tariff, due to the  
10 commonality of issues in Rider Net Metering and Rider  
11 Net Metering 2. Staff recommends that the  
12 Commission-ordered investigation resulting from  
13 Docket 21-0859, address all of Ameren's  
14 behind-the-meter -- excuse me, behind-the-meter net  
15 metering tariff provisions. This includes not only  
16 those provisions in Rider Net Metering 2, but also  
17 provisions in Rider Net Metering to the extent it is  
18 deemed necessary.

19 So today's order initiates an  
20 investigation to determine whether all of the  
21 behind-the-meter provision of Ameren Illinois' net  
22 metering tariffs, including both Rider Net Metering and

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1 Rider Net Metering, are just and reasonable.

2 Are there any objections to approving  
3 the order?

4 (No verbal response.)

5 Hearing none, the order is approved.

6 Item E-5 concerns Docket 21-0097, which is a Commission  
7 rulemaking proceeding to amend Illinois Administrative  
8 Code 411 on Electric Reliability to permit electric  
9 utility to conduct their annual customer satisfaction  
10 surveys by online means, U.S. mail, or e-mail as an  
11 alternative to telephone surveys. On June 22nd, 2021,  
12 the Commission entered an order authorizing the file of  
13 -- the filing of the second notice of proposed  
14 amendments. The second notice of the proposed  
15 amendments was submitted to JCAR, which considered the  
16 rulemaking at its -- excuse me, November 2021 meeting.  
17 Today's order approves adoption of the amendments to  
18 part 411 as indicated in the appendix to the order.

19 Are there objections to approving the  
20 order?

21 (No verbal response.)

22 Hearing none, the order is approved.

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1                   Item E-6 concerns Docket 21-0155, which  
2 is ComEd's 2022-2025 Energy Efficiency and Demand  
3 Response Plan and associated Stipulation Agreement.  
4 The Commission entered a final order in this proceeding  
5 on June 24th of 2021. On March 1st of 2022, ComEd  
6 filed a petition to reopen the docket to consider and  
7 approve comments revised plan and revised stipulation  
8 agreement in order to comply with Public Act 102-0662.

9                   Are there any objections to granting  
10 the petition?

11                   (No verbal response.)

12                   Hearing none, the petition is granted.

13                   Item E-7 concerns an application for  
14 Certificate of Service Authority to Install, Maintain  
15 and Repair Electric Vehicle Charging Stations. The  
16 order grants the certificate, finding that the  
17 applicant meets the requirements.

18                   Are there any objections to approving  
19 the order?

20                   (No verbal response.)

21                   Hearing none, the order is approved.

22                   Item E-8 concerns an application for a

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1 license to operate as a Retail Electric Agent, Broker  
2 and Consultant in Illinois. The order denies the  
3 application, finding that the applicant does not meet  
4 the requirements.

5 Are there any objections to approving  
6 the order?

7 (No verbal response.)

8 Hearing none, the order is approved.

9 Item E-9 concerns an application for a  
10 license to operate as a Retail Electric Agent, Broker  
11 and Consultant in Illinois. The order grants the  
12 application, finding that the applicant meets the  
13 requirements.

14 Are there objections to approving the  
15 order?

16 (No verbal response.)

17 Hearing none, the order is approved.

18 Item E-10 concerns an Application for  
19 Certificate to Install New Utility Scale Solar  
20 Projects. The order grants the certificate, finding  
21 that the applicant meets the requirements.

22 Are there any objections to approving

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1 the order?

2 (No verbal response.)

3 Hearing none, the order is approved.

4 Items E-11 through E-15 concern citations against  
5 alternative retail electric suppliers for failure to  
6 comply with annual and quarterly filing requirements.

7 The Orders assess the proposed penalties, which total  
8 \$40,250, and which shall be paid to the Public Utility  
9 Fund.

10 Are there any objections to considering  
11 these items together and approving the Orders?

12 (No verbal response.)

13 Hearing none, the Orders are approved.

14 Item 16 concerns Ameren's and the  
15 Adam's Electric Cooperative's joint petition to release  
16 a residential customer from Adam's service to Ameren.  
17 The order grants the petition.

18 Are there any objections to approving  
19 the order?

20 (No verbal response.)

21 Hearing none, the order is approved.

22 Item E-17 concerns a request for confidential treatment

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1 of petitioner's reports. The order grants the  
2 protection, finding that the information is highly  
3 proprietary and confidential.

