1 BEFORE THE 2 ILLINOIS COMMERCE COMMISSION 3 PUBLIC UTILITY REGULAR OPEN MEETING 4 5 6 Moderated by Carrie Zalewski 7 Thursday, March 23, 2023 11:31 a.m. 8 9 10 ICC - Commission Meetings Chicago 11 12 160 North LaSalle Street, Suite C-800 13 Chicago, Illinois 60601 14 15 Present: Carrie Zalewski, Chairwoman 16 Michael T. Carrigan, Commissioner 17 18 Ann McCabe, Commissioner 19 Conrad Reddick, Commissioner 20 21 22 Reported by: Haley Goodwin 1

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1 PROCEEDINGS 2 THE REPORTER: Okay. You may proceed. 3 Good morning. Under CHAIR ZALEWSKI: 4 the Open Meetings Act, I call the March 23, 2023, Regular Open Meeting to order. Commissioners 5 Carrigan, McCabe, and Reddick are with me in Chicago. 6 7 We have quorum. 8 Before we get to the -- the agenda, many of you may know Commissioner Reddick as he has 9 10 been in the public utility space for some time. But 11 in case you haven't had the privilege of working with 12 him, I would like to introduce him and read a little 13 bit about his bio. 14 Commissioner Reddick has -- is an 15 experienced corporate and regulatory attorney with a 16 career spanning over 40 years specializing in utility regulation and litigation. Following legal positions 17 18 with telecommunications utilities, Reddick worked with 19 the City of Chicago as a special deputy corporation 20 counsel. 21 He led a team of staff attorneys on 22 utility regulation and provided strategic guidance on

1 energy and regulatory matters. As a regulatory and 2 energy consultant, he helped evaluate merger proposals, divestiture plans, and renewable energy 3 programs outside of Illinois. 4 5 Immediately prior to joining the ICC, he ran his own solo law practice; representing the б City of Chicago as a special assistant corporation 7 8 counsel and providing advice and guidance to the City's Law and Environment departments. 9 10 He was also an advocate for large and 11 small consumers in diverse ICC proceedings, including 12 rate cases, utility system modernization proceedings, 13 rulemakings, and policy dockets. He has successfully 14 litigated client positions before the Commission and 15 in appellate courts. 16 Commissioner Reddick has also taught telecommunications regulation at DePaul University and 17 18 administrative law at the University of Detroit Law 19 School. He earned his Bachelor of Arts from the 20 University of Pennsylvania majoring in mathematics and 21 Juris Doctorate from the University of Michigan. We're excited to have Commissioner 22

1 Reddick join us and looking forward to working with 2 him. I want to personally thank him for diving in headfirst into the deep end of the dockets to 3 4 prepare -- excuse me -- to prepare for today's meeting. His work ethic and committed -- commitment 5 6 to the role is already apparent, so thank you. 7 Moving on to the agenda, we have two 8 requests to speak today. Going in the order we received the requests to speak, we will hear from 9 10 first, Donna Carpenter and second, Delia Perez. Under 2 Ill. Adm. Code Section 17.10 --11 12 1700.10 rather, any person desiring to address the 13 Commission shall be allowed up to three minutes. My 14 advisor is going to run the timer, which is to my right. Please note that the Commission will not 15 16 respond directly to any comments. 17 So first, Donna Carpenter. 18 Want to come up? 19 MS. CARPENTER: Good morning. 20 CHAIR ZALEWSKI: If you could state and 21 spell your name, and then once you're done with that, we'll start the timer, then you can proceed. 22

1	MS. CARPENTER: My name's Donna
2	Carpenter. D-O-N-N-A C-A-R-P-E-N-T-E-R.
3	Good morning again. My name is Donna
4	Carpenter. Thank you for allowing me to speak today.
5	I'm a mother, grandmother, caretaker, and a resident
6	of Englewood Community on the south side of Chicago.
7	I am also a parent leader of POWER-PAC, Parents
8	Organized to Win, Educate, Renew Policy Action
9	Council.
10	POWER-PAC is made up of hundreds of
11	parents from across the state working to create
12	community that supports families. And we are
13	supporting that Community Organized Families in Issue
14	or COFI.
15	For years, Peoples Gas bills keep going
16	up and up. They are continuing to cause more and more
17	harm to low-income black and brown communities. In my
18	community of Englewood, almost half of all hundred
19	households are behind on their gas bill. I know that
20	struggle. I've been behind on my bills. I got
21	disconnected, and I'm doing all I can to stay on track
22	with my payment plan. But these high bills are

stressful.

