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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
REGULAR OPEN MEETING  
(PUBLIC UTILITIES)  
Chicago, Illinois  
Tuesday, April 29, 2014

Met pursuant to notice at 10:30 a.m. at 160  
North LaSalle Street, 8th floor, Chicago, Illinois.

- PRESENT:
- MR. DOUGLAS P. SCOTT, Chairman
  - MR. JOHN T. COLGAN, Commissioner (by videoconference)
  - MS. ANN MCCABE, Commissioner
  - MR. MIGUEL DEL VALLE, Commissioner
  - MS. SHERINA E. MAYE, Commissioner
- 
- MICHELLE M. SCALISE, CSR  
On behalf of Midwest Litigation

1           CHAIRMAN SCOTT: Pursuant to the provisions of the  
2 Open Meetings Act, I now convene a Regular Open Meeting  
3 of the Illinois Commerce Commission. With us in Chicago  
4 are Commissioner McCabe, Commissioner del Valle, and  
5 Commissioner Maye. With us in Springfield is  
6 Commissioner Colgan. I am Chairman Scott. We have a  
7 quorum.

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

16           The first item of business on today's agenda  
17 is the approval of minutes from our April 16th Bench  
18 Session. I understand amendments have been forwarded.

19           Is there a motion to amend the minutes?

20           COMMISSIONER MAYE: So moved.

21           CHAIRMAN SCOTT: Is there a second?

22           COMMISSIONER McCABE: Second.

23           CHAIRMAN SCOTT: Moved by Commissioner Maye.

24           Seconded by Commissioner McCabe.

1 All in favor, say aye.

2 (Ayes heard.)

3 CHAIRMAN SCOTT: Any opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is 5 to nothing and the  
6 amendments are adopted.

7 Is there now a motion to approve the minutes  
8 as amended?

9 COMMISSIONER DEL VALLE: So moved.

10 CHAIRMAN SCOTT: Is there a second?

11 COMMISSIONER McCABE: Second.

12 CHAIRMAN SCOTT: Moved by Commissioner del Valle.  
13 Seconded by Commissioner McCabe.

14 All in favor, say aye.

15 (Ayes heard.)

16 CHAIRMAN SCOTT: Any opposed?

17 (No response.)

18 CHAIRMAN SCOTT: The vote is 5 to nothing in the  
19 April 16th Bench Session minutes, as amended, are  
20 approved.

21 Moving on to Item 2. This concerns the  
22 approval of minutes from our March 31st Policy Session.  
23 I understand the amendments have been forwarded.

24 Is there a motion to amend the minutes?

1 COMMISSIONER McCABE: So moved.

2 CHAIRMAN SCOTT: Is there a second?

3 COMMISSIONER MAYE: Second.

4 CHAIRMAN SCOTT: Moved by Commissioner McCabe.  
5 Seconded by Commissioner Maye.

6 All in favor, say aye.

7 (Ayes heard.)

8 CHAIRMAN SCOTT: Any opposed?

9 (No response.)

10 CHAIRMAN SCOTT: The vote is 5 to nothing and the  
11 amendments are adopted.

12 Is there now a motion to approve the minutes  
13 as amended?

14 COMMISSIONER MAYE: So moved.

15 CHAIRMAN SCOTT: Is there a second?

16 COMMISSIONER DEL VALLE: Seconded.

17 CHAIRMAN SCOTT: Moved by Commissioner Maye.  
18 Seconded by Commissioner del Valle.

19 All in favor, say aye.

20 (Ayes heard.)

21 CHAIRMAN SCOTT: Any opposed?

22 (No response.)

23 CHAIRMAN SCOTT: The vote is 5 to nothing and the  
24 March 31st Policy Session minutes, as amended, are

1 approved.

2 Item 3 concerns the approval of minutes from  
3 our April 2nd Bench Session. I understand amendments  
4 have been forwarded. Is there a motion to amend the  
5 minutes?

