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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
PUBLIC UTILITIES REGULAR OPEN MEETING  
Wednesday, March 23, 2022  
Springfield, Illinois

Met pursuant to notice at 11:30 a.m., at  
527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairperson
- MARIA BOCANEGRA, Commissioner (via Chicago Office)
- ANN McCABE, Commissioner
- D. ETHAN KIMBREL, Commissioner
- MICHAEL T. CARRIGAN, Commissioner

BRIDGES COURT REPORTING, by  
JENNIFER L. CROWE, CSR  
LICENSE NO. 084.003786

1 CHAIRPERSON ZALEWSKI: Good morning. Are  
2 we ready to proceed in Chicago?

3 COMMISSIONER BOCANEGRA: Yes. Good  
4 morning.

5 CHAIRPERSON ZALEWSKI: Great. Under the  
6 Open Meetings Act, I call the March 23, 2022,  
7 Regular Open Meeting to order. Commissioners  
8 Carrigan and Kimbrel and McCabe are with me in  
9 Springfield. Commissioner Bocanegra is in Chicago.

10 We have a quorum.

11 We have no requests to speak.

12 We have no transportation agenda, so we are  
13 moving onto our Public Utilities Agenda.

14 There are no edits to the March 3, 2022,  
15 Regular Open Meeting Minutes.

16 Are there any objections to approving the  
17 Minutes?

18 (No response.)

19 CHAIRPERSON ZALEWSKI: Hearing none, the  
20 Minutes are approved.

21 Under our Electric Items, Item E-1 concerns  
22 the initiation of a proceeding in compliance with

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1 Public Act 102-0662 to examine programs,  
2 mechanisms, and policies that could support the  
3 deployment of energy storage systems. Preliminary  
4 work on this began last fall when the Commission  
5 approved recommendations by Staff to conduct a  
6 series of webinars and workshops to lay the  
7 groundwork for the eventual proceeding. With the  
8 preliminary work completed and a straw man report  
9 drafted, Staff now recommends that the Commission  
10 initiate the proceeding required by Section 16-135  
11 of the Public Utilities Act. Based on the findings  
12 of this proceeding, the Commission will submit by  
13 May 31 of 2022, a report to the General Assembly  
14 and the Governor recommending any further  
15 legislative, regulatory or executive actions  
16 necessary to support deployment of energy storage  
17 in Illinois.

18 The Order initiates the proceeding and  
19 directs that the Staff report dated March 15, 2022,  
20 be filed in this docket and made a part of the  
21 record in this proceeding.

22 Are there any objections to approving the

1 Order?

2 (No response.)

3 CHAIRPERSON ZALEWSKI: Hearing none, the  
4 Order is approved.

5 Item E-2 concerns Docket 20-0700, which is  
6 a rulemaking proceeding to amend Commission rules  
7 in Part 466 -- 466 rather - Electric  
8 Interconnection of Distributed Generation  
9 Facilities, and 467 - Electric Interconnection of  
10 Large Distributed Facilities. Combined these rules  
11 set standards for the interconnection of eligible  
12 renewable generating equipment to the utility  
13 systems.

14 The Commission issued its original First  
15 Notice Order to begin the rulemaking on November  
16 12th of 2020, and adopted the original Second  
17 Notice Order on August 12 of 2021. Upon the  
18 adoption of Public Act 102-0662, the Commission  
19 withdrew its Second Notice and entered a New First  
20 Notice Order on November 18th of 2021, to reflect  
21 the requirements of the newly adopted energy  
22 legislation. Pursuant to the First -- the New

1 First Notice Order, the First Notice was published  
2 in the Illinois Register on January 3rd, and the  
3 ALJ issued a Proposed Second Notice order on March  
4 1st.

5 The Order before us retains amendments to  
6 Parts 466 and 467 adopted in the Original Second  
7 Notice Order and adds new edits made in the First  
8 Notice proceeding.

9 There are substantive edits to the Order  
10 and the Appendices. The edits first allow  
11 utilities to require DER facilities of all sizes to  
12 have the capability, capability to be isolated from  
13 the electric distribution system by removing a  
14 partial carveout for certified inverter-based  
15 systems below 25 kW with AC disconnecting means.

16 Second, slightly modified the language on  
17 the Ombudsman selection options to allow for  
18 parties seeking arbitration to select a third-party  
19 arbitrator, instead of the Commission making that  
20 selection.

21 Third, require utilities to report annually  
22 on certain elements of the dispute resolution

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1 process.

2 Four, note that any party seeking further  
3 changes to the Ombudsman selection process may  
4 develop recommendations through the Interconnection  
5 Working Group.

6 Are there any comments?

7 COMMISSIONER BOCANEGRA: Yes, Chairman.  
8 This is Commissioner Bocanegra. I just want to  
9 commend the edits to the order today. I just have  
10 a few remarks with respect to the fourth edit  
11 regarding the Ombudsman process.