2	Do you all realize that we have to
3	do when the gas bills are behind, we have to be in
4	the cold in our homes or decide which day we're going
5	to cook for our family because we cannot afford the
6	gas. These gas companies are saying that that I
7	need to pay them extra to do what they already
8	supposed to be doing; keeping us safe.
9	I do my part by paying my payment plan
10	on time. But these companies are just not doing their
11	part. We ask that you make the decision to say no to
12	the Peoples Gas rate hike and stand with families and
13	communities. Thank you.
14	CHAIR ZALEWSKI: Thank you,
15	Ms. Carpenter. Thank you, Ms. Carpenter.
16	Next, we have Delia Perez.
17	Good morning.
18	MS. PEREZ: Morning.
19	CHAIR ZALEWSKI: If you could state and
20	spell your name, and then you can proceed, and we'll
21	start the clock.
22	MS. PEREZ: Okay. Delia Perez. D-E-L-
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1 I-A P-E-R-E-Z. 2 Good morning. My name is Delia Perez. I'm a mom, grandmother, parent leader, co-chair of 3 Saliendo de la pobreza Campaign for the south side of 4 Illinois. I live in the North Lawndale area in 5 Chicago. 6 7 I had a situation where I was paying --8 paying gas for -- the gas bill for two apartments. I got behind, and I owed \$2,000. So I got on a payment 9 10 plan and brought it down to a thousand, but it's still 11 hard to manage my payment plan. 12 I had one late payment, and then I had 13 to restart my payment plan. I used -- I used to pay 14 around 150 a month, and then this month it jumped to 15 \$242, which is crazy. I don't even cook so much. So 16 my gas is mostly just heat. I keep my thermostat at 68 degrees. 17 18 I have medical issues. I need -- I 19 need heat so it's -- it's hard in a way. If I had it 20 my way, I would leave it at 80 all day. But I can't 21 do that. Buying heat's so expensive. 22 People's Gas is saying they need to

1 raise the rate. They need to find another option 2 because paying more -- we are paying more already. They can't keep -- they can take it out of their 3 pocket, not -- not out of people that are trying to 4 make ends meet. 5 I know I'm not the only person dealing б with this. There are many -- there are lots of people 7 8 across the city with issues. Thank you for listening. 9 CHAIR ZALEWSKI: Thank you. This 10 concludes our public comments. 11 We are, therefore, moving on to the 12 Public Utility Agenda. 13 There are edits to the February 23rd 14 Regular Open Meeting minutes. Are there any 15 objections to approving the minutes as edited? 16 Hearing none, the minutes are approved. 17 Under our Electric Items. 18 Item E-1 concerns a revision to 19 Ameren's Renewable Electricity Adjustment Rider or 20 Rider REA. The Rider is being revised to implement 21 the self-direct program required by Section 1-22 75(c)(1)(R) of the Illinois Power Agency Act.

1 Commission staff recommends not suspending the filing. 2 Are there any objections to not suspending the filing? 3 4 Hearing none, the filing is not 5 suspended. Item E-2 concerns the creation of 6 Ameren's Power Price Mitigation Rebate Rider or Rider 7 8 PPMR. The purpose of this rider is to provide a rebate to eligible customers pursuant to the Power 9 10 Price Mitigation Rebate Act. 11 Rider PPMR is applicable to all 12 residential customers and small commercial customers, 13 including customers that take supply service from an 14 Alternative Retail Electric Supplier or ARES; or Rider Real Time Pricing or Rider RTP. 15 16 Rider PPMR provides monthly rebate credits to eligible residential and small commercial 17 18 customers' monthly bill who were financially impacted 19 by unanticipated changes to the electric power and 20 capacity prices during recent global events. 21 Staff has reviewed the filing and recommends not suspending it. Staff also recommends 22

