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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
PUBLIC UTILITY
Tuesday, April 26, 2016
Chicago, Illinois

Met, pursuant to notice, at 10:30 a.m., at
160 North LaSalle Street, Chicago, Illinois

PRESENT:

- BRIEN J. SHEAHAN, Chairman
- MIGUEL DEL VALLE, Commissioner
- SHERINA E. MAYE EDWARDS, Commissioner
- ANN McCABE, Commissioner
- JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by
Tracy L. Overocker, CSR

1 CHAIRMAN SHEAHAN: Good morning.

2 Are we ready to proceed in
3 Springfield.

4 MS. ROLANDO: Yes, we are.

5 CHAIRMAN SHEANHAN: Pursuant to the Open
6 Meetings Act, I call the April 26th, 2016 Regular
7 Open Meeting of the Illinois Commerce Commission to
8 order.

9 Commissioners McCabe, Del Valle,
10 Edwards and Rosales are present with me in Chicago.
11 We have a quorum. We have no requests to speak and
12 we will therefore move into our regular public
13 agenda.

14 There are edits to the minutes of our
15 April 4th, 2016 Special Open Meeting. Are there any
16 objections to approving the minutes as edited?

17 (No response.)

18 Hearing none, the minutes as edited
19 are approved.

20 Item E-1 concerns ComEd's petition
21 seeking a waiver of liability for electric service
22 interruptions caused by the June 24, 2016 and

1 August 30th -- I'm sorry, 2013 and August 30th, 2013
2 storm systems. There are substantive edits to the
3 proposed order and I move for the adoption of the
4 edits.

5 Is there a second?

6 COMMISSIONER ROSALES: Second.

7 CHAIRMAN SHEAHAN: Is there any discussion?

8 (No response.)

9 All those in favor, say "aye."

10 (Chorus of ayes.)

11 Opposed, say "nay."

12 (No response.)

13 The ayes have it. The edits are
14 adopted. Is there a motion to enter the Order as
15 edited?

16 COMMISSIONER EDWARDS: So moved.

17 CHAIRMAN SHEAHAN: Is there a second?

18 COMMISSIONER ROSALES: Second.

19 CHAIRMAN SHEAHAN: It's been moved and
20 seconded.

21 Any discussion?

22 (No response.)

1 All those in favor, say "aye."

2 (Chorus of ayes.)

3 Those opposed, say "nay."

4 (No response.)

5 The ayes have it and the order as
6 edited is approved.

7 Item E-2 concerns Ameren's petition
8 for a waiver of liability associated with certain
9 electrical outages from a series of storms that
10 occurred in Ameren's service territory between
11 June 20th and 21st of 2015.

12 Are there any objections to approving
13 the proposed order?

14 (No response.)

15 Hearing none, the order is approved.

16 Item E-3 concerns ComEd's
17 reconciliation of revenues collected under its power
18 procurement riders.

19 Are there any objections to approving
20 the proposed order?

21 (No response.)

22 Hearing none, the order is approved.

1 Items E-4 and 5 concern customer
2 complaints against ComEd regarding billing charges.

3 Are there any objections to
4 considering these items together and approving the
5 proposed orders dismissing the complaints?

6 (No response.)

7 Hearing none, the orders are approved.

8 Item E-6 concerns EEI Holding
9 Corporation's application for a certificate as an
10 installer of distributed generation facilities.

11 Are there any objections to approving
12 the proposed orders?

13 (No response.)

14 Hearing none, the order is approved.

15 Items E-7 through 9 concern
16 applications seeking authority to operate as agents,
17 brokers or consultants.

18 Are there any objections to
19 considering these items together and approving the
20 proposed orders?

21 (No response.)

22 Hearing none, the orders are approved.

1 Items E-10 through 16 concern various
2 petitions seeking the confidential treatment of
3 certain reports.

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

7 (No response.)

8 Hearing none, the orders are approved.

9 Item E-17 concerns Glenview
10 Consulting's motion to withdraw its position for the
11 confidential treatment of its 2010 ABC
12 Recertification Report.

13 Are there any objections to granting
14 the motion to withdraw?

15 (No response.)