12 I think initially I was concerned and  
13 remained a little concerned that there is no  
14 specific process in terms of what the dispute  
15 resolution will look like once the parties select  
16 from the choices available in the rule, and I  
17 realize and I think that the edit appropriately  
18 reflects the fact that, you know, the  
19 Interconnection Working Group and some of the  
20 parties may not have had time to think, think about  
21 those, those things, but we did do some research,  
22 and I just wanted to highlight there is not a lot

1 of states out there doing Ombudsman interconnection  
2 work. I do think that a few states stand out.  
3 Massachusetts has a very clear policy. It's  
4 tariff-based, not rules-based, but nevertheless,  
5 they do a nice job of walking through the actual  
6 process.

7 And so I just am concerned that some of  
8 these issues may come up with selection, cost, cost  
9 sharing, but otherwise, as you said, I think that  
10 the edit appropriately reflects the option for the  
11 parties to look into that. I just wanted to share  
12 that. Thank you.

13 CHAIRPERSON ZALEWSKI: Thanks,  
14 Commissioner. Any other comments?

15 (No response.)

16 CHAIRPERSON ZALEWSKI: Okay. If not, then  
17 I move the edits. Is there a second?

18 COMMISSIONER McCABE: Second.

19 CHAIRPERSON ZALEWSKI: Commissioner McCabe  
20 seconds. Are there any objections to approving the  
21 edits to the Order?

22 (No response.)

1 CHAIRPERSON ZALEWSKI: Hearing none, the  
2 edits are approved.

3 Are there any objections to approving the  
4 Order as edited?

5 (No response.)

6 CHAIRPERSON ZALEWSKI: Hearing none, the  
7 Order is approved.

8 Okay. Item E-3 concerns a citation  
9 proceeding against an alternative retail electric  
10 supplier for failure to comply with annual and  
11 quarterly filing requirements. On March 4th of  
12 2022, the parties submitted a Joint Motion for  
13 Entry of an Agreed Order in which the parties agree  
14 that it is reasonable to conclude this docket and  
15 that no fine or penalty is warranted. The Order  
16 grants this joint motion and dismisses the  
17 proceeding.

18 Are there any objections to approving the  
19 Order?

20 (No response.)

21 CHAIRPERSON ZALEWSKI: Hearing none, the  
22 Order is approved.

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1           Item E-4 concerns an application to install  
2 distributed generation facilities in Illinois. The  
3 Order grants the certificate, finding that the  
4 applicant meets the requirements.

5           Are there any objections to approving the  
6 Order?

7                           (No response.)

8           CHAIRPERSON ZALEWSKI: Hearing none, the  
9 Order is approved.

10           Items E-5 through E-9 concern proceedings  
11 to terminate abandoned ABC licenses. Respondents  
12 failed to appear at the hearing and had not  
13 provided evidence that they filed their Compliance  
14 Recertification Reports, or that they are in good  
15 standing with the Illinois Secretary of State, or  
16 that they possess valid licenses or permit bond.  
17 The Orders terminate the abandoned licenses and  
18 note that the respondents are not relieved from the  
19 requirements to file their reports or to pay any  
20 penalty for failure to do so.

21           Are there any objections to considering  
22 these items together and approving the orders?

1 (No response.)

2 CHAIRPERSON ZALEWSKI: Hearing none, the  
3 Orders are approved.

4 Item E-10 concerns a petition to cancel  
5 Certificates to install Distributed Generation and  
6 Energy Efficiency Measures in Illinois. The Order  
7 cancels the certificate.

8 Are there any objections to approving the  
9 order?

10 (No response.)

11 CHAIRPERSON ZALEWSKI: Hearing none, the  
12 Order is approved.

13 Items E-11 and E-12 concern requests for  
14 confidential treatment of petitioners' reports.  
15 The Orders grant the protection, finding that the  
16 information is highly proprietary and confidential.

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

19 (No response.)

20 CHAIRPERSON ZALEWSKI: Hearing none, the  
21 Orders are approved.

22 Item E-13 concerns a petition to cancel a

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1 Certificate to install Energy Efficiency Measures  
2 in Illinois. The Order cancels the certificate.

3 Are there any objections to approving the  
4 Order?

5 (No response.)

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

8 Items E-14 and E-15 concern applications  
9 for Certifications to install Energy Efficiency  
10 Measures in Illinois. The Orders grant the  
11 certificates, finding that the applicants meet the  
12 requirements.

13 Are there any objections to considering  
14 these items together and approving the orders?

15 (No response.)

16 CHAIRPERSON ZALEWSKI: Hearing none, the  
17 Orders are approved.

18 Moving onto our Gas Items, Item G-1  
19 concerns Nicor Gas's petition to Determine the  
20 Accuracy of the Reconciliation Statement under  
21 Rider 3 for a one-year cost period of calendar year  
22 2019 and a revenue recovery period of July 1st of

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1 2020, through June 30th of 2021. The Order  
2 approves the reconciliation as set in the Appendix  
3 to the Order, finding that the costs during the  
4 reconciliation period were prudently incurred.

5 Are there any objections to approving the  
6 Order?

7 (No response.)