1	that the Commission notify Ameren that it qualifies as
2	an electric utility serving adversely impacted
3	residential and small commercial customers as defined
4	by the Act.
5	Are there any objections to not
6	suspending the filing and approving notifying Ameren
7	that it qualifies under the Act?
8	Hearing none, the filing is not
9	suspended; and the notification is approved.
10	Item E-3 concerns ComEd's
11	reconciliation proceedings for its Purchase of
12	Receivables with Consolidated Billing Rider or Rider
13	PORCB, which makes the consolidated building
14	billing and purchase of receivables services available
15	to retail electric suppliers, as required under the
16	Public Utilities Act. The order initiates the next
17	round of annual reconciliation proceedings for the
18	fifth POR Application Period, which comprises of
19	calendar years 2021 and 2022.
20	Are there any objections to approving
21	the order?
22	Hearing none, the order is approved.
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1 Item E-4 concerns a complaint against 2 CleanChoice Energy Inc. alleging violations of Part 412 of the Commission Rules and the Consumer Fraud 3 The parties filed a Joint Motion for Approval of 4 Act. 5 a Settlement Agreement and Entry of a Draft Agreed Order. The order approves the settlement agreement as 6 the full, final, and complete resolution and 7 conclusion of this docket. 8 The order finds that settling this 9 10 matter on the terms set forth in the settlement 11 agreement is fair and equitable to all customers and 12 all parties; and that the terms and conditions in the 13 settlement agreement are reasonable. 14 Are there any objections to approving the order? 15 16 Hearing none, the order is approved. 17 Items E-5 through E-8 concern complaints against Electric Utilities and ARES in Pike 18 19 County, Chicago; Cahokia Heights; and Rockford, The parties have settled all issues in each 20 Illinois. 21 docket and filed joint motions to dismiss. The ALJs 22 recommend granting the joint motions and dismissing

1 the proceedings with prejudice. 2 Are there any objections to considering these items together and granting the motions to 3 dismiss? 4 Hearing none, the motions are granted; 5 6 and the complaints are dismissed with prejudice. 7 Item E-9 concerns a request for 8 rehearing in Docket 22-0067, which is ComEd's Petition for Approval of Performance Metrics. ComEd is 9 10 requesting oral argument on the definition of a Major 11 Event Day or MED. The ALJs recommend denying the 12 request as the issue has been thoroughly addressed in 13 briefs and the record. The Commission agrees with the 14 ALUIS. 15 Are there any objections to denying the 16 request for oral argument? 17 Hearing none, the request is denied. 18 Item E-10 concerns Ameren's Petition 19 for Approval of its Beneficial Electrification Plan or BE Plan, which is the consolidated Docket 22-0431 and 20 21 22-0443. The order adopts the plan with modifications descried in the order. There are substantive edits to 22

1 the order.

2 First, the Commission adopts staff's recommendation to revise Ameren's net-to-gross -- to 3 gross ratio or NTG ratio in its cost-benefit analysis 4 5 to 80 percent. Second, the Commission directs the 6 7 company to propose methods of minimizing ratepayer 8 impacts and methods to exempt or minimize low-income customers from the costs associated with its BE Plan 9 10 in its compliance filing, to comply with the 11 requirements of Section 45(d)(5) of the EV Act. 12 Third, the Commission adopts staff's 13 and CJC's proposals to require Ameren to include 14 uptime and communications standards for charging stations consistent with NEVI rules. 15 16 And fourth, the Commission adopts staff's recommendations to require Ameren to 17 18 incorporate cybersecurity standards into its screening 19 process for vendors. 20 I move the edits. Is there a second? 21 COMMISSIONER MCCABE: Second. 22 CHAIR ZALEWSKI: Thank you.

