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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
PUBLIC UTILITY
Friday, April 7, 2017
Chicago, Illinois

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

- PRESENT:
- BRIEN J. SHEAHAN, Chairman
 - SADZI MARTHA OLIVA, Acting Commissioner
 - 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 CHIEF CLERK: Yes, we are.

4 CHAIRMAN SHEAHAN: Pursuant to the Open Meetings
5 Act, I call the April 7, 2017 Special Open Meeting
6 to order.

7 Commissioners del Valle, Edwards,
8 Rosales, and Acting Commissioner Oliva are present
9 with me in Chicago. We have a quorum.

10 We have no requests to speak this
11 morning and will, therefore, move on to our Public
12 Utilities Agenda.

13 There are edits to the Minutes of our
14 March 15, 2017 and March 22, 2017 Regular Open
15 Meetings.

16 Are there any objections to approving
17 the Minutes as edited?

18 (No response.)

19 Hearing none, the Minutes are
20 approved.

21 Moving on to our Electric Agenda,
22 Item E-1 concerns ComEd's Reconciliation of Revenues

1 Collected under its Purchase of Receivables and
2 Consolidated Billing Rider.

3 Are there any objections to approving
4 the proposed Order?

5 (No response.)

6 Hearing none, the Order is approved.

7 Item E-2 concerns Bio Energy
8 reimbursing the State Treasury for Tax Credits
9 relating to the Qualified Solid Waste Energy
10 Facility.

11 Are there any objections to approving
12 the proposed Order approving the Stipulated
13 Repayment Schedule?

14 (No response.)

15 Hearing none, the Orders is approved.

16 Item E-3 concerns Ameren's Petition
17 for Approval to enter into an Affiliated Services
18 Agreement.

19 Is there a motion to approve the
20 proposed Order?

21 COMMISSIONER ROSALES: So moved.

22 CHAIRMAN SHEAHAN: Is there a second?

1 COMMISSIONER MAYE EDWARDS: Seconded.

2 CHAIRMAN SHEAHAN: Is there any discussion?

3 Commissioner del Valle.

4 COMMISSIONER del VALLE: Thank you,

5 Mr. Chairman.

6 To approve an Affiliate Agreement, the
7 General Assembly required that the agreements be
8 scrutinized to determine a finding that they are in
9 the public interest.

10 The Order before us today finds
11 Ameren's updated General Service Agreement is in the
12 public interest without even attempting to explain
13 why it is so. There is the attempt at some light
14 analysis but only to reject worthy intervenor
15 proposals.

16 The underlying problem with these
17 expenditures has been lack of clarity and
18 transparency that provides insight and answers to
19 whether this relationship between the public
20 utilities and their holding companies, and the
21 services they provide, indeed, serve the public
22 interest.

1 For reasons that I will explain in
2 greater detail in a Dissenting Opinion that I will
3 be filing this docket, I will be voting no.

4 CHAIRMAN SHEAHAN: Thank you, Commissioner.

5 Any other discussion?

6 (No response.)

7 Hearing none, all those in favor of
8 the proposed Order, say aye.

9 Aye.

10 COMMISSIONER MAYE EDWARDS: Aye.

11 COMMISSIONER ROSALES: Aye.

12 ACTING COMMISSIONER OLIVA: Aye.

13 CHAIRMAN SHEAHAN: Opposed, say nay.

14 COMMISSIONER del VALLE: Nay.

15 CHAIRMAN SHEAHAN: The vote is 4 to 1 and the
16 item is approved.

17 Item E-4 concerns a consumer complaint
18 against ComEd.

19 Are there any objections to granting
20 the Joint Motion to Dismiss?

21 (No response.)

22 Hearing none, the motion is granted.

1 Items E-5 through 8 concern
2 Applications for Certification as an Installer of
3 Distributed Generation Facilities.

4 Are there any objections to
5 considering these items together and approving the
6 proposed Orders?

7 (No response.)

8 Hearing none, the Orders are approved.

9 Items E-9 and 10 concern Petitions for
10 Confidential Treatment of certain commercial
11 information.

12 Are there any objections to
13 considering these items together and approving the
14 proposed Order granting the petitions?

15 (No response.)

16 Hearing none, the Orders are approved.

17 Item E-11 concerns ComEd's Petition
18 for Special Permission to file and put into effect
19 on less than 45 days' notice provisions to its
20 Energy Efficiency and Demand Response Adjustment
21 Rider.