6 COMMISSIONER McCABE: So moved.

7 CHAIRMAN SCOTT: Is there a second?

8 COMMISSIONER DEL VALLE: Second.

9 CHAIRMAN SCOTT: Moved by Commissioner McCabe.  
10 Seconded by Commissioner del Valle.

11 All in favor, say aye.

12 (Ayes heard.)

13 CHAIRMAN SCOTT: Any opposed?

14 (No response.)

15 CHAIRMAN SCOTT: The vote is 5 to nothing and the  
16 amendments are adopted.

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

19 COMMISSIONER MCCABE: So moved.

20 CHAIRMAN SCOTT: Is there a second?

21 COMMISSIONER DEL VALLE: Second.

22 CHAIRMAN SCOTT: Moved by Commissioner McCabe.  
23 Seconded by Commissioner del Valle.

24 All in favor, say aye.

1 (Ayes heard.)

2 CHAIRMAN SCOTT: Any opposed?

3 (No response.)

4 CHAIRMAN SCOTT: The vote is 5 to nothing and the  
5 April 2nd Bench Session minutes, as amended, are  
6 approved.

7 Item 4 is Docket No. 11-0593. This is our  
8 investigation into ComEd's compliance with the energy  
9 efficiency standards required by Section 8-103 of the  
10 Public Utilities Act. ALJ Sainsot recommends entry of  
11 an Amendatory Order correcting non-substantive errors  
12 that appeared in the original March 5th Order.

13 Is there a motion to enter the order?

14 COMMISSIONER DEL VALLE: So moved.

15 CHAIRMAN SCOTT: Is there a second?

16 COMMISSIONER MAYE: Second.

17 CHAIRMAN SCOTT: Moved by Commissioner del Valle.  
18 Seconded by Commissioner Maye.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: All in favor, say aye.

22 (Ayes heard.)

23 CHAIRMAN SCOTT: Any opposed?

24 (No response.)

1           CHAIRMAN SCOTT: The vote is 5 to nothing and the  
2 Order is entered. We will use this 5 to nothing vote  
3 for the remainder of today's Regular Open Meeting agenda  
4 unless otherwise noted.

5           Items 5 through 11 can be taken together.  
6 These items are Petitions for cancellation of authority  
7 to operate as an agent, broker and consultants in  
8 Illinois, pursuant to Section 16-115C of the Public  
9 Utilities Act. In each case ALJ Kimbrel recommends  
10 entry of an Order granting the requested relief and also  
11 directing each petitioner to file any outstanding annual  
12 reports.

13           Is there any discussion?

14   (No response.)

15           CHAIRMAN SCOTT: Any objections?

16   (No response.)

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

19           Items 12 and 13 can be taken together. These  
20 items are Applications for authority to operate as an  
21 agent, broker, or consultant pursuant to Section 16-115C  
22 of the Public Utilities Act. In both cases ALJ Kimbrel  
23 recommends entry of an Order granting the requested  
24 authority.

1                   Is there any discussion?

2                                   (No response.)

3           CHAIRMAN SCOTT: Any objections?

4                                   (No response.)

5           CHAIRMAN SCOTT: Hearing none, the Orders are  
6 entered.

7                   Item 14 is Docket No. 14-0302. This is  
8 TriEagle Energy's application for service authority  
9 under Section 16-115 of the Public Utilities Act  
10 authorizing it to operate as an alternative retail  
11 electric supplier. ALJ Albers recommends entry of an  
12 Order granting the requested service authority.

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           CHAIRMAN SCOTT: Item 15 is Docket No. 14-0038.  
20 This is Martin and Janet Wiesbrock's complaint against  
21 ComEd as to billing/charges. It appears the parties  
22 have settled their differences and filed a Stipulation  
23 and Joint Motion to Dismiss which ALJ Sainsot recommends  
24 we grant.



1                   Is there any discussion?

2                                   (No response.)

3           CHAIRMAN SCOTT: Any objections?

4                                   (No response.)

5           CHAIRMAN SCOTT: Hearing none, the Motion to  
6 Dismiss is granted.

7                   Item 16 is Docket No. 14-0060. This is  
8 Maurice Perkins, Inner City Youth Foundation's complaint  
9 against ComEd as to billing/charges. ALJ Hilliard  
10 recommends entry of an order dismissing the complaint.

