



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Springfield are Commissioner Colgan, Commissioner McCabe, and Commissioner Maye. With us in Chicago is Commissioner del Valle. I am Chairman Scott and we have a quorum.

Before moving into the agenda, according to Section 1700.10 of Title 2 of the Administrative Code, this is the time we allow members of the public to address the Commission. Members of the public wishing to address the Commission must notify the Chief Clerk's office at least 24 hours prior to Commission meetings. According to the Chief Clerk's office, we have no requests to speak at today's Bench Session.

Moving on to the Public Utility Agenda, we will begin with the approval of minutes from our March 19th Bench Session. I understand the amendments have been forwarded.

Is there a motion to amend the minutes?

COMMISSIONER MAYE: So moved.

CHAIRMAN SCOTT: Moved by Commissioner Maye.

1           Second?

2           COMMISSIONER McCABE:   Second.

3           CHAIRMAN SCOTT:   By Commissioner McCabe.

4           All in favor aye.

5                           (Chorus of ayes.)

6           CHAIRMAN SCOTT:   Any opposed?

7                           (No response.)

8           CHAIRMAN SCOTT:   The vote is five to

9   nothing, and the amendments are adopted.

10           Is there now a motion to approve the

11   minutes, as amended?

12           COMMISSIONER COLGAN:   So moved.

13           CHAIRMAN SCOTT:   Moved by Commissioner

14   Colgan.

15           COMMISSIONER MAYE:   Second.

16           CHAIRMAN SCOTT:   Second by Commissioner

17   Maye.

18           All in favor say aye.

19                           (Chorus of ayes.)

20           CHAIRMAN SCOTT:   Any opposed?

21                           (No response.)

22           CHAIRMAN SCOTT:   The vote is five to

23   nothing, and the minutes from our March 19th Bench

24   Session, as amended, are approved.

1           Next, we have the approval of minutes from  
2   our March 25th Regular Open Meeting. I understand  
3   amendments have been forwarded.

4           Is there a motion to amend the minutes?

5           COMMISSIONER McCABE: So moved.

6           CHAIRMAN SCOTT: Moved by Commissioner  
7   McCabe.

8           Second?

9           COMMISSIONER COLGAN: Second.

10          CHAIRMAN SCOTT: By Commissioner Colgan.  
11   All in favor say aye.

12                           (Chorus of ayes.)

13          CHAIRMAN SCOTT: Any opposed?

14                           (No response.)

15          CHAIRMAN SCOTT: The vote is five to  
16   nothing, and the amendments are adopted.

17          Is there now a motion to approve the  
18   minutes, as amended?

19          COMMISSIONER COLGAN: So moved.

20          CHAIRMAN SCOTT: Moved by Commissioner  
21   Colgan.

22          Second?

23          COMMISSIONER MAYE: Second.

24          CHAIRMAN SCOTT: By Commissioner Maye.

1 All in favor say aye.

2 (Chorus of ayes.)

3 CHAIRMAN SCOTT: Any opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is five to  
6 nothing, and the minutes from our March 25th Regular  
7 Open Meeting, as amended, are approved.

8 Turning now to the Electric portion of  
9 today's agenda. Item E-1 is our reconciliation of  
10 revenues collected under ComEd's Rider PORCB,  
11 Purchase of Receivables with Consolidated Billing,  
12 with actual and prudent associated costs. Staff  
13 recommends entry of an Order commencing the  
14 reconciliation proceeding.

15 Is there a motion to enter the Order?

16 COMMISSIONER COLGAN: So moved.

17 COMMISSIONER McCABE: Second.

18 CHAIRMAN SCOTT: Moved by Commissioner  
19 Colgan. Second by Commissioner McCabe.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: All in favor say aye.

23 (Chorus of ayes.)

24 CHAIRMAN SCOTT: Any opposed?

1 (No response.)

2 CHAIRMAN SCOTT: The vote is five to  
3 nothing, and the Order is entered.

4 We will use this five to nothing vote for  
5 the remainder of today's Public Utility Agenda unless  
6 otherwise noted.

7 Item E-2 is Docket Number 12-0549. This is  
8 our reconciliation of revenues collected under  
9 ComEd's power procurement riders with actual costs  
10 associated with power procurement expenditures. ALJ  
11 Hilliard recommends entry of an Order approving the  
12 reconciliation.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Any objections?

16 (No response.)

