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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITY REGULAR OPEN MEETING
Wednesday, May 13, 2020
Chicago, Illinois

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

PRESENT:

- CARRIE ZALEWSKI, Chairman
- SADZI M. OLIVA, Commissioner
- MARIA S. BOCANEGRA, Commissioner
- D. ETHAN KIMBREL, Commissioner
- MICHAEL T. CARRIGAN, Commissioner

SULLIVAN REPORTING COMPANY
BY: JO ANN KROLICKI, CSR
License No. 084-002215

1 CHAIRMAN ZALEWSKI: Commissioner Carrigan,
2 are we ready to proceed in Springfield?

3 COMMISSIONER CARRIGAN: Mike Carrigan in
4 Springfield. We are ready to proceed.

5 CHAIRMAN ZALEWSKI: Under the Open Meetings
6 Act and in accordance with the Governor's Executive
7 Orders, I call the May 13, 2020, Regular Open Meeting
8 to order.

9 Welcome to everyone is watching
10 through our Livestream feed for the first time. We
11 appreciate everyone's flexibility and patience. This
12 is our first time trying to stream, and we are trying
13 to make this as user friendly as possible and to work
14 out any kinks.

15 Before we proceed, for clarity of the
16 record, and since the court reporter is participating
17 remotely, I would ask everyone to state their name
18 before speaking and to speak slowly and clearly so
19 that she can capture everything that is said. With
20 that, we will proceed.

21 Commissioner Kimbrel is with me in
22 Chicago. Commissioner Carrigan is joining us from

1 Springfield, and Commissioners Oliva and Bocanegra
2 are calling in. I have already checked that they're
3 on.

4 We have a quorum.

5 We'll now be moving on to the Public
6 Utilities Agenda.

7 There are edits to the April 15,
8 2020, Regular Open Meeting Minutes and to the April
9 24th and April 28th Special Open Meeting Minutes.

10 There are no edits to the April 30,
11 2020, Special Open Meeting Minutes.

12 Are there any objections to approving
13 the Minutes as edited?

14 (No response.)

15 CHAIRMAN ZALEWSKI: Hearing none, the
16 Minutes are approved.

17 Under our Electric Items, Item E-1
18 concerns ERM 20-039, which is ComEd's filing to
19 modify its Rider POG or Parallel Operation of Retail
20 Customer Generating Facilities. This filing will
21 reduce rates pertaining to purchases of electricity
22 from cogeneration and small power production

1 facilities Under Part 430 of the Commission's Rules.
2 The revised rates will go into effect on May 28,
3 2020. Commission Staff has received revisions and
4 recommends not suspending the filing.

5 Are there any objections to not
6 suspending the filing?

7 (No response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the
9 filing is not suspended.

10 Item E-2 concerns ERM 20-041, which
11 is Mt. Carmel's filing to modify its Rider D,
12 Parallel Generation Service. This filing is an
13 annual adjustment made in accordance with directives
14 of Part 430 of the Commission's rules and will
15 slightly increase the rates pertaining to purchases
16 of electricity from cogeneration and small power
17 production facilities. The revised rates will go
18 into effect on June 1, 2020. Commission Staff has
19 reviewed the revisions and recommends not suspending
20 the filing.

21 Are there any objections to not
22 suspending the filing?

1 (No response.)

2 CHAIRMAN ZALEWSKI: Hearing none, the
3 filing is not suspended.

4 Item E-3 concerns an Order initiating
5 a rulemaking proceeding on the Commission's own
6 motion to consider amendments to Part 412 of the
7 Commission's rules, Obligations of Retail Electric
8 Suppliers. The proposed amendments will conform the
9 rules to changes made by Public Act 101-590 or the
10 Home Energy Affordability and Transparency or HEAT
11 Act.

12 Commission Staff recommends the
13 initiation of rulemaking and recommends that the
14 remaking for 412 be consolidated with Docket 17-0857,
15 which concerns the development of a new Part 512, the
16 Obligations of Alternative Gas Suppliers.