22 Are there any objections to granting

1 the special permission?

2 (No response.)

3 Hearing none, the special permission
4 is granted.

5 Moving on to our Gas Agenda,
6 Item G-1 concerns MidAmerican's filing to Implement
7 Cost Recovery for the Installation of an Excess Flow
8 Valve.

9 Are there any objections to not
10 suspending the filing?

11 (No response.)

12 Hearing none, the filing is not
13 suspended.

14 Item G-2 concern MidAmerican's filing
15 to remedy a number of housekeeping changes to its
16 gas tariff.

17 Are there any objections to not
18 suspending the filing?

19 (No response.)

20 Hearing none, the filing is not
21 suspended.

22 Items G-3 and 4 concern

1 Reconciliations for Ameren and Nicor.

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

5 (No response.)

6 Hearing none, the Orders are approved.

7 We will move on to our
8 Telecommunications Agenda items. Items T-1 through
9 3 concern Amendments to Parts 730, 731, and 736 of
10 the Illinois Administrative Code.

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

14 (No response.)

15 Hearing none, the Orders are approved.

16 Item T-4 concerns Frontier North's
17 Application for authority to provide Video Service.

18 Are there any objections to reopening
19 the record, admit exhibits, and reissuing the
20 authorization?

21 (No response.)

22 Hearing none, the authorization is

1 reissued.

2 Items T-5 through 34 concern Citations
3 for Failure to maintain Managerial Resources and
4 Abilities.

5 Are there any objections to
6 considering these items and approving the proposed
7 Orders revoking the certificates?

8 (No response.)

9 Hearing none, the Orders are approved.

10 Items T-35 through 39 concern
11 Petitions for Confidential Treatment of certain
12 information.

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

16 (No response.)

17 Hearing none, the Orders are approved.

18 Moving on to Petitions for Rehearing,
19 Item PR-1 concerns Ameren's Petition for a
20 Certificate of Public Convenience and Necessity.

21 Is there a motion to grant the
22 Petition for Rehearing?

1 COMMISSIONER ROSALES: So moved.

2 CHAIRMAN SHEAHAN: Is there a second?

3 COMMISSIONER MAYE EDWARDS: Seconded.

4 CHAIRMAN SHEAHAN: Any discussion?

5 Commissioner del Valle.

6 COMMISSIONER del VALLE: Thank you, Mr. Chairman.

7 The Commission can approve the
8 accounting treatment requested by Ameren where the
9 acquired utility is small and troubled and the
10 public interest is served by its acquisition.

11 The Commission concluded in its Final
12 Order that the facts in this case do not support the
13 treatment requested by Ameren.

14 Ameren offers no additional evidence
15 in this Rehearing Petition, nor do they seek to
16 amend their application to include 4-502. Rather,
17 Ameren argues that it should get the same treatment
18 as it would under Section 4-502 without making any
19 of its required findings, and if it doesn't get its
20 way, they may not go through with the acquisition.

21 The Commission's analysis was
22 thorough, and, based on substantial evidence, I

1 will, therefore, be voting no on granting rehearing.

2 CHAIRMAN SHEAHAN: Thank you, Commissioner.

3 Any other discussion?

4 (No response.)

5 All those in favor of granting the
6 Petition for Rehearing, say aye.

7 Aye.

8 COMMISSIONER MAYE EDWARDS: Aye.

9 COMMISSIONER ROSALES: Aye.

10 ACTING COMMISSIONER OLIVA: Aye.

11 CHAIRMAN SHEAHAN: Opposed, say nay.

12 COMMISSIONER del VALLE: Nay.

13 CHAIRMAN SHEAHAN: The ayes have it and the
14 Petition for Rehearing is granted.

15 Item PR-2 concerns Ameren's
16 Revenue-Neutral Tariff Changes related to Rate
17 Design.

18 Is there any objections to granting
19 the Petition for Rehearing?

20 COMMISSIONER ROSALES: So moved.

21 CHAIRMAN SHEAHAN: Is there a second?

22 COMMISSIONER MAYE EDWARDS: Seconded.

1 CHAIRMAN SHEAHAN: Commissioner del Valle.

2 COMMISSIONER del VALLE: Thank you, Mr. Chairman.

3 Ameren has long been advocating for
4 increases in the fixed charges for its customers.
5 In the last two proceedings the Commission has
6 rightly moved away from Ameren's proposals to
7 increase fixed charges and moved toward
8 cost-causation principles and the Cost-of-Service
9 Studies submitted by the company.