17 CHAIRMAN SCOTT: Hearing none, the Order is  
18 entered.

19 Item E-3 is Docket Number 12-0598. This is  
20 Ameren Transmission Company of Illinois' Petition for  
21 a Certificate of Public Convenience and Necessity  
22 pursuant to Section 8-406.1 of the Illinois Public  
23 Utilities Act, and an Order pursuant to Section 8-503  
24 of the Public Utilities Act, to construct, operate

1 and maintain a new high voltage electric service line  
2 and related facilities in countries across Illinois.  
3 The Morgan, Sangamon, and Scott Counties Land  
4 Preservation Group and Edgar County Citizens are  
5 Entitled to Due Process have each filed Motions for  
6 Stay of the Commission's decision, which ALJs Albers  
7 and Yoder recommend we deny.

8 Is there any discussion?

9 (No response.)

10 CHAIRMAN SCOTT: Are there any objections to  
11 denying the motions?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the Motions  
14 for Stay are denied.

15 Items E-4 and E-5 can be taken together.  
16 These items are complaints against ComEd as to  
17 billing and/or charges. It appears the parties have  
18 settled their differences and have filed a  
19 Stipulation and Joint Motion to Dismiss, which the  
20 ALJ in both cases recommends we grant.

21 Is there any discussion?

22 (No response.)

23 CHAIRMAN SCOTT: Any objections?

24 (No response.)

1           CHAIRMAN SCOTT: Hearing none, the Orders  
2 are entered.

3           Item E-6 is Docket Number 13-0186. This is  
4 Chet DeKing's complaint against ComEd as to removing  
5 12 blue spruce evergreens from his property without  
6 proper notice. It appears the parties have settled  
7 their differences and have filed a Stipulation and  
8 Joint Motion to Dismiss, which ALJ Riley recommends  
9 we grant.

10           Discussion. Commissioner McCabe.

11           COMMISSIONER McCABE: On September 4th, we  
12 disagreed with ComEd's Motion to Dismiss in this  
13 case, which concerns the removal of blue spruce trees  
14 on Complainant's property during non-emergency  
15 vegetation management without sufficient notice.

16           In our Interim Order last September, we  
17 granted Mr. DeKing the right to file a Second Amended  
18 Complaint and we requested the parties brief several  
19 disputed issues, including jurisdiction and potential  
20 remedies.

21           This case was continued at least four times.  
22 Briefs were due March 25th. A stipulation was filed  
23 March 19th. While I am pleased the parties reached  
24 an agreement in this case, it highlights the need to



1 follow the notice requirements pertaining to  
2 vegetation management. Thank you.

3 CHAIRMAN SCOTT: Thank you, Commissioner.  
4 Further discussion?

5 (No response.)

6 CHAIRMAN SCOTT: Are there any objections to  
7 the Proposed Order?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the Order is  
10 entered.

11 Item E-7 is Docket Number 13-0543. This is  
12 Darlene Goodman's complaint against ComEd as to  
13 billing and/or charges in Chicago. It appears the  
14 parties have settled their differences and have filed  
15 a Stipulation and Joint Motion to Dismiss, which ALJ  
16 Benn recommends we grant.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the Order is  
22 entered.

23 Items E-8 through E-10 can be taken  
24 together. These items are complaints against ComEd

1 for billing or service issues. The ALJ in each case  
2 recommends entry of an Order dismissing the  
3 complaint.

4 Is there any discussion?

5 (No response.)

6 CHAIRMAN SCOTT: Any objections?

7 (No response.)

8 CHAIRMAN SCOTT: Hearing none, the Orders  
9 are entered.

10 Item E-11 is Docket Number 14-0205. This is  
11 David Beavers' complaint against ComEd as to being  
12 charged for inactive high voltage electric service in  
13 Calumet. Complainant has filed a Motion to Withdraw,  
14 which ALJ Benn recommends we grant.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the Motion to  
20 Withdraw is granted and the complaint is dismissed.

21 Items E-12 through E-16 can be taken  
22 together. These items are Applications for  
23 Certification to Install, Maintain or Repair Electric  
24 Vehicle Charging Station Facilities under Section

1 16-128A of the Public Utilities Act. These items  
2 will be held for disposition at a future Commission  
3 proceeding.

4 Item E-17 is Docket Number 14-0090. This is  
5 Solar Micronics' Application for Certification as an  
6 Installer of Distributed Generation Facilities under  
7 Section 16-128A of the Public Utilities Act. ALJ  
8 Baker recommends entry of an Order granting the  
9 certificate.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the Order is  
15 entered.