17 The Order initiates the rulemaking
18 proceeding and directs that the Staff Report, dated
19 April 29, 2020, be entered into the record for its
20 rulemaking. The Order also states that this
21 proceeding shall be consolidated with Docket 17-0857,
22 that the Staff or any other party file a motion

1 seeking consolidation.

2 Are there any objections to approving
3 this Order?

4 (No response.)

5 CHAIRMAN ZALEWSKI: Hearing none, the Order
6 is approved.

7 Item E-4 concerns Ameren's Petition
8 for Reconciliation under Rider EUA or Electric
9 Uncollectible Adjustment and Rider GUA or Gas
10 Uncollectible Adjustment for 2017. The Order
11 approves the reconciliation as set in the Appendices
12 to the Order, finding that the costs during the
13 reconciliation period were prudently incurred.

14 There are non-substantive edits to
15 the Order that provide more details on Ameren's
16 collection practices.

17 I move the edits. Is there a second?

18 COMMISSIONER KIMBREL: Commissioner
19 Kimbrel. I second.

20 CHAIRMAN ZALEWSKI: Thank you,
21 Commissioner.

22 Are there any objections to approving

1 the edits to the Order?

2 (No response.)

3 CHAIRMAN ZALEWSKI: Hearing none, the edits
4 are approved.

5 Are there any objections to approving
6 the Order as edited?

7 (No response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the Order
9 is approved.

10 Item E-5 concerns Docket 19-1052,
11 which is a Complaint against Santanna Energy Services
12 regarding billing in Chicago. Santanna Energy has
13 filed a motion to dismiss the complaint. Complainant
14 failed to produce documents authorizing legal
15 representation as directed by the Administrative Law
16 Judge.

17 The Order dismisses the Complaint
18 without prejudice for want of prosecution. The Order
19 finds that the Complainants' failure to respond to
20 ALJ's requests and rulings indicates lack of intent
21 to pursue their Complaint.

22 Are there any objections to approving

1 the Order and dismissing the Complaint without
2 prejudice?

3 (No response.)

4 CHAIRMAN ZALEWSKI: Hearing none, the Order
5 is approved.

6 Item E-6 concerns Docket 20-0256,
7 which is a Complaint against RPA Energy regarding
8 switching suppliers in Glenwood. The parties in the
9 docket filed a Stipulation and Joint Motion to
10 Dismiss, stipulating that all matters in dispute were
11 resolved and requesting that the Commission dismiss
12 the Complaints with prejudice.

13 Are there any objections to granting
14 the Joint Motion to Dismiss?

15 (No response.)

16 CHAIRMAN ZALEWSKI: Hearing none, the
17 Motion is granted and the Complaint is dismissed with
18 prejudice.

19 Items E-7 through E-12 concern
20 applications for authority to install distributed
21 generation facilities in Illinois. The Orders grant
22 the licenses, finding that the applicants meet the

1 requirements.

2 Are there any objections to
3 considering these items together and approving the
4 Orders?

5 (No response.)

6 CHAIRMAN ZALEWSKI: Hearing none, the
7 Orders are approved.

8 Item E-13 concerns Ameren's and
9 Norris Electric Cooperative's joint petition to
10 release a residential customer from Ameren's service.
11 The Order grants the petition.

12 Are there any objections to approving
13 the Order?

14 (No response.)

15 CHAIRMAN ZALEWSKI: Hearing none, the Order
16 is approved.

17 Item E-14 concerns an application for
18 certification to install, maintain, or repair
19 electric vehicle charging station facilities. The
20 Order grants the license, finding that the applicant
21 meets the requirements.

22 Are there any objections to approving

1 the Order?

2 (No response.)

3 CHAIRMAN ZALEWSKI: Hearing none, the Order
4 is approved.

5 Item E-15 concerns CleanChoice
6 Energy's application to amend its existing
7 Certificate of Service Authority to operate in the
8 Ameren Service Territory. CleanChoice has chosen to
9 not proceed with its application and has motioned to
10 withdraw its application without prejudice.
11 CleanChoice may file a similar application at a later
12 date.

