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PROCEEDINGS

CHAIRMAN SCOTT: 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'll begin with the Electric portion of today's agenda.

Item E-1 is ERM No. 14-044. This is ComEd's filing to revise Rate RDS and Rate RESS to better schedule electric load with its regional transmission operator PJM. Staff recommends that we approve the revisions by not suspending the filing.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to not suspend the filing?

1 COMMISSIONER DEL VALLE: So moved.

2 CHAIRMAN SCOTT: Is there a second?

3 COMMISSIONER MAYE: Second.

4 CHAIRMAN SCOTT: Moved by
5 Commissioner del Valle. Second by Commissioner
6 Maye.

7 Any further discussion?

8 (No response.)

9 CHAIRMAN SCOTT: All in favor say
10 "Aye."

11 ("Ayes" heard.)

12 CHAIRMAN SCOTT: Any opposed?

13 (No response.)

14 CHAIRMAN SCOTT: The vote is 5-0, and
15 the filing is not suspended.

16 We will use this 5-0 vote for the
17 remainder of today's Public Utility agenda unless
18 otherwise noted.

19 Item E-2 is Docket No. 14-0066. This
20 is MidAmerican Energy Company's proposed general
21 rate increase for electric service. The
22 Commission previously suspended the proposed
23 increase, but the investigation has not yet been
24 completed; thus Staff recommends an entry of a

1 Resuspension Order extending the period of
2 suspension for an additional six months.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Any objections?

6 (No response.)

7 CHAIRMAN SCOTT: Hearing none, the
8 Resuspension Order is entered.

9 Items E-3 through E-5 can be taken
10 together. These items are complaints against
11 ComEd as to billing and/or charges. It appears
12 the parties have settled their differences, and
13 in each case have filed a Stipulation and Joint
14 Motion to Dismiss which the ALJ in each case
15 recommends we grant.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN SCOTT: Any objections?

19 (No response.)

20 CHAIRMAN SCOTT: Hearing none, the
21 Motions to Dismiss are granted.

22 Item E-6 is Docket No. 13-0495. This
23 is ComEd's approval of its Energy Efficiency and
24 Demand Response Plan pursuant to Section 8-103(f)

1 of the Public Utilities Act. There are several
2 motions up for a vote on this item, so we will
3 address each individually.

4 First, ComEd, the Coalition to
5 Request Equitable Allocation of Costs Together
6 (REACT), the Midwest Cogeneration Association,
7 and the Natural Resources Defense Council
8 collectively filed an Emergency Joint Motion to
9 clarify the Order regarding the Large Commercial
10 and Industrial Pilot Program. The Joint Movants
11 ask that the Commission's Order be amended to
12 clarify that the cost effectiveness for the Large
13 C&I Pilot is to be determined at the project
14 level, not the measure level. The AG also
15 supports this clarification. ALJ Haynes
16 recommends we grant the Joint Movants' Emergency
17 Order for clarification and enter a Second
18 Amendatory Order.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Is there a motion to
22 grant the Emergency Motion for clarification?

23 COMMISSIONER MCCABE: So moved.

24 CHAIRMAN SCOTT: Is there a second?

1 COMMISSIONER COLGAN: Second.

2 CHAIRMAN SCOTT: Second by Com -- or
3 moved by Commissioner McCabe. Second by
4 Commissioner Colgan.

5 Any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: All in favor say
8 "Aye."

9 ("Ayes" heard.)

10 CHAIRMAN SCOTT: Any opposed?

11 (No response.)

12 CHAIRMAN SCOTT: The vote is 5-0, and
13 the Motion is granted.

14 Is there now a motion to enter the
15 Second Amendatory Order?

16 COMMISSIONER MCCABE: So moved.

17 CHAIRMAN SCOTT: Is there a second?

18 COMMISSIONER MAYE: Second.

19 CHAIRMAN SCOTT: Moved by
20 Commissioner McCabe. Second by Commissioner
21 Maye.

22 Any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: All in favor say

1 "Aye."

