

1   BEFORE THE  
2   ILLINOIS COMMERCE COMMISSION

3   REGULAR OPEN MEETING

4  
5   Tuesday, May 13, 2014

6   Springfield, Illinois  
7

8  
9   Met, pursuant to notice, at 10:30 A.M., at  
10    527 East Capitol Avenue, Springfield, Illinois.

11  
12    PRESENT:

13    Douglas P. Scott, Chairman

14    John T. Colgan, Commissioner

15    Ann McCabe, Commissioner (in Chicago)

16    Sherina E. Maye, Commissioner (in Chicago)

17    Miguel del Valle, Commissioner  
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23    MIDWEST LITIGATION SERVICES, by  
24    Robin A. Enstrom, RPR, CSR  
  CSR No. 084-002046

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PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Open Meetings Act, I now convene a Regular Open Meeting of the Illinois Commerce Commission.

With me in Springfield are Commissioner Colgan and Commissioner del Valle. With us in Chicago are Commissioner McCabe and Commissioner Maye. I'm Chairman Scott. 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 for Commission meetings. According to the Chief Clerk's office, we have no requests to speak at today's meeting.

First item of business on today's agenda is the approval of minutes from our April 29th Regular Open Meeting. I understand amendments have been forwarded.

Is there a motion to amend the

1 minutes?

2 COMMISSIONER COLGAN: So moved.

3 CHAIRMAN SCOTT: Is there a second?

4 COMMISSIONER DEL VALLE: Second.

5 CHAIRMAN SCOTT: Moved by  
6 Commissioner Colgan. Second by Commissioner del  
7 Valle.

8 All in favor say "Aye."

9 ("Ayes" heard.)

10 CHAIRMAN SCOTT: Any opposed?

11 (No response.)

12 CHAIRMAN SCOTT: Vote is 5-0, and the  
13 amendments are adopted.

14 Is there now a motion to approve the  
15 minutes as amended?

16 COMMISSIONER COLGAN: So moved.

17 CHAIRMAN SCOTT: Is there a second?

18 COMMISSIONER DEL VALLE: Second.

19 CHAIRMAN SCOTT: Moved by  
20 Commissioner Colgan. Second by Commissioner del  
21 Valle.

22 All in favor say "Aye."

23 ("Ayes" heard.)

24 CHAIRMAN SCOTT: Any opposed?

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(No response.)

CHAIRMAN SCOTT: The vote is 5-0, and the April 29th Regular Open Meeting minutes as amended are approved.

Item 2 is Docket No. 14-0331. This is ComEd's Petition for Special Permission to approve revisions to their Rider POG, Parallel Operation of Retail Customer Generating Facilities, on less than 45 days' notice and without suspension. Staff recommends that we grant the request for special permission.

Is there a motion to grant the request?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MAYE: Second.

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

All in favor say "Aye."

("Ayes" heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: Vote is 5-0, and the

1 request for special permission is granted.

2 We will use this 5-0 vote for the  
3 remainder of today's Regular Open Meeting agenda  
4 unless otherwise noted.

5 Items 3 and 4 can be taken together.  
6 These items are joint petitions for approval of  
7 residential customer releases between Ameren and  
8 the Illinois Rural Electric Cooperative and  
9 Ameren and Wayne-White Counties Electric  
10 Cooperative. In each case ALJ Jones recommends  
11 entry of an Order granting the joint petition.

12 Is there any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: Any objections?

15 (No response.)

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

18 Item 5 is Docket No. 13-0623. This  
19 is Buckeye Energy Brokers' Petition to Cancel its  
20 authority to operate as an electric ABC. ALJ  
21 Baker recommends entry of an Order granting the  
22 requested relief.

23 Is there any discussion?

24 (No response.)

1 CHAIRMAN SCOTT: Any objections?

2 (No response.)

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

5 Items 6 through 8 can be taken  
6 together. These items are citations for failure  
7 to file compliance recertification reports  
8 required by 83 Illinois Administrative Code  
9 Section 454.110. Because the respondent in each  
10 case has filed a petition to cancel their  
11 license, in each case ALJ Kimbrel recommends that  
12 we dismiss the proceeding with prejudice.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Any objections to  
16 dismissing the proceedings?