16 Items E-18 and 19 can be taken together.  
17 These items are Applications for Licensure of Agents,  
18 Brokers and Consultants under Section 16-115C of the  
19 Public Utilities Act. In both cases, ALJ Kimbrel  
20 recommends entry of an Order granting the  
21 certificate.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Orders  
3 are entered.

4 Items E-20 through E-31 can be taken  
5 together. These items are Petitions for the  
6 Confidential and/or Proprietary Treatment of  
7 Petitioners' various compliance reports. The ALJ in  
8 each case recommends entry of an Order granting the  
9 requested relief.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the Orders  
15 are entered.

16 Item E-32 is Docket Number 14-0154. This is  
17 Ameren Illinois and Adams Electric Cooperative's  
18 Joint Petition for Approval of Commercial Customer  
19 Release. ALJ Yoder recommends entry of an Order  
20 granting the requested relief.

21 Is there any discussion?

22 (No response.)

23 CHAIRMAN SCOTT: Any objections?

24 (No response.)

1           CHAIRMAN SCOTT: Hearing none, the Order is  
2 entered.

3           Items E-33 through E-36 can be taken  
4 together. These items are citations for failure to  
5 file compliance recertification reports as required  
6 by 83 Illinois Administrative Code Section 454.110.  
7 ALJ Dolan, in each case, recommends entry of an Order  
8 suspending the Respondent's license for 90 days.

9           Is there any discussion?

10                           (No response.)

11           CHAIRMAN SCOTT: Any objections?

12                           (No response.)

13           CHAIRMAN SCOTT: Hearing none, the Orders  
14 are entered.

15           Item E-37 is Docket Number 14-0052. This is  
16 our citation against Technology Resource Solutions  
17 Incorporated for failure to file its compliance  
18 recertification report required by 83 Illinois  
19 Administrative Code 454.110 and failure to maintain  
20 corporate status. ALJ Dolan recommends entry of an  
21 Order cancelling the Respondent's license.

22           Is there any discussion?

23                           (No response.)

24           CHAIRMAN SCOTT: Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Order is  
3 entered.

4 Item E-38 is Docket Number 14-0260. This is  
5 ComEd's Petition to Approve on less than 45 days'  
6 notice and without suspension, a revision to its  
7 Rider PE, Purchased Electricity, which Staff  
8 recommends we grant.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, Special  
14 Permission is granted.

15 Turning now to Natural Gas. Item G-1 is  
16 Docket Number 13-0316. This is Integry's Energy  
17 Services' Petition for Confidential and Proprietary  
18 Treatment of portions of TEGE LLC's report of  
19 continued compliance for not less than two years.  
20 ALJ Baker recommends entry of an Order granting the  
21 requested relief.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Order is  
3 entered.

4 Item G-2 is Docket Number 13-0681. This is  
5 Nicor and North Shore Gas Company's Joint Petition  
6 for consent to and approval of a firm transportation  
7 agreement pursuant to Sections 7-102, 9-102 and 9.201  
8 of the Public Utilities Act. ALJ Benn recommends  
9 entry of an Order approving the agreement.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the Order is  
15 entered.

16 Items G-3 and G-4 can be taken together.  
17 These items are Petitions for the Confidential and/or  
18 Proprietary Treatment of Petitioners' various  
19 compliance reports. In both cases, ALJ Von Qualen  
20 recommends entry of an Order granting the requested  
21 relief.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Orders  
3 are entered.

4 On to Telecommunications. Item T-1 is  
5 Docket Number 13-0298. This is Angela Foster on  
6 behalf of Covenant Mortgage Services' complaint  
7 against AT&T as to billing and/or charges in Carol  
8 Stream. ALJ Jorgenson recommends entry of an Order  
9 dismissing the complaint for want of prosecution.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the Order is  
15 entered and the complaint is dismissed.

16 Item T-2 is Docket Number 13-0481. This is  
17 Arun K. Bhattacharya's complaint against RCN Telecom  
18 Services as to service in Chicago. ALJ Riley  
19 recommends entry of an Order granting the  
20 Complainant's request for credits in the amount of  
21 \$289.60 for telephone service, and denying the  
22 request for recovery of \$118.00 in pay phone charges.

23 Is there any discussion?

24 (No response.)



1           CHAIRMAN SCOTT: Is there any objections?

2                           (No response.)