16 Hearing none, the motion to withdraw
17 is granted.

18 Moving on to our gas agenda. Items
19 G-1 and 2 concerns Peoples and North Shore's filings
20 to modify their gas tariffs to comply with Part 280.

21 Are there any objections to
22 considering these items together and not suspending

1 the filings?

2 (No response.)

3 Hearing none, the filings are not
4 suspended.

5 Items G-3 through 8 concern various
6 customer complaints regarding billing charges.

7 Commissioner Del Valle, I believe you
8 have a comment to make?

9 COMMISSIONER DEL VALLE: Yes. Thank you,
10 Mr. Chairman. On item G-3, this record reflects that
11 customer requested and consented to work being done
12 despite not knowing the cost, and that pursuant to
13 Nicor's tariff, the customer is responsible for the
14 cost.

15 I believe, however, that it is
16 necessary to stress that Nicor has a policy and
17 procedure for handling customer requests for
18 relocation or revisions that appears not to have been
19 followed in this case. Nicor and all utilities in
20 this state should take the necessary steps to ensure
21 that these procedures be followed by all their
22 personnel in all cases, regardless of the

1 circumstances, to ensure that all customers
2 understand the costs of the request when they agreed
3 to the work order, and we avoid having to adjudicate
4 complaints such as these. Thank you.

5 CHAIRMAN SHEAHAN: Thank you, Commissioner.

6 Are there any objections to
7 considering these items together and approving the
8 proposed orders?

9 (No response.)

10 Hearing none, the orders are approved
11 and the complaints are dismissed.

12 Item G-9 concerns Nicor's petition
13 seeking authority to issue \$250 million in long-term
14 debt.

15 Are there any objections to approving
16 the proposed order?

17 (No response.)

18 Hearing none, the order is approved.

19 Item G-10 concerns Constellation's
20 petition seeking proprietary treatment for its 2015
21 Annual Dekatherms and Revenue Reports.

22 Are there any objection to approving

1 the proposed order?

2 (No response.)

3 Hearing none, the order is approved.

4 Item T-1 concerns DOCOMO's petition
5 for cancelation of its Certificate of Service
6 Authority.

7 Are there any objections to approving
8 the proposed order?

9 (No response.)

10 Hearing none, the order is approved.

11 Items T-2 through 22 concern various
12 petitions seeking the confidential treatment of
13 certain reports.

14 Item T-7 will be held for a future
15 meeting.

16 Are there any objections to
17 considering these items together and approving the
18 proposed orders T-2 through 22 with the exception of
19 T-7?

20 (No response.)

21 Hearing none, the orders are approved.

22 Item W-1 concerns Ameren and American

1 Water's filing to modify its water and sewer tariffs
2 to comply with Part 280.

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

5 (No response.)

6 Hearing none, the filing is not
7 suspended.

8 Moving on to our miscellaneous agenda
9 items, M-1 through 3 concern various procedural
10 matters to terminate FutureGen Project.

11 Is there any objection to considering
12 these items together and approving the proposed
13 orders?

14 (No response.)

15 Hearing none, the proposed orders are
16 approved.

17 Item M-4 concerns the submission of
18 the Commission's second notice of proposed amendments
19 to our code Part 465 Net Metering, to the Joint
20 Committee on Administrative Rules. The proposed
21 order adopts modifications proposed by JCAR.

22 I move to enter the proposed order

1 adopting the modifications proposed by JCAR.

2 Is there a second?

3 COMMISSIONER ROSALES: Second.

4 CHAIRMAN SHEAHAN: Is there any discussion?

5 Commission McCabe?

6 COMMISSIONER McCABE: In the November 12, 2015,
7 Second Notice Order on net metering, approved 5 to
8 zero, the Commission concluded that "supplier" did
9 not need to be changed to "provider" in several parts
10 of the proposed rule. Today's order does so. The
11 parties have differing interpretations of the
12 statute. At issue is whether customers with an ARES
13 can be denied the ability to participate in meter
14 aggregation by the utility.