11                   Is there any discussion?

12                                   (No response.)

13           CHAIRMAN SCOTT: I just wanted to note that  
14 although we always encourage ratepayers to reach out to  
15 our Consumer Services Division when they have a  
16 complaint with regard to their utility service, they  
17 really need to do this in accordance with the  
18 Commission's Administrative Rules. As the ALJ noted in  
19 this proceeding, this means filing an informal complaint  
20 pursuant to 83 Ill.Adm.Code 280.170 before moving into a  
21 formal proceeding. This is the most administratively  
22 efficient way of resolving complaints and we would urge  
23 Mr. Perkins to follow this rule going forward. You will  
24 find that the vast majority of complaints get settled

1 with that and other ones, so I think it is a very  
2 effective tool and it is part of the Administrative  
3 Code.

4 Are there any other comments?

5 (No response.)

6 CHAIRMAN SCOTT: Any objections to entering the  
7 Order?

8 (No response.)

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

11 Items 17 and 18 can be taken together. These  
12 items are citations for failure to file recertification  
13 reports required by 83 Ill.Adm.Code 450.110 [sic]. In  
14 both cases ALJ Kimbrel recommends entry of an Order  
15 suspending the respondent's certificate of service  
16 authority to operate as an agent, broker or consultant.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the Orders are  
22 entered.

23 Item 19 is Docket No. 14-0044. This is our  
24 citation against EnerCom for failure to file its

1 recertification report required by  
2 83 Ill.Adm.Code 454.110. It appears that EnerCom has  
3 now filed the required report and ALJ Kimbrel recommends  
4 that we dismiss this proceeding.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the proceeding is  
10 dismissed.

11 Items 20 through 26 can be taken together.  
12 These items are Applications for certification to  
13 install, maintain or repair electric vehicle charging  
14 station facilities pursuant to Section 16-128A of the  
15 Public Utilities Act. In each case ALJ Benn recommends  
16 entry of an Order granting the requested certificate.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the Orders are  
22 entered.

23 Items 27 and 28 can be taken together. These  
24 items are Applications for certification as an installer

1 of DG facilities pursuant to Section 16-128A of the  
2 Public Utilities Act. In both cases, the ALJ recommends  
3 entry of an Order granting the requested certificate.

4 Is there any discussion?

5 (No response.)

6 CHAIRMAN SCOTT: Any objections?

7 (No response.)

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

10 Items 29 through 32 can be taken together.  
11 These items are petitions for the confidential and/or  
12 proprietary treatment of petitioners' various compliance  
13 reports. In each case the ALJ recommends entry of an  
14 Order granting the requested relief.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the Orders are  
20 entered.

21 Item 33 is Docket No. 12-0285. This is  
22 Peoples' informational statement pursuant to  
23 Section 6-102(d) of the Public Utilities Act in  
24 connection with the proposed issuance and sale of bonds

1 or notes. Peoples has filed a Petition to Reopen the  
2 proceeding in order to extend the date by which it must  
3 issue the debt authorized by the Order and ALJ Haynes  
4 recommends we grant the petition.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the petition is  
10 granted and the proceeding is reopened.

11 Item 34 is Docket No. 14-0189. This is our  
12 proceeding to approve the Illinois Statewide Technical  
13 Reference Manual for Energy Efficiency. ALJ Kimbrel  
14 recommends entry of an Order approving and adopting the  
15 Illinois Statewide TRM for Energy Efficiency  
16 Version 3.0.

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 Item 35 is Docket No. 14-0207. This is  
24 Peoples informational statement pursuant to

1 Section 6-102(d) of the Public Utilities Act in  
2 connection with the proposed issuance and sale of up to  
3 \$75 million aggregate principal amount of bonds or  
4 notes, or a combination thereof, in one or more series.  
5 ALJ Sainsot recommends entry of an order authorizing the  
6 proposed transaction.