3           CHAIRMAN SCOTT: Hearing none, the Order is  
4 entered and the complaint is granted in part and  
5 denied in part.

6           Items T-3 and T-4 can be taken together.  
7 These items are our motions concerning amendments of  
8 83 Illinois Administrative Code Section 732 and  
9 Section 745. The ALJ in both cases recommends entry  
10 of an Order authorizing the submission of the Second  
11 Notice of the proposed amendments to JCAR.

12           Is there any discussion?

13                           (No response.)

14           CHAIRMAN SCOTT: Any objections?

15                           (No response.)

16           CHAIRMAN SCOTT: Hearing none, the Orders  
17 are entered.

18           Item T-5 is Docket Number 14-0116. This is  
19 CenturyLink GRC and Teleport Communications America's  
20 Joint Petition for Approval of a negotiated interim  
21 arrangement. ALJ Benn recommends entry of an Order  
22 approving the agreement.

23           Is there any discussion?

24                           (No response.)

1                   CHAIRMAN SCOTT: Any objections?

2                                   (No response.)

3                   CHAIRMAN SCOTT: Hearing none, the Order is  
4 entered.

5                   Items T-6 through T-8 can be taken together.  
6 These items are Petitions for the Confidential and/or  
7 Proprietary Treatment of Petitioners' various annual  
8 reports. The ALJ in each case recommends entry of an  
9 Order granting the requested relief.

10                   Is there any discussion?

11                                   (No response.)

12                   CHAIRMAN SCOTT: Any objections?

13                                   (No response.)

14                   CHAIRMAN SCOTT: Hearing none, the Orders  
15 are entered.

16                   On to Water and Sewer. Item W-1 is Docket  
17 Number 14-0057. This is Kelly Michael Wallace's  
18 complaint against Aqua Illinois as to billing and/or  
19 charges in Danville. It appears the parties have  
20 settled their differences and filed a Stipulation and  
21 Joint Motion to Dismiss, which ALJ Yoder recommends  
22 we grant.

23                   Is there any discussion?

24                                   (No response.)

1                   CHAIRMAN SCOTT: Any objections?

2                                   (No response.)

3                   CHAIRMAN SCOTT: Hearing none, the Motion to  
4 Dismiss is granted.

5                   We have several Miscellaneous items on the  
6 agenda today. Item M-1 is Docket Number 10-0635.  
7 This is our determination under Section 5 of the  
8 Illinois Gas Pipeline Safety Act of the plan US Steel  
9 is to have in place for the inspection and  
10 maintenance of its pipeline facilities in and near  
11 its Granite City Works. US Steel and Industrial  
12 Association have filed motions seeking to have the  
13 Commission issue a Supreme Court Rule 304(a) finding  
14 and to stay any further proceedings pending appeal,  
15 which ALJ Wallace recommends we deny.

16                   Is there any discussion?

17                                   (No response.)

18                   CHAIRMAN SCOTT: Any objections to denial?

19                                   (No response.)

20                   CHAIRMAN SCOTT: Hearing none, the motions  
21 are denied.

22                   Item M-2 is Docket Number 13-0433. This is  
23 Explorer Pipeline Company's petition pursuant to  
24 Sections 8-503 and 8-509 of the Public Utilities Act

1 for authority to construct and operate an extension  
2 to existing facilities, and when necessary, to take  
3 private properties provided by the law of eminent  
4 domain. ALJ Von Qualen recommends entry of an Order  
5 granting the Certificate of Authority and Eminent  
6 Domain Authority.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the Order is  
12 entered.

13 Item M-3 is Docket 13-0459. This is our  
14 citation proceeding to determine whether Bushnell,  
15 Illinois, a municipal corporation, has failed to  
16 comply with the Public Awareness Program evaluation  
17 requirements and whether civil penalties should be  
18 imposed. Parties have reached a Settlement Agreement  
19 and have filed a Stipulation requiring Bushnell to  
20 pay a penalty of \$10,000, which ALJ Von Qualen  
21 recommends we grant.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Order is  
3 entered and the Stipulation is adopted.

4 Item M-4 is our resolution acknowledging and  
5 expressing appreciation for Tom Kennedy's public  
6 service on the occasion of his retirement from the  
7 Illinois Commerce Commission.

8 Trying to find Tom. Is he here? There he  
9 is. He's hiding behind Feipel there.

10 Apparently, people thought so much of you  
11 that they wrote like 30 pages in the Resolution. I  
12 don't know what that means, so I am going to read  
13 just part of it, Tom.