10 Further, Ameren has repeatedly failed
11 to bring robust analysis to support its proposals to
12 increase fixed charges.

13 The Commission, again, rightly found
14 that increasing fixed charges threatens low usage
15 customers, increases cost-subsidies, blunts the
16 proper price signals to customers, and threatens the
17 goal of increasing energy efficiency.

18 Instead of proposing to impose
19 high-fixed charges on an entire rate class, if
20 Ameren truly wishes to be proactive, they should
21 perform a robust hosting capacity study coupled with
22 a value of resource proceeding.

1 Accordingly, I will be voting no.

2 CHAIRMAN SHEAHAN: Thank you, Commissioner.

3 Any other comments?

4 (No response.)

5 All those in favor of granting the
6 Petition for Rehearing, say aye.

7 Aye.

8 COMMISSIONER MAYE EDWARDS: Aye.

9 COMMISSIONER ROSALES: Aye.

10 ACTING COMMISSIONER OLIVA: Aye.

11 CHAIRMAN SHEAHAN: Opposed, say nay.

12 COMMISSIONER del VALLE: Nay.

13 CHAIRMAN SHEAHAN: The ayes have it and the
14 Petition for Rehearing is granted.

15 Moving on to Other Business, the first
16 item concerns IPA's April 2017 Solicitation of Bids.

17 Are there any objections to approving
18 the Procurement Administrator's Recommendations on
19 Selection of Winning Bids?

20 (No response.)

21 Hearing none, the recommendations are
22 approved.

1 The next item under Other Business
2 concerns FERC Docket No. ER17-1016-000. This item
3 involves potential litigation, so we will enter into
4 a closed session for our discussion.

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

7 COMMISSIONER ROSALES: So moved.

8 CHAIRMAN SHEAHAN: Is there a second?

9 ACTING COMMISSIONER OLIVA: Seconded.

10 CHAIRMAN SHEAHAN: Those in favor of moving into
11 closed session, say aye.

12 (Chorus of ayes.)

13 Opposed, say nay.

14 (No response.)

15 The ayes have it and we invite our
16 public to exit the room.

17 (Whereupon, closed

18 session commenced

19 from Pages 15 to 18.)

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1 (Whereupon, the following
2 proceedings commenced in
3 open session:)

4 CHAIRMAN SHEAHAN: We are back in open session.

5 Is there a motion to approve the
6 Commission's answer in FERC Docket ER17-1016-000?

7 ACTING COMMISSIONER OLIVA: So moved.

8 CHAIRMAN SHEAHAN: Is there a second?

9 COMMISSIONER ROSALES: Seconded.

10 CHAIRMAN SHEAHAN: All those in favor, say aye.

11 (Chorus of ayes.)

12 Opposed, say nay.

13 (No response.)

14 The ayes have it and the item is
15 approved.

16 Moving on to other announcements, the
17 Commission would like to recognize Governor Rauner's
18 proclamation of April as National Safety Month
19 across the State of Illinois.

20 Every six minutes an underground
21 utility line is damaged which may cause service
22 interruption and environmental destruction, even

1 death.

2 We encourage all of those who are
3 planning an outdoor digging project, regardless of
4 size, to call 8-1-1 at least two full business days
5 ahead of the project.

6 8-1-1 is a convenient phone number to
7 reach either "JULIE," outside of the City of
8 Chicago, or "DIGGER," within the City of Chicago.
9 It's a free 24-hour service that notifies utilities
10 to mark their underground lines on the property
11 before digging begins.

12 2017 marks the 10th Anniversary of the
13 National Safe Digging Month, and the ICC is proud to
14 participate through public notification and
15 education across the state.

16 We also have a number of new legal and
17 policy advisors we would like to introduce. I would
18 like to give Commissioner Edwards the opportunity to
19 introduce her new assistant first.

20 Commissioner Edwards.

21 COMMISSIONER MAYE EDWARDS: Thank you,

22 Mr. Chairman.

1 Good morning, everyone. I'm pleased
2 to welcome Johanne Verpil-Greer as my newest legal
3 and policy advisor. Johanne was most recently an
4 attorney for the Illinois State Attorney's Appellate
5 Prosecutor Office for the Second District of
6 Illinois.

7 In her role, she composed appellate
8 briefs, represented the state in oral arguments, and
9 advised State's Attorneys regarding trial level
10 issues.