17 (No response.)

18 CHAIRMAN SCOTT: Hearing none, the  
19 proceedings are dismissed.

20 Items 9 through 12 can be taken  
21 together. These items are petitions for  
22 confidential and/or proprietary treatment of  
23 petitioners' various annual reports. In each  
24 case the ALJ recommends entry of an Order

1 granting the requested relief.

2 Is there any discussion?

3 (No response.)

4 CHAIRMAN SCOTT: Any objections?

5 (No response.)

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

8 Item 13 is Docket No. 13-0498. This  
9 is Ameren Illinois Company's Petition for  
10 Approval of its Energy Efficiency and Demand  
11 Response Plan pursuant to 220 ILCS Sections  
12 5/8-103 and 5/8-104. The Commission previously  
13 granted rehearing in this proceeding to address  
14 whether it was appropriate to adopt the same  
15 portfolio flexibility procedure adopted in the  
16 proceeding to approve ComEd's parallel Energy  
17 Efficiency Plan. ALJ Haynes recommends entry of  
18 an Order on rehearing which resolves the issue on  
19 which Rehearing was granted.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Any objections?

23 (No response.)

24 CHAIRMAN SCOTT: Hearing none, the

1 Order on Rehearing is entered.

2 Items 14 through 20 can be taken  
3 together. These items are Applications for  
4 Certification as an Installer of Distributed  
5 Generation Facilities under Section 16-128A of  
6 the Public Utilities Act. In each case ALJ Baker  
7 recommends entry of an Order granting the  
8 requested certificate.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

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

15 Items 21 through 27 can be taken  
16 together. These items are Applications for  
17 Certification to Install, Maintain, or Repair  
18 Electric Vehicle Charging Station Facilities  
19 under Section 16-128A of the Public Utilities  
20 Act. In each case ALJ Benn recommends entry of  
21 an Order 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 Orders are entered.

4 Item 28 is Docket No. 13-0011. This  
5 is Bondi Building Corporation's complaint against  
6 Ameren as to billing and/or charges in Galesburg.  
7 ALJ von Qualen recommends entry of an Order  
8 denying the complaint.

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 29 is Docket No. 13-0588. This  
16 is Lawana Scott-Ray's complaint against ComEd as  
17 to billing and/or charges in Chicago. It appears  
18 the parties have settled their differences and  
19 filed a Stipulation and Joint Motion to Dismiss  
20 which ALJ Riley recommends we grant.

21 Is there any discussion?

22 (No response.)

23 CHAIRMAN SCOTT: Any objection?

24 (No response.)

1                   CHAIRMAN SCOTT: Hearing none, the  
2 Motion is granted and the complaint is dismissed.

3                   Item 30 is Docket No. 13-0620. This  
4 is Carla Street Beauty Solution Supply's  
5 complaint against ComEd as to billing and/or  
6 charges in Chicago. This item will be held for  
7 disposition at a future Commission proceeding.

8                   Item 31 is Docket No. 12-0285. This  
9 is Peoples' informational statement pursuant to  
10 Section 6-102(d) of the Public Utilities Act in  
11 connection with the proposed issuance and sale of  
12 up to \$50 million aggregate principal amount of  
13 bonds or notes or a combination thereof in one or  
14 more series. ALJ Haynes recommends entry of an  
15 Order on Reopening granting a one-year extension  
16 of the authority previously granted in this  
17 docket.

18                   Is there any discussion?

19                   (No response.)

20                   CHAIRMAN SCOTT: Any objections?

21                   (No response.)

22                   CHAIRMAN SCOTT: Hearing none, the  
23 Order on Reopening is entered.

24                   Item 32 is Docket No. 14-0355. This

1 is XOOM Energy's petition for confidential and/or  
2 proprietary treatment of its dekatherm report.  
3 ALJ Albers recommends entry of an Order granting  
4 the requested relief.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

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

11 Item 33 is Docket No. 14-0206. This  
12 is Judith Groom, Freeburg Area Library District's  
13 complaint against AT&T as to billing and/or  
14 charges in Freeburg. It appears the parties have  
15 settled their differences and filed a Stipulation  
16 and Joint Motion to Dismiss which ALJ Yoder  
17 recommends we grant.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

22 CHAIRMAN SCOTT: Hearing none, the  
23 Motion is granted and the complaint is dismissed.

24 Items 34 through 39 can be taken

1 together. These items are petitions for the  
2 confidential and/or proprietary treatment of  
3 petitioners' various annual reports. In each  
4 case the ALJ recommends entry of an Order  
5 granting the requested relief.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the  
11 Orders are entered.