14 WHEREAS, Thomas E. Kennedy Ph.D. left  
15 academia and joined the Illinois Commerce Commission  
16 in 1983 as an economic analyst in the Policy Analysis  
17 and Review Section; and

18 WHEREAS, Tom has given more than 30 years in  
19 unstinting service to the Commission and to the  
20 People of Illinois; and

21 WHEREAS, in the 1980s, Tom was in the  
22 vanguard helping to bring the benefits of competitive  
23 markets to retail consumers through the restructuring  
24 of the natural gas industry and the unbundling of

1 utility rates; and

2 WHEREAS, in the 1990s and 2000s, Tom  
3 continued to provide his economic acumen to  
4 policymakers during the restructuring of the  
5 electricity industry; and

6 WHEREAS, before and since 2010, Tom has  
7 analyzed a vast array of legislative proposals,  
8 bills, tariff filings, petitions, testimony briefs,  
9 and Orders, and advised the Commission and others on  
10 a wide array of topics from auction theory, captive  
11 insurance companies, derivative markets, incentive  
12 regulation, peak-loaded pricing, realtime pricing,  
13 qualified solid waste energy facilities and utility  
14 mergers; and

15 WHEREAS, Tom has been a true friend to many  
16 of his colleagues lending an ear or shoulder as  
17 needed, demonstrating sincere interest in providing  
18 his support;

19 NOW THEREFORE BE IT RESOLVED that the  
20 Illinois Commerce Commission commends Tom for his  
21 thoughtful contributions to the work of the  
22 Commission and his tireless effort on behalf of the  
23 People of the State of Illinois; and

24 LET IT FURTHER BE RESOLVED that the Illinois

1 Commerce Commission wishes Tom Kennedy, henceforth,  
2 all the best in his next phase of life.

3           Congratulations, Tom, and thank you very  
4 much.

5   (Applause.)

6           CHAIRMAN SCOTT: I know you're shy and never  
7 want to talk, so I thought you might want to say a  
8 few words today.

9           MR. KENNEDY: I have truly appreciated  
10 working for the Illinois Commerce Commission. This  
11 Commission, I learned through some of my work at  
12 NARUC, that it is pretty unique in having a group  
13 that is, basically, economists working on various  
14 policy matters. We have had -- sometimes I have led  
15 a group, sometimes it's part of a larger group of  
16 economists, and sometimes I was a follower in that  
17 group.

18           But I think that I have been fortunate to be  
19 around and to hire some of those economists. And  
20 they are truly, in my mind, tremendous assets to the  
21 Commission. And if I did anything right, most of the  
22 time, I made some very excellent choices in hiring  
23 some of them. Some of them have been around for  
24 quite a while. I mean, Rich, I think, is the one

1 that's been -- Rich Zuraski has been the one that's  
2 been around the longest. And at this point, he  
3 pretty well runs himself.

4 I've also been fortunate in having some  
5 great bosses. I came to this Commission after  
6 contacting a friend of mine who I knew when he was in  
7 academia, and later moved on to be in the Commission,  
8 and one of the greatest gentlemen in the world. I  
9 haven't talked to him in a couple of years, but  
10 Charles Stalin was a huge force in my life. And he  
11 left to go on to FERC and was part of the push that  
12 separated sales from transportation and changed the  
13 gas pipeline industry, besides making some big  
14 contributions in electricity in the '80s. And it was  
15 truly an honor to be able to walk into the FERC and  
16 be able to walk into his office and just go and talk  
17 to him.

18 In any event, I have also had some  
19 outstanding bosses over the years. I've worked with  
20 Kale Case. One of my great achievements was that  
21 Kale and I were able to single-handedly get a law  
22 passed. We presented a paper to the Commission in  
23 the '80s saying you guys -- that the Commission  
24 shouldn't support or oppose some federal legislation



1 aimed at deregulating the trucking market. We were  
2 smashed on that, but we were able to -- as a result  
3 of that, the law was changed to make it clear that  
4 people that were being paid from the utility budget  
5 couldn't do any work in the transportation area. So  
6 that was kind of a badge of honor for me.

7 In any event, Kale and Harry Stoller, whose  
8 been a great friend. We sometimes didn't come to  
9 blows, but -- (laughter). And my last boss is going  
10 to be Jim Zolneirek who had a dealing with an old dog  
11 who had plenty of tricks, but he's been able to  
12 accommodate me, I think. And he's really a good guy  
13 and I have enjoyed working for him.