11 Prior to this position, Johanne was a
12 Loyola Public Interest Fellow with the Legal
13 Assistance Foundation.

14 Since graduating from Loyola University
15 Chicago Law, Johanne has maintained a commitment to
16 her community through serving as a coach for
17 Loyola's Frederick Douglass Moot Court Team in
18 addition to being an active member of the Loyola
19 Externship Leadership Circle, and volunteering with
20 One Million Degrees.

21 Johanne earned her B.A., in English
22 from the University of Wisconsin-Madison while also

1 a member of the Women's Track and Field Team.

2 I am excited to bring yet another
3 dynamic woman into the world of energy.

4 And, on that note, I would like to
5 acknowledge Nakhia Crossley for her service to my
6 office for the last 18 months and congratulate her
7 on her new role as staff attorney of the Office of
8 General Counsel. Thank you and please welcome
9 Johanne.

10 (Applause.)

11 CHAIRMAN SHEAHAN: Thank you.

12 Acting Commissioner Olivia, I believe
13 you have a couple of introductions as well.

14 ACTING COMMISSIONER OLIVA: Thank you.

15 Please join me in welcoming to the
16 Commission Azeema Akram and Gerardo Julian Delgado
17 in their Legal and Policy Advisor roles.

18 Azeema Akram previously served as an
19 Assistant General Counsel at the Illinois Department
20 of Financial and Professional Regulations. In her
21 role, she advised the Director of the Division of
22 Professional Regulation, Department staff, and

1 Professional Boards (e.g., Medical Disciplinary
2 Board) on legal and policy matters, including final
3 agency action. She also drafted and negotiated
4 legislation and administrative rules with various
5 professional industries and members of the General
6 Assembly.

7 Prior to that, Azeema clerked in the
8 Department's General Prosecutions Unit under Supreme
9 Court Rule 711 where she prosecuted dentists,
10 funeral directors, and embalmers, collection
11 agencies, and other professionals for violations of
12 state regulations governing those industries.

13 Prior to that, Azeema clerked for
14 Judge Mark J. Lopez in the Domestic Relations
15 Division and also at Children's Law Group, a small
16 firm dedicated to representing children with
17 disabilities.

18 Since graduating from DePaul
19 University College of Law, Azeema has continued to
20 mentor law students and coach transactional moot
21 court teams with DePaul's Jaharis Health Law
22 Institute.

1 In connection with her passion
2 for advocating for people with disabilities, she
3 served as the Chair of the Young Professionals Board
4 for the Midwest Center on Law.

5 Azeema earned her B.A., in
6 International Studies from the University of
7 Missouri-Columbia and studied abroad in London.

8 Gerardo Julian Delgado previously
9 worked as an attorney at McDermott, Will & Emery,
10 LLP. He is not only licensed to practice law in
11 Illinois but also in Massachusetts. Before
12 returning to Chicago, Gerardo was an associate at a
13 civil litigation firm in Boston.

14 Gerardo earned his Juris Doctorate at
15 Suffolk University Law School. While at Suffolk
16 Law, he served as a judicial intern for Justice
17 Diana L. Maldonado at The Chelsea District Court and
18 was a corporate legal intern for Reebok Sports
19 Club/NY's operating company, Millennium Partners.

20 Gerardo is also a graduate of the
21 University of Illinois where he received a Bachelor
22 of Arts in Political Science and Economics.

1 Throughout his academic career,
2 Gerardo has received accolades for his scholastic
3 achievements, including being inducted into the
4 National Honor Society and recognized in Suffolk
5 Law's Dean's List.

6 Championing diversity initiatives is
7 one of Gerardo's passions. He volunteers for
8 various charities and has served as a board member
9 of organizations like ALPFA Association of Latino
10 Professionals for America.

11 I'm really happy to have Azeema and
12 Gerardo on board and hope you get a chance to meet
13 them soon.

14 (Appause.)

15 CHAIRMAN SHEAHAN: Thank you.

16 Judge Kimbrel, do you have any other
17 matters to bring before the Commission this morning?

18 JUDGE KIMBREL: No, Mr. Chairman.

19 CHAIRMAN SHEAHAN: Commissioners, do any of you
20 have any other matters you would like to discuss
21 this morning?

22 (No response.)

1 Hearing none and without objection,
2 this meeting stands adjourn.

3 (Whereupon, the above
4 matter was adjourned.)

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