2 ("Ayes" heard.)

3 CHAIRMAN SCOTT: Any opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is 5-0, and
6 the Second Amendatory Order is entered.

7 Secondly, the AG, CUB, and ELPC
8 previously filed a Joint Petition for Rehearing
9 regarding the net-gross framework which the
10 Commission granted in part on March 19, 2014.
11 During the initial status on rehearing, ComEd and
12 the AG came to an agreement that would
13 incorporate the independent evaluator and
14 Stakeholder Advisory Group process for
15 determining net-to-gross values that was approved
16 for Ameren in Docket 13-0498. ALJ Haynes
17 recommends entry of an Order on rehearing
18 adopting the agreement reached by the parties.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Is there now a
22 motion to enter the Order on rehearing?

23 COMMISSIONER COLGAN: So moved.

24 CHAIRMAN SCOTT: Is there a second?

1 COMMISSIONER MAYE: Second.

2 CHAIRMAN SCOTT: Moved by
3 Commissioner Colgan. Second by Commissioner
4 Maye.

5 Any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: All in favor say
8 "Aye."

9 ("Ayes" heard.)

10 CHAIRMAN SCOTT: Any opposed?

11 (No response.)

12 CHAIRMAN SCOTT: Vote is 5-0, and the
13 Order is entered.

14 Item E-7 is Docket No. 14-0127. This
15 is Sachs Electric Company's Application for
16 Certification as an Installer of Distributed
17 Generation Facilities pursuant to Section 16-128A
18 of the Public Utilities Act. ALJ Baker
19 recommends entry of an Order granting the
20 requested certificate.

21 Is there any discussion?

22 (No response.)

23 CHAIRMAN SCOTT: Any objections?

24 (No response.)

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

3 Items E-8 and E-9 can be taken
4 together. These items are Applications for
5 Certification to Install, Maintain, or Repair
6 Electric Vehicle Charging Station Facilities
7 under Section 16-128A of the Public Utilities
8 Act. In both cases, ALJ Benn recommends entry of
9 an Order granting the requested certificate.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

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

16 Item E-10 is Docket No. 14-0230.
17 This is Century Energy Solutions' Application for
18 Licensure as an Agent, Broker, or Consultant
19 under Section 16-115C of the Public Utilities
20 Act. ALJ Kimbrel recommends entry of an Order
21 granting the requested certificate.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

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

4 Item E-11 is Docket No. 14-0325.
5 This is Verde Energy's Petition for relief to
6 protect its annual Part 451 compliance report
7 from public disclosure. ALJ Hilliard recommends
8 entry of an Order granting the requested relief.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

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

15 Item --

16 Do you have Item E-12?

17 JUDGE WALLACE: That's -- that's
18 where we're at now.

19 CHAIRMAN SCOTT: Okay. All right.

20 Item E-12 is Docket No. 14-0095.
21 This is Microgrid Energy, LLC's Application for
22 Certification as an Installer of Distributed
23 Generation Facilities under Section 16-128 of the
24 Public Utilities Act. Give me a moment here.

1 ALJ Baker recommends granting the requested
2 Certificate of Service Authority.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Any objections?

6 (No response.)

7 CHAIRMAN SCOTT: Hearing none, the
8 Order is entered.

9 Item G-1 is Docket No. GRM 14-082.
10 This is Liberty Utility's filing proposing a
11 general increase in gas rates. Staff recommends
12 this filing be suspended and the matter set for
13 hearing.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN SCOTT: Any objections?

17 (No response.)

18 CHAIRMAN SCOTT: Hearing none, the
19 filing is suspended, and the matter will be set
20 for hearing.

21 Item G-2 is Docket No. 13-0550. This
22 is North Shore Gas and Peoples Gas Light and Coke
23 Company's Petition pursuant to Section 8-104 of
24 the Public Utilities Act to submit an energy

1 efficiency plan. The Citizen's Utility Board and
2 the City of Chicago together have filed a Request
3 for Oral Argument which ALJ Benn recommends we
4 deny.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the
10 Request for Oral Argument is denied.