4 Are there any objections to approving  
5 the order?

6 (No verbal response.)

7 Hearing none, the order is approved.

8 Item E-18 concerns a petition to cancel  
9 a Certificate to Install Energy Efficiency Measures in  
10 Illinois. The order cancels the certificate.

11 Are there any objections to approving  
12 the order?

13 (No verbal response.)

14 Hearing none, the order is approved.

15 Items E-19 through E-30 concern applications for  
16 Certification to Install Energy Efficiency Measures in  
17 Illinois. The Orders grant the certificates, finding  
18 that the applicants meet the requirements.

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

21 (No verbal response.)

22 Hearing none, the Orders are approved.

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1                   Moving on to Gas Items, Item G-1  
2 concerns MidAmerican's filing to propose adding a new  
3 service called Rate PRG or Rate Producers of Renewable  
4 Gas Transportation Service. The proposed Rate PRG  
5 would allow producers to inject renewable gas into  
6 MidAmerican's gas distribution system for use and  
7 consumption by gas transportation customers located in  
8 MidAmerican's Illinois service territory or within  
9 MidAmerican's FERC 7-F Area as defined in the proposed  
10 tariff. Staff believes interested parties will have an  
11 interest clarifying or modifying Rate P -- excuse me,  
12 PRG. Accordingly, Staff recommends the Commission to  
13 suspend this filing for a formal hearing process.

14                   Are there any objections to approving  
15 the order suspending the filing?

16                   (No verbal response.)

17                   Hearing none, the order is approved.

18                   Item G-2 concerns Ameren's filing to  
19 update its sample gas bill in image to reflect the  
20 addition of the new Rider Energy Transition Assistance  
21 Charge in the electric portion of its consolidated  
22 electric and gas bill. The Rider Energy Transition

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1 Assistant Charge was made effective on January 3rd of  
2 2022, in order to comply with Public Act 102-0662.

3 Commission Staff recommends not suspending the filing.

4 Are there any objections to not  
5 suspending the filing?

6 (No verbal response.)

7 Hearing none, the filing is not  
8 suspended.

9 Item G-3 concerns a petition by Entrust  
10 Energy East to cancel its Certificate of Service  
11 Authority to operate as an Alternative Gas Supplier in  
12 Illinois. ALJ notes that since the petitioner does not  
13 currently have gas customers in Illinois, cancellation  
14 of petitioner's certificate of gas authority as an AGS  
15 will not deprive Illinois residents of any necessary  
16 gas service and is not otherwise contrary to the public  
17 interest. The order cancels the certificate.

18 Are there any objections to approving  
19 the order?

20 (No verbal response.)

21 Hearing none, the order is approved.

22 Item G-4 concerns Nicor's petition for

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1 reconciliation under Rider 36 Variable Income Tax  
2 Adjustment for the period of July 1st of 2020, to June  
3 30th of 2021. The order approves the reconciliation as  
4 indicated in the appendix of the order, finding that  
5 the calculations are accurate.

6 Are there any objections to approving  
7 the order?

8 Hearing none, the order is approved.

9 Items G-5 through G-7 concern requests  
10 for proprietary treatment of information in the  
11 petitioner's reports. The Orders grant the  
12 protections, finding that the information is highly  
13 proprietary and confidential.

14 Are there any objections to considering  
15 these items together and approving the Orders?

16 (No verbal response.)

17 Hearing none, the Orders are approved.

18 Under our Telecommunications Items,  
19 Items T-1 through T-3 concern applications for  
20 certificates of service authority to provide resold and  
21 facilities-based local and interexchange  
22 telecommunications services. The Orders grant and

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1 expand the certificates, finding that the applicants  
2 meet the requirements.

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 Items T-4 through T-7 concern  
8 proceedings initiated by the Commission against  
9 respondents for failure to maintain the requisite  
10 managerial resources and abilities as required. The  
11 respondents failed to appear to show cause why the  
12 Commission should not revoke their license or take  
13 other action. The Commission Staff recommended that  
14 Respondent's Certificates of Service Authority be  
15 revoked. The Orders revoke the Certificates.

16 Are there any objections to considering  
17 these items together and approving the Orders?

18 Hearing none, the Orders are approved.

19 (No verbal response.)