13 Are there any objections to granting
14 the Motion to Withdraw?

15 (No response.)

16 CHAIRMAN ZALEWSKI: Hearing none, the
17 Motion to Withdraw is granted.

18 Items E-16 and E-17 concern requests
19 for confidential treatment of information in the
20 petitioners' reports. The Orders grant the
21 protection, finding that the information is highly
22 proprietary and confidential.

1 Are there any objections to
2 considering these items together and approving the
3 Orders?

4 (No response.)

5 CHAIRMAN ZALEWSKI: Hearing none, the
6 Orders are approved.

7 Items E-18 through E-25 concern
8 applications for Certifications to install Energy
9 Efficiency Measures in Illinois. The Orders grant
10 the Certificates, finding that the applicants meet
11 the requirements.

12 Are there any objections to
13 considering these items together and approving the
14 Orders?

15 (No response.)

16 CHAIRMAN ZALEWSKI: Hearing none, the
17 Orders are approved.

18 Moving on to our Gas Items.

19 Item G-1 concerns Peoples Gas'
20 application for approval for sale of real estate in
21 Chicago to an unaffiliated third party. Peoples Gas
22 contends that the sale of the property is in the

1 public interest and will not interfere with Peoples
2 Gas' operations. Commission Staff has reviewed the
3 Property Sale Agreement and has recommended the
4 Commission approve the sale.

5 Are there any objections to approving
6 the Order?

7 (No response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the Order
9 is approved.

10 Item G-2 concerns a request for
11 confidential treatment of information in the
12 petitioners' report. The Order grants the
13 protection, finding that the information is highly
14 proprietary and confidential.

15 Are there any objections to approving
16 the Order?

17 (No response.)

18 CHAIRMAN ZALEWSKI: Hearing none, the Order
19 is approved.

20 Item T-1 concerns an application for
21 a Certificate as a reseller of telecommunication
22 services in Illinois. The Order grants the

1 Certificate, finding that the applicant meets the
2 requirements.

3 Are there any objections to approving
4 the Order?

5 (No response.)

6 CHAIRMAN ZALEWSKI: Hearing none, the Order
7 is approved.

8 Item T-2 concerns Docket 20-0153,
9 which is a petition to recognize the merger between
10 Nextel West Corp and NPCR and a petition to cancel
11 Nextel West's Certificate of Service Authority. This
12 docket was previously voted on in the April 28th
13 Special Open Meeting. That Order incorrectly
14 directed NPCR to file an annual report within 60 days
15 of the date of the Order and incorrectly refers to
16 the cancellation of tariffs.

17 Neither of these mandates apply to
18 NPCR, because NPCR is a cellular/mobile phone carrier
19 and, thus, it does not have to file an annual report
20 with the Commission and has no tariffs to cancel.
21 Therefore, the Amendatory Order in Item T-2 amends
22 the Order in 20-0153 by deleting Findings 8 and 9 and

1 their corresponding Ordering paragraphs as well as
2 the language, quote, and tariffs, end quote, in the
3 last sentence in the third paragraph of the Order.

4 Are there any objections to approving
5 the Amendatory Order?

6 (No response.)

7 CHAIRMAN ZALEWSKI: Hearing none, the
8 Amendatory Order is approved.

9 Items T-3 through T-11 concern
10 requests for confidential treatment of petitioners'
11 reports. The Orders grant the protection, finding
12 that the information is highly proprietary and
13 confidential.

14 Are there any objections to
15 considering these items together and approving the
16 Orders?

17 (No response.)

18 CHAIRMAN ZALEWSKI: Hearing none, the
19 Orders are approved.

20 Under our Water and Sewer Items.

21 Item W-1 concerns WRN 20-014, which
22 is a filing by Aqua Illinois to revise its water

1 service tariff. The revisions will provide a
2 mechanism by which Aqua will refund to or recover
3 from customers in accordance with any over- or under-
4 recoveries resulting --

5 (Brief interruption.)