1	Are there any objections to approving
2	the edits?
3	Hearing none, the edits are approved.
4	Are there any objections to approving
5	the order as edited?
6	Hearing none, the order is approved as
7	edited.
8	Item E-11 concerns ComEd's petition for
9	approval of its Beneficial Electrification Plan or BE
10	Plan, which is the consolidated Docket 22-0432 and 22-
11	0442. The order adopts the plan with modifications
12	described in the order and directs the Company to seek
13	cost recovery through its upcoming multi-year
14	integrated rate plan filing. There are substantive
15	edits to the order.
16	The edits approve an overall annual
17	budget of \$77,000,000, with a reduced funding to the
18	portfolio and education and awareness budgets as well
19	as the light, medium, and heavy duty EV rebate
20	programs.
21	The revised budget includes \$2,000,000
22	for the Residential BE Technology Adoption Sub-Program
	15

1 and \$1,000,000 for the Residential BE Infrastructure 2 Readiness Sub-Program. These funds must be exclusively used by ComEd to provide rebates for the 3 installation of heat pumps and necessary make-ready 4 infrastructure to low-income customers and EJ/R3 5 communities. The revised budget also increases the 6 C&I and Public Sector EV Charging Infrastructure Make-7 8 Ready Sub-Program to \$20,000,000. As in Ameren's BE Plan, the Commission 9 10 adopts several of staff's and other parties' recommendations; including on the standards for 11 12 cybersecurity, charging station uptime, charger ports, 13 and charging station communications. The edits also find that ComEd's plan 14 15 is not compliant with Section 45(d)(v) of the EV Act 16 and direct the Company to propose methods to minimize or exempt low-income ratepayers from the impacts of 17 18 its BE Plan. 19 The edits also approve eight total 20 pilots and adopt guidelines for future time-of-use 21 rates for both ComEd and ARES. 22 Finally, the edits direct ComEd to

1	capture and report data related to applications under
2	Rider NS.
3	I move the edits. Is there a second?
4	COMMISSIONER REDDICK: Second.
5	CHAIR ZALEWSKI: Thank you.
6	Are there any objections to approving
7	the edits?
8	Hearing none, the edits are approved.
9	Are there any objections to approving
10	the order as edited?
11	Hearing none, the order is approved.
12	Item E-12 concerns a petition for a
13	waiver or determination of no liability associated
14	with electrical outages that occurred in Ameren's
15	service territory during storms in June on June 17,
16	2022.
17	The order finds that based on staff's
18	recommendation, the total number of customers who
19	experienced a continuous preventable interruption
20	during the same four-hour period is fewer than the
21	threshold number at which statutory liability applies
22	and grants Ameren Illinois a waiver and determination
	17

1 of no liability. 2 Are there any objections to approving 3 the order? Hearing none, the order is approved. 4 Item E-13 concerns Mount Carmel's 5 request to reconcile revenues under its Electric б Public Utility Fund Deficit Charge Rider or Rider 7 EFUFDC [sic] and its Gas Public Utility Fund Deficit 8 Charge Rider or Rider GPUFDC for the period from July 9 10 1st of 2021 to June 30th of 2022. 11 The order approves the reconciliation 12 as set in the appendices to the order, finding that 13 the costs during the reconciliation period were 14 prudently incurred. 15 Are there any objections to approving 16 the order? 17 Hearing none, the order is approved. Item E-14 concerns Ameren's Petition 18 19 for Reconciliation under its Electric Uncollectible 20 Adjustment Rider or Rider EUA and its Gas Uncollectible Adjustment Rider or Rider GUA for 2020. 21 2.2 The order approves the reconciliation as set in the

1 appendices to the order, finding that the costs during 2 the reconciliation period were prudently incurred. Are there any objections to approving 3 the order? 4 Hearing none, the order is approved. 5 Item E-15 concerns an application for a 6 license to operate as a retail electric agent broker 7 and consultant in Illinois. The order denies the 8 application finding that the applicant failed to 9 10 provide proof of compliance with Section 454 of the Commission Rules. 11 12 Are there any objections to approving 13 the order? 14 Hearing none, the order is approved. Items E-16 and E-17 concern 15 16 applications for certificates of service authority to act as agents, brokers, and consultants in Illinois. 17 18 The orders grant the certificates finding that the 19 applicants meet the requirements. 20 Are there any objections to considering 21 these items together and approving the orders? 22 Hearing none, the orders are approved. 19