15 If an electricity provider denies a
16 request for meter aggregation, it must submit a
17 written explanation why to the Clerk of the
18 Commission and to the applicant. In the months
19 ahead, I am interested in monitoring how many
20 requests were granted as well as denied. What we
21 won't know is how many requests are not made due to
22 these changes. Thank you.

1 CHAIRMAN SHEAHAN: Thank you.

2 Commissioner Del Valle?

3 COMMISSIONER DEL VALLE: Thank you,
4 Mr. Chairman.

5 On November 12th, the Commission
6 unanimately approved and sent to JCAR, this Second
7 Notice Order. Distributed generation and these
8 compensation programs are important and neither have
9 yet to arrive in Illinois in adequate numbers. At
10 the end of last year, only 555 residential customers
11 were using net meter energy metering and to date, I'm
12 unaware of any meter aggregation projects, which are
13 often called community solar. These projects are
14 badly needed as the majority of ComEd's customers are
15 not able to place solar panels on top of where they
16 live and community solar has been identified as a key
17 means of delivering clean energy solutions to these
18 customers.

19 The rule that this Commission sent to
20 JCAR in November said that only electricity suppliers
21 can decide if they will provide community solar
22 programs, and the public utility is not permitted to

1 intervene in that decision.

2 Despite the clear explanation of why
3 the Commission adopted the rule as it did
4 unanimously, JCAR objected and instructed the
5 Commission to change one word "supplier" to
6 "provider," which the Commission explained on Second
7 Notice, will involve the distribution utility in the
8 process of ARES and customers deciding if they want
9 to engage in community solar. The outcome of this
10 change is that ComEd will be able to continue
11 blocking community solar here as it has stated
12 publically in filings to the Commission.

13 I stand by the Second Notice Order's
14 unambiguous finding that the use of the term
15 "electricity provider" adopted by the majority today
16 would allow the utility to deny meter aggregation on
17 a general basis, which in turn could effectively
18 prevent any meter aggregation. I disagree with JCAR.
19 I believe our proposed rule as originally adopted was
20 consistent with the law and better promoted the
21 intent of the law. I will be filing a dissent and
22 voting no on this order. Thank you.

1 CHAIRMAN SHEAHAN: Thank you, Commissioner.

2 There is a motion and second.

3 All those in favor, say "aye."

4 (Chorus of ayes.)

5 Opposed, say "nay."

6 (Chorus of nays.)

7 The motion passes 4 to 1.

8 Moving on to petitions for rehearing,

9 Item PR-1 concerns Tri-State Electric's complaint
10 under the Electric Supplier Act against Ameren.

11 Is there a motion to deny the
12 applications for rehearing?

13 COMMISSIONER McCABE: So moved.

14 CHAIRMAN SHEAHAN: Is there a second?

15 COMMISSIONER EDWARDS: Second.

16 CHAIRMAN SHEAHAN: There is a motion and a
17 second. Is there any discussion?

18 (No response.)

19 All those in favor, say "aye."

20 (Chorus of ayes.)

21 Opposed, say "nay."

22 (No response.)

1 The ayes have it and the applications
2 for rehearing are denied.

3 We have one further item on our agenda
4 regarding the Illinois Power Agency's March 2016
5 solicitation of bids to sell renewable energy credits
6 to Ameren, ComEd and MidAmerican.

7 Is there -- do we have any discussion
8 on this item?

9 (No response.)

10 Is there a motion to approve the
11 procurement administrator's benchmark methodology?

12 COMMISSIONER EDWARDS: So moved.

13 CHAIRMAN SHEAHAN: Is there a second?

14 COMMISSIONER ROSALES: Second.

15 CHAIRMAN SHEAHAN: All those in favor, say
16 "aye."

17 (Chorus of ayes.)

18 Opposed, say "nay."

19 (No response.)

20 The ayes have it and the methodology
21 is approved.

22 Judge Kimbrel, do we have any further

1 matters to come before the Commission today?

2 JUDGE KIMBREL: No. There's nothing further,
3 Mr. Chairman.

4 CHAIRMAN SHEAHAN: Commissioners, do any of you
5 have any other matters to bring forward to the
6 Commission this morning?

7 (No response.)

8 Hearing none, we stand adjourned.

9 Thank you.

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