20 Item T-8 through T-10 concern requests  
21 for proprietary treatment of information in the  
22 Petitioner's reports. The Orders grant the

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

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

5 Hearing none, the Orders are approved.

6 Item T-11 concerns a petition for  
7 voluntary cancellation of a Certificate of Service  
8 Authority to provide prepaid calling services.

9 Petitioner states that it has not offered prepaid  
10 calling services for many years, and therefore no  
11 customers will be impacted by the cancellation of this  
12 certificate. The order cancels the certificate.

13 Are there any objections to approving  
14 the Orders? The order, rather.

15 Hearing none, the order is approved.

16 Under our Water and Sewer Items, Item W-1 concerns  
17 Illinois-American Water Company's proposed rate  
18 increases for water and sewer service. Staff  
19 recommends the Commission to suspend this filing for a  
20 formal hearing process. The order suspends the filing.

21 Are there any objections to approving  
22 the order?

1 (No verbal response.)

2 Hearing none, the order is approved.

3 Item W-2 concerns a complaint filed against Aqua  
4 Illinois regarding an allegation that a customer was  
5 overcharged. The parties filed a Stipulation and Joint  
6 Motion to Dismiss, stipulating that the matter has been  
7 resolved and requesting that the Commission dismiss the  
8 Complaint with prejudice.

9 Are there any objections to granting  
10 the Joint Motion to Dismiss?

11 (No verbal response.)

12 Hearing none, the motion is granted.

13 Item W-3 concerns Illinois-American  
14 Water Company's Application for approval of the  
15 purchase of certain assets of the City of Villa Grove,  
16 Illinois, and for a Certificate of Public Convenience  
17 and Necessity to provide water service and wastewater  
18 collection and treatment service to the areas in  
19 Douglas County, Illinois, now served by Villa Grove.  
20 Illinois-American water is requesting Commission  
21 approval of engagement agreements for appraisers who  
22 will determine the market value of the water in



1 wastewater system assets. The Commission Staff has  
2 reviewed the agreements and recommends approving the  
3 Illinois-American's request. The Interim order  
4 approves the agreements between Illinois-American and  
5 the appraisers.

6 Are there any objections to approving  
7 the Interim order?

8 Hearing none, the Interim order is  
9 approved.

10 Item W-4 concerns Aqua Illinois'  
11 application for approval of the purchase of certain  
12 assets of the Village of Oak Park, Illinois, and for a  
13 Certificate of Public Convenience and Necessity to  
14 provide water service to the areas in DuPage and Cook  
15 Counties. Aqua Illinois is requesting Commission  
16 approval of engagement agreements for appraisers who  
17 will determine the market value of the water system  
18 assets. The Commission Staff has reviewed the  
19 agreements and recommends approving the Aqua Illinois'  
20 request. The Interim order approves the agreements  
21 between Aqua Illinois and the appraisers.

22 Are there any objections to approving

1 the Interim order?

2 (No verbal response.)

3 Hearing none, the interim order is  
4 approved.

5 Moving on to our Petitions for  
6 Rehearing, Item PR-1 concerns petitions for rehearing  
7 in Docket #21-0812, which is ComEd's proposed creation  
8 of Rider Solar Paired with Storage Rebate or Rider  
9 SPWS. The Commission issued a final order in this  
10 docket on February 3rd of 2022, approving the Rider  
11 with modification. On March 7th, applications for  
12 rehearing were filed by ComEd and Magid Glove and  
13 Manufacturing Company.

14 ComEd seeks rehearing with respect to  
15 the requirement that Rider SPWS rebate all wholesale  
16 demand charges. ComEd asserts that this rebate  
17 conflicts with federal law and runs afoul of the  
18 Supremacy Clause in requiring that charges subject to  
19 federal regulations be related to retail customers.

20 Magid Glove seeks rehearing regarding  
21 what interconnection cost ComEd should rebate under  
22 Rider SPWS. Magid asserts that the Commission's order

1 is not consistent with the Public Utilities Act by  
2 requiring rebate of incremental costs. Instead, Magid  
3 Glove requests that the Commission direct ComEd to  
4 rebate all previously incurred and future  
5 interconnection costs to eligible customers. Magid  
6 Glove also requests that even if the Commission retains  
7 its requirement, that only "incremental"  
8 interconnection costs associated with PJM frequency  
9 regulations be rebated, that the Commission should  
10 grant rehearing to allow parties to provide evidence  
11 regarding how infrastructure costs differ between the  
12 interconnections depending on whether it participates  
13 in the frequency regulation market.