1	Item E-18 concerns a citation
2	proceeding for failure to comply with Part 454 of the
3	Commission Rules. The order suspends the certificate
4	of authority to act as an agent, broker, and
5	consultant in Illinois for two years.
6	Are there any objections to approving
7	the order?
8	Hearing none, the order is approved.
9	Item E-19 concerns the termination of a
10	certificate of service authority to operate as an
11	agent, broker, or consultant in Illinois. The
12	respondent has filed outstanding compliance
13	recertification reports and the order suspends the
14	respondent's license for six months.
15	Are there any objections to approving
16	the order?
17	Hearing none, the order is approved.
18	Items E-20 through E-27 concern the
19	termination of abandoned licenses to operate as retail
20	electric agents, brokers, and consultants in Illinois.
21	The orders terminate the licenses finding that the
22	respondents failed to appear or show cause why their

1 certificates should not be terminated. 2 Are there any objections to considering these items together and approving the orders? 3 Hearing none, the orders are approved. 4 Item E-28 concerns Ameren's and 5 Egyptian Electric Cooperative's Joint Petition to б release one residential customer from Ameren's service 7 to Egyptian's and one non-residential customer from 8 Egyptian's service to Ameren's. The order grants the 9 10 petition. 11 Are there any objections to approving 12 the order? 13 Hearing none, the order is approved. 14 Items E-29 through E-31 concern 15 petitions to cancel certificates of authority to 16 install energy efficiency measures in Illinois. The 17 orders cancel the certificates. 18 Are there any objections to considering 19 these items together and approving the orders? 20 Hearing none, the orders are approved. 21 Items E-32 through E-44 concern 22 applications for authority to install energy

1 efficiency measures in Illinois. The orders grant the 2 certificates, finding that the applicants meet the requirements. 3 Are there any objections to considering 4 5 these items together and approving the orders? Hearing none, the orders are approved. 6 7 Now we're moving on to our Gas items. 8 Item G-1 concerns a complaint against Peoples Gas regarding incorrect billing for natural 9 10 gas service in Chicago. The order denies the 11 complaint finding that the complainant has failed to 12 meet the burden of proof to support the claim against 13 Peoples. Are there any objections to approving 14 15 the order? 16 Hearing none, the order is approved. 17 Item G-2 concerns a complaint against 18 Ambit Illinois for bill charges. The parties filed a 19 stipulation and joint motion to dismiss the matter 20 with prejudice, stipulating that all matters have been 21 resolved. 22 Are there any objections to granting 22

1	the motion to dismiss?
2	Hearing none, the motion is granted.
3	Item G-3 concerns North Shore Gas and
4	Peoples Gas reconciliation of revenues collected under
5	Rider EOA, which recover costs for their energy
6	efficiency and on-bill financing programs for the 2021
7	calendar year. The order approves the reconciliation
8	as set in the appendix to the order, finding that the
9	costs were prudently incurred.
10	Are there any objections to approving
11	the order?
12	Hearing none, the order is approved.
13	Items G-4 and G-5 concern Ameren and
14	Peoples Gas's Petitions to Reconcile Revenues under
15	their Third-Party Transaction Fee Adjustment Rider or
16	Rider TPTFA for the June 1, 2021, through May 31st of
17	2022 reconciliation period. The orders approve the
18	reconciliations as set in the appendices to the
19	orders.
20	Are there any objections to considering
21	these items together and approving the orders?
22	Hearing none, the orders are approved.
	23

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1	Item G-6 concerns Nicor's Petition for
2	Reconciliation under Rider 36 or Variable Income Tax
3	Adjustment for the period of July 1st of 2021 to June
4	30th of 2022. The order approves the reconciliation
5	as indicated in the appendix to the order, finding
6	that the calculations are accurate.
7	Are there any objections to approving
8	the order?
9	Hearing none, the order is approved.
10	Items G-7 and G-8 concern petitions for
11	confidential treatment of petitioners' continued
12	compliance and annual recertification reports for a
13	period of not less than two years. The orders grant
14	the protection, finding that the information is highly
15	proprietary and confidential.
16	Are there any objections to considering
17	the items together and approving the orders?
18	Hearing none, the orders are approved.
19	Under our Telecommunications Items,
20	Items T-1 through T-3 concern petitions for
21	confidential treatment of the petitioners' reports.
22	The orders grant the protection, finding that the