11 Item G-3 is Docket No. 14-0164. This
12 is Just Energy's Petition for the confidential
13 and/or proprietary treatment of its continued
14 compliance report. ALJ Haynes recommends entry
15 of an Order granting the requested relief.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN SCOTT: Any objections?

19 (No response.)

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

22 Turning now to Telecommunications,
23 Item T-1 is Docket No. 11-0332. This is
24 Netwolves Network Services' Application for a

1 Certificate of Interexchange Service Authority to
2 operate as a reseller of telecommunications
3 services within the State of Illinois. The
4 applicant has filed a Motion to Withdraw which
5 ALJ Teague-Kingsley recommends we grant.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the
11 Motion to Withdraw is granted.

12 Items T-2 through T-5 can be taken
13 together. These items are petitions for the
14 confidential and/or proprietary treatment of
15 Petitioners' annual reports. In each case the
16 ALJ recommends entry of an Order granting the
17 requested relief.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

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

24 Item T-6 is Docket No. 13-0559. This

1 is our proposed amendment of 83 Illinois
2 Administrative Code 712, Cost Allocation for
3 Small Local Exchange Carriers. ALJ Benn
4 recommends entry of an Order adopting the
5 proposed amendment.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the
11 Order is entered and the amendment adopted.

12 Item T-7 is Docket No. 13-0560. This
13 is our proceeding to repeal 83 Illinois
14 Administrative Code 715, Uniform System of
15 Accounts for Cellular Communications Telephone
16 Utilities. ALJ Benn recommends entry of an Order
17 adopting the proposal to repeal the rule.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

22 CHAIRMAN SCOTT: Hearing none, the
23 Order is entered and the rule is repealed.

24 Item T-8 is Docket No. 14-0112. This

1 is AT&T and Voxbeam Telecommunications' Joint
2 Petition for approval of a Negotiated
3 Interconnection Agreement pursuant to 47 U.S.C.
4 Section 252. ALJ Riley recommends entry of an
5 Order approving the agreement.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.).

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

12 On to Water and Sewer, Item W-1 is
13 Docket No. 14-0020. This is Illinois-American
14 Water Company's Application for a variance from
15 Part 600.370(c)(2) of the Rules of the Illinois
16 Commerce Commission and from IAWC's tariff, both
17 of which provide that a customer's service line
18 shall not pass through or across any premises or
19 property that are not the property of the
20 customer. ALJ Jorgenson recommends entry of an
21 Order granting the requested variance.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

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

4 Item W-2 is Docket No. 14-0105. This
5 is Illinois-American Water Company's application
6 for issuance of a Certificate of Public
7 Convenience and Necessity to provide water
8 service to areas in various Illinois counties and
9 for the approval of the purchase of certain
10 assets of Hardin County Water Company in
11 accordance with Section 8-406 of the Public
12 Utilities Act. ALJ Jones recommends entry of an
13 Interim Order approving the engagement agreements
14 subject to conditions.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

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

21 We have one set of Petitions for
22 Rehearing to consider today. Item PR-1 is Docket
23 No. 13-0476. This is Ameren's revenue-neutral
24 tariff changes related to rate design. The

1 Illinois Industrial Energy Consumers and the
2 Office of the Attorney General each filed
3 Petitions for Rehearing which we will address
4 separately.

5 With regard to the IIEC's petition,
6 ALJ von Qualen recommends we deny the request.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Is there any
10 objection to denying the request?

11 (No response.)

12 CHAIRMAN SCOTT: Hearing none, IIEC's
13 Petition for Rehearing is denied.

14 The Attorney General requests
15 rehearing to address, one, the straight fixed
16 variable rate design for the DS-1 and DS-2
17 customer charge; and, two, the phase-in for DS-4
18 customers paying the electric distribution tax.
19 ALJ von Qualen recommends we grant rehearing to
20 address policy issues related to the AG's
21 straight fixed variable rate design proposal and
22 deny rehearing on the issue of the EDT.