14                   Additionally, Magid Glove requests  
15 rehearing to present additional evidence and argument  
16 regarding the following items: First, removing the  
17 requirement that the solar facilities have a "smart  
18 inverter" installed to be eligible for the rebate.  
19 Second, requiring ComEd to identify up front what  
20 specific interconnection costs for a particular project  
21 it believes to be eligible for the rebate. Third,  
22 requiring ComEd to recognize that if the battery is

1 located on the utility side of the meter, the customer  
2 is engaging in frequency regulation and its full  
3 interconnection costs are eligible to be rebated. And  
4 fourth, requiring ComEd to clarify that the additional  
5 equipment installed by third parties that is used to  
6 enable the customer to participate fully in the PJM  
7 frequency regulation market is eligible to be rebated.

8 The ALJ recommends denying ComEd's  
9 petition, stating that the issue was fully litigated  
10 and that ComEd did not raise any new facts or arguments  
11 that would warrant granting rehearing on this issue.  
12 The Commission agrees with the ALJ and finds that  
13 ComEd's petition should be denied.

14 Are there any objections to denying  
15 ComEd's application for rehearing?

16 (No verbal response.)

17 Hearing none, the application for  
18 rehearing is denied.

19 Regarding Magid Glove's petition for  
20 rehearing, the ALJ states that for the purpose of  
21 approving the tariff, it is not necessary for the  
22 Commission to determine what the incremental

1 interconnection costs associated with connecting the  
2 customer's battery to the PJM frequency regulation  
3 market. The Commission, however, is willing, in order  
4 to clarify its order to grant the rehearing with the  
5 limited scope to allow parties to provide evidence  
6 regarding how infrastructure costs differ between an  
7 installation that does or does not participate in  
8 frequency regulation market in order to clarify the  
9 order in terms of what costs of interconnection shall  
10 be rebated.

11 Are there any Commissioner comments or  
12 discussion on Magid's petition?

13 (No verbal responses.)

14 Are there any objection -- is there any  
15 objection to granting Magid Glove's application for  
16 rehearing with the limited scope as described?

17 (No verbal response.)

18 Hearing none, the hearing is granted as  
19 noted.

20 Under Other Business, Item O-1 concerns  
21 approval of Batches, Contracts, and Confirmations under  
22 the Adjustable Block Program.

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1                   Are there any objections to approving  
2 the Program Administrator Submissions?

3                   (No verbal response.)

4                   Hearing none, the submissions are  
5 approved.

6                   Item O-2 concerns the Commission's  
7 comments to the US Department of Energy's Notice of  
8 Inquiry regarding the establishment of a Civil Nuclear  
9 Credit Program pursuant to the Infrastructure  
10 Investment and Jobs Act. The ICC's comments states,  
11 among other things, that the ICC generally supports the  
12 Civil Nuclear Credit Program, but federal credits  
13 should be allowed to flow to states like Illinois that  
14 have been at the forefront in establishing zero carbon  
15 emissions credit programs. It also states that nuclear  
16 reactors should not be penalized in the bidding process  
17 for having already received state ZEC credits.

18                   Are there any objections to approving  
19 the submission of the Commission's comments?

20                   (No verbal responses.)

21                   Hearing none, the comments are  
22 approved.

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1                   This concludes our Public Utilities  
2 Agenda. Judge Teague Kingsley, do we have other matters  
3 to come before the Commission today?

4                   JUDGE TEAGUE KINGSLEY: No, ma'am.

5                   CHAIRMAN ZALEWSKI: Do other Commissioners have  
6 business to discuss?

7                   (No verbal response.)

8                   Just have one thing: Today -- or  
9 excuse me, this week is national "Fix-a-Leak Week."  
10 Household leaks can waste nearly one trillion gallons  
11 of water nationally, leading homeowners and renters  
12 with the cost of repairs and damage. The purpose of  
13 this campaign is to encourage residents to become leak  
14 detectives, chasing down and fixing leaks to conserve  
15 water and save money on water bills. Follow the ICC on  
16 our social media platforms for tips and advice on how  
17 to detect and fix leaks. Our social channels are  
18 linked on our home page at [ICC.Illinois.gov](http://ICC.Illinois.gov).

19                   And that's all I have for comments.

20                   So hearing no further comments or  
21 objections, the meeting is now adjourned. Thank you.

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(WHEREUPON, the above-entitled matter  
was adjourned.)