1 information is highly proprietary and confidential. 2 Are there any objections to considering these items together and approving the orders? 3 Hearing none, the orders are approved. 4 5 Under our Water and Sewer Items, Item W-1 concerns Aqua Illinois' Application for Approval б of an asset purchase agreement for a water and 7 8 wastewater system in Will and Cook Counties and for a Certificate of Public Convenience and Necessity to 9 10 provide water and wastewater services. 11 The order grants the petition, grants 12 the certificate, approves the asset purchase 13 agreement, and grants other related relief as set 14 forth in the order and its appendices. 15 Are there any objections to approving 16 the order? 17 Hearing none, the order is approved. 18 Item W-2 concerns Illinois-American's 19 Application for a Certificate of Public Convenience 20 and Necessity to provide water and wastewater services 21 in DuPage County. The order grants the certificate, 22 finding that the company meets the necessary

1 requirements. 2 Are there any objections to approving 3 the order? Hearing none, the order is approved. 4 Items 0-1 and 0-2 concern approval of 5 6 batches, contracts, and confirmations under the Illinois Adjustable Block Program and Solar For All 7 8 Program. Are there any objections to considering 9 10 these items together and approving the program administrator's submissions? 11 12 Hearing none, the submissions are 13 approved. 14 Item O-3 concerns post-technical conference joint comments of the Illinois Commerce 15 16 Commission and the New Jersey Board of Public 17 Utilities in FERC Dockets AD22-8-000 and AD21-15-000. 18 These comments express support for 19 improvements to transmission planning processes and the establishment of an independent transmission 20 21 monitor to assist state regulators in analyzing 22 voluminous RTO transmission planning information and

1 assessing various expansion plan impacts to the 2 region. Are there any objections to authorizing 3 the filing of the joint comments in FERC Dockets AD22-4 8-000 and AD21-15-000? 5 Hearing none, the filing of the joint 6 7 comments is authorized. 8 Item 0-4 concern -- concerns IPA's April 2023 solicitations of bids to sell standard 9 10 energy products to Ameren, ComEd, and MidAmerican. 11 Are there any objections to approving 12 the procurement administrator's benchmark methodology? 13 Hearing none, the methodology is 14 approved. This concludes our Public Utilities 15 16 Agenda. 17 Judge Teague Kingsley, do we have other 18 matters to come before the Commission today? 19 JUDGE KINGSLEY: No, Madam Chairman. CHAIR ZALEWSKI: Do Commissioners have 20 21 other business to discuss or comments? 22 COMMISSIONER REDDICK: I'd like to make

1 a comment.

2	First, I want to say thank you to
3	Chairman Zalewski and the other Commissioners for the
4	welcome I have received. It has been a challenge to
5	push through the crush of significant cases in just a
6	matter of days. It would have been impossible without
7	the help of the other Commission Commissioners
8	talking to them separately and of their policy
9	advisors.
10	Second, I wish to share an observation
11	and a request to stakeholders who come before the
12	Commission. As I reviewed cases for today and for
13	future Commission decisions, I noted several instances
14	where significant legal or regulatory issues were
15	raised but were not fully examined or resolved.
16	Often, factual determinations in
17	specific cases made the questions moot. Many of those
18	issues appear to arise, in part, from the novel
19	intersections of new areas of utility activity; the
20	continuation of old tariff riders in a new normal
21	environment or expanding such mechanisms more widely
22	and frequently; the challenge of ratemaking traffic

1 jams, such as we were experiencing this month; and 2 infrastructure decisions made for rapidly evolving future needs. 3 4 Such issues are likely, if not 5 unavoidable, in our increasingly complex regulatory future. If, or when, those issues arise in future 6 cases, the Commission will rely on stakeholders' close 7 8 examination and presentation of the issues, arguments, and impacts, to resolve them. At least one 9 10 commissioner needs that help. I want to encourage, 11 and I look forward to hearing thoughtful advocacy from 12 all sides, as the Commission works to achieve the 13 balance that defines the public interest. 14 Thank you, Chairman. 15 CHAIR ZALEWSKI: Thank you Commissioner 16 Reddick. 17 Any other businesses? 18 Okay. Hearing none and without 19 objection, the meeting is now adjourned. 20 (Whereupon, the meeting concluded at 21 12:05 p.m.) 22