14 Besides that, there's the other members of  
15 the Commission and Staff. I have grown to really  
16 appreciate what they do and them as people. When we  
17 first came here, we had -- when I first came, there  
18 was a group of economists that we were at loggerheads  
19 with the Public Utility Division -- which I am not  
20 even sure that's what it was called back then. But  
21 it was we were battling with them. At this point, I  
22 think that the relationship is much more synergetic,  
23 and I think the Commission has got a much stronger  
24 Staff now than it did 30 years ago.



1 came here and when we travelled there.

2           Something on a personal note that I have  
3 only become aware of here in the past year is that  
4 you're a Sacred Heart-Griffin football fan. So we  
5 share that in common. And we had a good year last  
6 year. That was fun seeing you at those games.

7           With that, I am just going to thank you for  
8 your service and your work that you have done here.  
9 And I am sure you're going to be missed.

10           CHAIRMAN SCOTT: Commissioner McCabe.

11           COMMISSIONER McCABE: I first met Tom in the  
12 '80s when I first toured the Commerce Commission.  
13 And I have a lot of memories of the members of the  
14 Policy Analysis and Research Group. Back then, there  
15 were thought leaders, as well as strong  
16 personalities. And I reached out to some of them to  
17 let them know about Tom's retirement and asked for  
18 any memories. And one of them said, "Where do I  
19 start?"

20           So Tom, while I know you're known for your  
21 strong opinions, you're also known for your big  
22 heart. And now that you're retiring, I will say  
23 don't change.

24           CHAIRMAN SCOTT: Commissioner Maye.

1           COMMISSIONER MAYE: I just have a short and  
2 sweet statement. Number one, you will be sorely  
3 missed. I have not had the great privilege of  
4 working with you an entire lot in the year that I've  
5 been here. But I know that you have been a really,  
6 really, really large support system for the entire  
7 Commission. I definitely appreciate that. Not only  
8 will your spirit be missed, but absolutely your  
9 institutional knowledge will be sorely missed. Thank  
10 you.

11           CHAIRMAN SCOTT: Commissioner del Valle.

12           COMMISSIONER del VALLE: Yes. Thank you,  
13 Mr. Chairman.

14           I also want to thank Tom Kennedy for his  
15 service to the Commission. When I first started here  
16 on the Commission, one of the things that impressed  
17 me was the stellar credentials of individuals who  
18 have worked for the Commission for many, many years.  
19 And I, at first, thought, well, what is it that makes  
20 people with fantastic credentials stick around for  
21 such a long time. And I am gradually finding out  
22 that it's because I think they believe in the work  
23 they're doing with the Commission and the work they  
24 do for the People in the State of Illinois. And for

1 that, I want to say we're, as Commissioners, very,  
2 very grateful.

3 Thank you, and the best to you in your  
4 retirement.

5 CHAIRMAN SCOTT: Tom, the only thing I'll  
6 add is that we joke a lot about strong opinions and  
7 things like that. But I think it's really important  
8 in an organization like this where we spend a lot of  
9 time going through things that have -- kind of  
10 formulaic and we're looking at evidence, it's really  
11 helpful, I think, for organizations to take a step  
12 back from time to time and think about some of the  
13 bigger picture issues, the bigger socioeconomic  
14 issues that are involved with all of these decisions  
15 that we have to make. I think you really helped  
16 provide that for us for the last 30 years.

17 And so I just want to tell you that I  
18 appreciate it and agree with everything else  
19 everybody else has said. Again, thanks for your  
20 service. It's a long time to give to the People of  
21 Illinois, and we really appreciate.

22 With that, I will move the adoption of the  
23 Resolution.

24 Is there a second?

1 COMMISSIONER COLGAN: Second.

2 CHAIRMAN SCOTT: Second by Commissioner  
3 Colgan.

4 Further discussion?

5 (No response.)

6 CHAIRMAN SCOTT: All in favor say aye.

7 (Chorus of ayes.)

8 CHAIRMAN SCOTT: Any opposed?

9 (No response.)

10 CHAIRMAN SCOTT: The vote is five to  
11 nothing, and the Resolution is adopted.

12 Thanks again, Tom. We appreciate it.

13 (Applause.)