23 Is there any discussion?

24 COMMISSIONER COLGAN: Yeah. Mr.

1 Chairman, I --

2 CHAIRMAN SCOTT: Mr. Colgan.

3 COMMISSIONER COLGAN: -- I intend to
4 maintain consistency here with my prior vote on
5 this issue where I supported the PEPO in this
6 case. Others disagreed and supported edits that
7 flip the PEPO, citing the issue of potential rate
8 shock. And at that time I pointed out I didn't
9 see evidence in the record that could show that
10 the -- what the rate shock would be; and while
11 the AG had argued in the case -- in the record
12 their position on that, intervening parties had
13 the opportunity to provide counterarguments to
14 the AG's position, and they did not do that.

15 So, in my opinion, we have a decision
16 here that was made over concerns on rate shock,
17 but we don't have a full record as it relates to
18 that issue.

19 So I move to grant rehearing on the
20 DS-1 and DS-2 classes and associated rate shock.

21 CHAIRMAN SCOTT: Okay. Would your
22 motion also be to deny on the other portion of
23 the AG's motion?

24 COMMISSIONER COLGAN: Yes.

1 CHAIRMAN SCOTT: Okay. Is there a
2 second to that?

3 COMMISSIONER DEL VALLE: Second.

4 CHAIRMAN SCOTT: Second by
5 Commissioner del Valle.

6 Further discussion?

7 I'm going to support the AG's request
8 and the motion as it's been made by Commissioner
9 Colgan regarding straight fixed variable because
10 I believe it will be valuable to build a more
11 developed record concerning the magnitude of rate
12 shock this rate design may have on all the
13 various customer classes.

14 It was clearly stated in the Final
15 Order that Commissioner Colgan referred to that
16 we felt there was insignificant information
17 available to us at the time of our prior decision
18 to confidentially shift from our previous rate
19 design for DS-1 and DS-2 customers to the AG's
20 proposal. It appears that the AG is prepared to
21 address a portion of our concerns and to provide
22 us with additional numbers to assess the effect
23 that their straight fixed variable rate design
24 will have on customers.

1 I'll just add that we expect the AG
2 to present us with well-supported assumptions and
3 transparent calculations in this rehearing in
4 Order to facilitate a prudent review of the
5 proposal at hand. It would be helpful, to the
6 extent practicable, to know exactly how many
7 customers will see decreases and how many
8 customers will see increases under this new rate
9 design.

10 And so, with that, I will support the
11 motion that Commissioner Colgan has put forward.

12 Any other discussion on the motion?

13 COMMISSIONER MCCABE: Mr. Chairman,
14 Commissioner McCabe here.

15 CHAIRMAN SCOTT: Commissioner McCabe.

16 COMMISSIONER MCCABE: I'm also going
17 to support the motion. I think the discussion in
18 the record, including the Staff's BOE, pointed
19 out that the record was insufficient in certain
20 areas, and hopefully this will help fill in some
21 of those gaps, including how specific classes of
22 customers will be affected.

23 CHAIRMAN SCOTT: Further discussion?

24 (No response.)

1 CHAIRMAN SCOTT: Motion's on the
2 floor.
3 All in favor of Commissioner Colgan's
4 motion say "Aye."
5 ("Ayes" heard.)
6 CHAIRMAN SCOTT: Opposed?
7 COMMISSIONER MAYE: No.
8 CHAIRMAN SCOTT: The vote is 4-1, and
9 the AG's petition is granted in part and denied
10 in part.
11 Judge Wallace --
12 COURT REPORTER: Who said "No" there?
13 CHAIRMAN SCOTT: I'm sorry. That was
14 Commissioner Maye that said "No."
15 Judge Wallace, are there any other
16 matters to come before the Commission today?
17 JUDGE WALLACE: No. That's all,
18 Mr. Chairman.
19 CHAIRMAN SCOTT: Thank you, sir.
20 Hearing none, this meeting stands
21 adjourned.
22 Thank you, everyone.
23
24