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 36 is Docket No. 14-0208. This is  
14 Peoples petition for authority pursuant to  
15 Section 6-102(b) of the Public Utilities Act in  
16 connection with the proposed issuance and sale of up to  
17 \$100 million aggregate principal amount of bonds or  
18 notes, or a combination thereof, in one or more series.  
19 ALJ Sainsot recommends entry of an order authorizing the  
20 proposed transaction.

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 37 through 41 can be taken together.  
4 These items are petitions for the confidential and/or  
5 proprietary treatment of petitioners' various annual  
6 reports. In each case the ALJ recommends entry of an  
7 Order granting the requested relief.

8           Is there any discussion?

9                           (No response.)

10          CHAIRMAN SCOTT: Any objections?

11                           (No response.)

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

14           Item 42 is Docket No 14-0265. This is the  
15 Illinois Telecommunications Access Corporation's  
16 petition to set the annual line charge pursuant to  
17 83 Ill.Adm.Code 755.500. ALJ Jorgenson recommends entry  
18 of an Order granting the requested relief, decreasing  
19 current line charges and requiring all carriers to file  
20 new tariffs in compliance within 15 days of the date of  
21 the Order.

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 43 is Docket No. 13-0699. This is  
5 Illinois-American Water's application for variance from  
6 Part 600.370(c)(2) of the Rules of the Illinois Commerce  
7 Commission and from the section of its tariff in order  
8 to provide water service to the Chillicothe Park  
9 District. ALJ Von Qualen recommends entry of an Order  
10 granting the requested relief.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN SCOTT: Any objections?

14 (No response.)

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

17 Item 44 is Docket No. 13-0134. This is  
18 Enbridge Energy's Application pursuant to  
19 Sections 8-503, 8-509, and 15-401 of the Public  
20 Utilities Act/The Common Carrier by Pipeline Law for  
21 Certification and Authority to Construct and Operate a  
22 Petroleum Pipeline and for eminent domain authority.  
23 ALJ Hilliard recommends entry of an Order granting the  
24 requested relief.



1                   Is there any discussion?

2                                   (No response.)

3           CHAIRMAN SCOTT: Any objections?

4                                   (No response.)

5           CHAIRMAN SCOTT: Hearing none, the Order is  
6 entered.

7                   Item 45 is Docket No. 13-0446. This is  
8 Enbridge Pipelines' petition to take private property as  
9 provided by the Law of Eminent Domain pursuant to  
10 Section 8-509 of the Public Utilities Act. ALJ Jones  
11 recommends entry of an Order authorizing Enbridge to  
12 proceed with eminent domain before the courts with  
13 respect to parcels for which easement rights have not  
14 yet been acquired on the previously certificated route.

15                   Is there any discussion?

16                                   (No response.)

17           CHAIRMAN SCOTT: Any objections?

18                                   (No response.)

19           CHAIRMAN SCOTT: Hearing none, the Order is  
20 entered.

21                   Judge Wallace, are there any other matters to  
22 come before the Commission today?

23           JUDGE WALLACE: Not today, Mr. Chairman.

24                   We do have a special meeting this Friday,

1 May 2nd.

2 CHAIRMAN SCOTT: Very good. Thank you, sir.

3 There is nothing more to come before this  
4 meeting. The meeting stands adjourned.

5 Thank you everyone.

6 (Meeting adjourned.)

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1 STATE OF ILLINOIS )  
2 COUNTY OF COOK ) SS.

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4 Michelle M. Scalise, being first duly sworn,  
5 on oath says that she is a Certified Shorthand Reporter  
6 doing business in the City of Chicago, County of Cook  
7 and the State of Illinois;

8 That she reported in shorthand the proceedings  
9 had at the foregoing Meeting;

10 And that the foregoing is a true and correct  
11 transcript of her shorthand notes so taken as aforesaid  
12 and contains all the proceedings had at the said  
13 Meeting.

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\_\_\_\_\_  
MICHELLE M. SCALISE, CSR

17

18 CSR No. 084-004616

19

20 SUBSCRIBED AND SWORN TO  
21 before me this 6th day of  
22 May, A.D., 2014

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\_\_\_\_\_  
NOTARY PUBLIC

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