8 CHAIRPERSON ZALEWSKI: Hearing none, the  
9 Order is approved.

10 Item G-2 concerns a customer complaint  
11 against Nicor. The parties filed a Stipulation and  
12 Joint Motion to Dismiss, stipulating that all  
13 matters in dispute have been resolved and  
14 requesting that the Commission dismiss the  
15 Complaint with prejudice.

16 Are there any objections to granting the  
17 Joint Motion to Dismiss?

18 (No response.)

19 CHAIRPERSON ZALEWSKI: Hearing none, the  
20 Motion is granted.

21 Items G-3 through G-5 concern requests for  
22 confidential treatment of petitioners' reports.

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1 The Orders grant the protection, finding that the  
2 information is highly proprietary and confidential.

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

5 (No response.)

6 CHAIRPERSON ZALEWSKI: Hearing none, the  
7 Orders are approved.

8 Moving onto our Telecommunication Items,  
9 Items T-1 and T-2 concern proceedings initiated by  
10 the Commission against respondents for failure to  
11 maintain the required managerial resources and  
12 abilities. Respondents failed to appear to show  
13 cause why the Commission should not revoke their  
14 license or take other action. Commission Staff  
15 recommends that Respondents' Certificates of  
16 Service Authority be revoked. The Orders revoke  
17 the Certificates.

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

20 (No response.)

21 CHAIRPERSON ZALEWSKI: Hearing none, the  
22 orders are approved.

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1           Item T-3 concerns a request for  
2 confidential treatment of petitioner's report. The  
3 Order grants the protection, finding that the  
4 information is highly proprietary and confidential.

5           Are there any objections to approving the  
6 Order?

7                           (No response.)

8           CHAIRPERSON ZALEWSKI: Hearing none, the  
9 Order is approved.

10           Item T-4 concerns an application for a  
11 Certificate to become a Telecommunications Carrier  
12 in Illinois. The Order grants the certificate,  
13 finding that the applicant meets the requirements.

14           Are there any objections to approving the  
15 order?

16                           (No response.)

17           CHAIRPERSON ZALEWSKI: Hearing none, the  
18 Order is approved.

19           Under miscellaneous items, Item M-1  
20 concerns the initiation of a Rulemaking Proceeding  
21 to amend Illinois Administrative Code 288.

22           Public Act 102-0662 amends Section 9-229 of

1 the Public Utilities Act, directing the Commission  
2 to create a Consumer Intervenor Compensation Fund.  
3 Staff recommends that the Commission initiate a  
4 rulemaking amending Part 288 to adopt  
5 administrative rules governing the establishment  
6 and administration of the Fund. The Order  
7 initiates a rulemaking proceeding and directs that  
8 the Staff Report, dated March 11 of 2022, be made  
9 part of the record in this proceeding. The Order  
10 also directs that the proposed rules for Part 288,  
11 as reflected in the attached Appendix to the Order,  
12 should be submitted to the Secretary of State to  
13 begin the First Notice period, pursuant to Section  
14 5-40 of the Illinois Administrative Procedure Act.

15 Are there any objections to approving the  
16 Order?

17 (No response.)

18 CHAIRPERSON ZALEWSKI: Hearing none, the  
19 Order is approved.

20 Under Other Business, Items O-1 and O-2  
21 concern approval of Batches, Contracts and  
22 Confirmations under the Illinois Adjustable Block

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1 Program and the Illinois Solar For All Program.

2 Are there any objections to considering  
3 these items together and approving the Program  
4 Administrator's Submissions?

5 (No response.)

6 CHAIRPERSON ZALEWSKI: Hearing none, the  
7 Submissions are approved.

8 Item 0-3 concerns the Commission's Comments  
9 in FERC Docket No. ER22-962-000 which is PJM's  
10 Order no. 2222 compliance filing regarding the  
11 participation of aggregated distributed energy  
12 resources in wholesale markets. The Comments  
13 expressed support for the PJM compliance filing and  
14 for removing barriers to distributed generation --  
15 excuse me, distributed energy resource aggregations  
16 in the PJM wholesale markets. The comments also  
17 urge FERC to require PJM to incorporate sufficient  
18 cybersecurity protections in the PJM DER  
19 Participation Model. These comments are due April  
20 1st of 2022.

21 Are there any objections to approving these  
22 submission of the Commission's comments?



1 (No response.)

2 CHAIRPERSON ZALEWSKI: Hearing none, the  
3 submission is approved.

4 Item 0-4 concerns April 2022 solicitations  
5 to Bids to Sell Zonal Resource Credits to Ameren.

6 Are there any objections to approving the  
7 Procurement Administrator's Benchmark Methodology?

8 (No response.)

9 CHAIRPERSON ZALEWSKI: Hearing none, the  
10 Methodology is approved.

11 This concludes our Public Utilities Agenda.

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

14 JUDGE TEAGUE KINGSLEY: No, Madam Chairman.

15 CHAIRPERSON ZALEWSKI: Do the Commissioners  
16 have other business to discuss?

17 (No response.)

18 CHAIRPERSON ZALEWSKI: Hearing none,  
19 without objection the meeting is adjourned.

20 (Whereupon the above matter was adjourned.)

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