12 Items 40 through 42 can be taken  
13 together. These items are joint petitions for  
14 approval of an Interconnection Agreement or an  
15 amendment to an existing Interconnection  
16 Agreement pursuant to 47 U.S.C. Section 252. In  
17 each case ALJ Riley recommends entry of an Order  
18 approving the agreement or amendment to the  
19 agreement.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Any objections?

23 (No response.)

24 CHAIRMAN SCOTT: Hearing none, the

1 Orders are entered.

2 Item 43 is Docket No. 14-0032. This  
3 is Barbara Taylor's complaint against Aqua  
4 Illinois for billing and/or charges in  
5 Bourbonnais. It appears the parties have settled  
6 their differences and filed a Stipulation and  
7 Joint Motion to Dismiss which ALJ Yoder  
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, the  
14 Motion is granted and the complaint dismissed.

15 Item 44 is Docket No. 14-0080. This  
16 is Michael and Deborah Goodrich's complaint  
17 against Illinois American Water as to billing  
18 and/or charges in Belleville. Petitioners have  
19 filed a Motion for Voluntary Dismissal which ALJ  
20 Yoder 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  
2 Motion is granted and the complaint is dismissed.

3                   Item 45 is Docket No. 14-0177. This  
4 is FutureGen Industrial Alliance's petition  
5 seeking approval pursuant to Section 5/9-220(h-7)  
6 of the Public Utilities Act. ALJ Jones  
7 recommends entry of an Order granting the  
8 requested relief subject to certain conditions.

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 46 is Docket No. 14-0371. This  
16 is a proposed Amendatory Order to correct an  
17 error in the original Order suspending Liberty  
18 Utilities' tariff filing proposing a general  
19 increase in gas rates.

20                   Is there a motion to enter the  
21 Amendatory Order?

22                   COMMISSIONER MCCABE: So moved.

23                   CHAIRMAN SCOTT: Is there a second?

24                   COMMISSIONER COLGAN: Second.

1                   CHAIRMAN SCOTT:  Moved by  
2           Commissioner McCabe.  Second by Commissioner  
3           Colgan.  
4                   Is there any discussion?  
5                   (No response.)  
6           CHAIRMAN SCOTT:  All in favor say  
7           "Aye."  
8                   ("Ayes" heard.)  
9           CHAIRMAN SCOTT:  Any opposed?  
10                   (No response.)  
11           CHAIRMAN SCOTT:  Vote is 5-0, and the  
12           Amendatory Order is entered.  
13                   Judge Wallace, are there any other  
14           matters to come before the Commission today?  
15                   JUDGE WALLACE:  No.  That's all,  
16           Mr. Chairman.  
17                   CHAIRMAN SCOTT:  Thank you, sir.  
18                   Hearing nothing else to come before  
19           the body, this meeting stands adjourned.  
20                   Thank you, everyone.  
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1 CERTIFICATE OF REPORTER

2  
3 STATE OF ILLINOIS )  
4 COUNTY OF SANGAMON ) ss.

5 I, ROBIN A. ENSTROM, a Registered  
6 Professional Reporter and Certified Shorthand  
7 Reporter within and for the State of Illinois, do  
8 hereby certify that the foregoing proceedings  
9 were taken by me to the best of my ability and  
10 thereafter reduced to typewriting under my  
11 direction; that I am neither counsel for, related  
12 to, nor employed by any of the parties to the  
13 action in which these proceedings were taken; and  
14 further that I am not a relative or employee of  
15 any attorney or counsel employed by the parties  
16 thereto, nor financially or otherwise interested  
17 in the outcome of the action.

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22 ROBIN A. ENSTROM  
23 Illinois CSR No. 084-002046  
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