14 CHAIRMAN SCOTT: We have three items of  
15 Other Business to consider today. Item 1 is the  
16 Illinois Power Agency's April 2014 Plan for  
17 procurement of energy products for Ameren and ComEd.  
18 Pursuant to Section 16-111.5(e) of the Public  
19 Utilities Act, the Commission must vote to approve  
20 the Standard Product Benchmark Report of the  
21 procurement advisor.

22 Is there a motion to approve the report?

23 COMMISSIONER COLGAN: So moved.

24 COMMISSIONER MAYE: So moved.

1 CHAIRMAN SCOTT: Moved by Commissioner  
2 Colgan. Second by Commissioner Maye.

3 All in favor say aye.

4 (Chorus of ayes.)

5 CHAIRMAN SCOTT: Any opposed?

6 (No response.)

7 CHAIRMAN SCOTT: The vote is five to  
8 nothing, and the Benchmark Report is approved.

9 The second item concerns ComEd and Ameren's  
10 Smart Grid Advanced Metering Annual Implementation  
11 Progress Reports. Staff recommends that we do not  
12 open an investigation at this time.

13 Are there any questions on the reports?

14 (No response.)

15 CHAIRMAN SCOTT: Any further discussion?

16 (No response.)

17 CHAIRMAN SCOTT: As no concerns have been  
18 expressed, we will not open an investigation, and no  
19 further action on this item is necessary.

20 The final item of Other Business is a FERC  
21 matter concerning potential litigation, so we will go  
22 into Closed Session to address it.

23 Is there a motion to go into Closed Session?

24 COMMISSIONER COLGAN: Before we go into

1 Closed Session. On this procurement plan benchmark,  
2 I just want to thank, especially Richard Zuraski, for  
3 the kind of work that the Staff does here and the  
4 work that's done through the Illinois Power Agency,  
5 the consultants that are involved. It's a huge  
6 project. It's daunting in its scope and depth. And  
7 I know that it's something that takes a lot of time  
8 and focused attention. So my thanks.

9 CHAIRMAN SCOTT: Absolutely. And also, they  
10 don't have a lot of time to do it. They have to do a  
11 lot in very truncated period of time, so we  
12 appreciate that.

13 Thank you, Commissioner Colgan.

14 Is there a motion to go into Closed Session  
15 to discuss pending litigation?

16 COMMISSIONER MAYE: So moved.

17 CHAIRMAN SCOTT: Moved by Commissioner Maye.

18 Is there a second?

19 COMMISSIONER McCABE: Second.

20 CHAIRMAN SCOTT: Second by Commissioner  
21 McCabe.

22 All in favor say aye.

23 (Chorus of ayes.)

24 CHAIRMAN SCOTT: Any opposed?



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the Commission will now go into Closed Session.

Please let me know when the room is ready in Chicago.

(Whereupon at this point, pages 34 - 47 of the proceedings are contained in a separate closed transcript.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CONTINUATION OF PROCEEDINGS

COMMISSIONER del VALLE: We're set.

CHAIRMAN SCOTT: In Closed Session, the Commission discussed FERC Docket Number EL14-36-000 concerning an update and consideration of response to a petition of FirstEnergy Solutions Corporation for a Declaratory Order from FERC regarding market seller caps and PJM's Reliability Pricing Model capacity auction.

Commissioner McCabe.

COMMISSIONER McCABE: I move that we offer some amendment to the OPSI draft filing. And if those are not accepted, that we sign on to the OPSI filing.

CHAIRMAN SCOTT: Okay. There's a motion.

Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN SCOTT: Second by Commissioner Colgan.

Further discussion on the motion?

(No response.)

CHAIRMAN SCOTT: All in favor of the motion say aye.

(Chorus of ayes.)

1                   CHAIRMAN SCOTT: Any opposed?

2                                   (No response.)

3                   CHAIRMAN SCOTT: The vote is five to  
4 nothing, and the motion is granted.

5                   Judge Wallace, any other matters to come  
6 before the Commission today?

7                   JUDGE WALLACE: No, that's it.

8                   CHAIRMAN SCOTT: Thank you.

9                   Hearing none, this meeting stands adjourned.  
10 Thank you, everyone.

11                                   BENCH SESSION CONCLUDED.

12

13

14

15

16

17

18

19

20

21

22

23

24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CERTIFICATE OF REPORTER

I, Angela C. Turner, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the Bench Session aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

---

Angela C. Turner  
IL CSR #084-004122