6 CHAIRMAN ZALEWSKI: Under our Water and
7 Sewer Items, for clarity's sake, I will just start
8 with W-1.

9 Item W-1 concerns WRN 20-014, which
10 is a filing by Aqua Illinois to revise its water
11 service tariff. The revisions will provide a
12 mechanism by which Aqua will refund to or recover
13 from customers in accordance with any over- or under-
14 recoveries resulting from the application of the
15 Purchased Water Surcharge Rider during 2019 and 2020.

16 Staff has reviewed the filing and
17 recommends that the Commission does not suspend the
18 filing.

19 Are there any objections to not
20 suspending the filing?

21 (No response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the

1 filing is not suspended.

2 W-2 concerns Illinois American
3 Water's application for a Certificate of Public
4 Convenience and Necessity to Provide Water and
5 Wastewater Service in areas in Rock Island County,
6 Illinois, and for the approval of the Purchase of the
7 Village of Andalusia's water system assets.

8 The Order approves the Certificate,
9 finding that the applicant meets the requirements.
10 The Order also approves the purchase agreement and
11 finds the acquisition necessary to provide adequate,
12 reliable, and efficient service to Andalusia's
13 customers.

14 Are there any objections to approving
15 the Orders?

16 (No response.)

17 CHAIRMAN ZALEWSKI: Hearing none, the
18 Orders are approved.

19 Item W-3 concerns Aqua Illinois'
20 petition for approval of its proposed Valve
21 Inspection Program. The program would mandate that
22 critical valves are inspected and turned on an annual

1 basis; whereas, noncritical valves are inspected and
2 turned on a four-year basis.

3 Aqua states that this program is
4 consistent with industry standards and the
5 recommendation of the American Water Works
6 Association and that this inspection schedule was
7 developed based on sound operational and engineering
8 judgment and experience. Aqua also believes the cost
9 of inspecting noncritical valves on an annual basis
10 outweighs the benefits to those inspections.

11 Staff has reviewed the plan and
12 recommends approval. The Order approves the Valve
13 Inspection Program for all of Aqua's divisions. The
14 Commission also directs Aqua to comply with the other
15 requirements of Section 600.240 of the Illinois
16 Administrative Code, including the provisions that
17 valves found to be inoperable shall be repaired or
18 replaced and valve covers shall not be paved over.

19 Are there any objections to approving
20 the Order?

21 (No response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the Order

1 is approved.

2 Item W-4 concerns Docket 20-0096,
3 which is a complaint against Aqua regarding billing.
4 The parties in the docket filed a Stipulation and
5 Joint Motion to Dismiss, stipulating that all matters
6 in dispute were resolved and requesting that the
7 Commission dismiss the Complaint with prejudice.

8 Are there any objections to granting
9 the Joint Motion to Dismiss?

10 (No response.)

11 CHAIRMAN ZALEWSKI: Hearing none, the
12 Motion is entered, and the Complaint is dismissed
13 with prejudice.

14 There are no miscellaneous items or
15 Petitions For Rehearing.

16 Under Other Business Items.

17 Item O-1 concerns approval of
18 Batches, Contracts, and Confirmations under the
19 Adjustable Block Program.

20 Are there any objections to approving
21 the Program Administrator's Submissions?

22 (No response.)

1 CHAIRMAN ZALEWSKI: Hearing none, the
2 Submissions are approved.

3 This concludes our Public Utilities
4 Agenda.

5 Judge Teague Kingsley, do we have any
6 other matters to come before the Commission today?

7 JUDGE TEAGUE KINGSLEY: No, Madam Chairman.

8 CHAIRMAN ZALEWSKI: Thank you.

9 Do any of the Commissioners have any
10 other business to discuss?

11 If not, I would like to take a second
12 to thank all of our IT and Commission Staff who have
13 worked to keep the Commission up and running while we
14 are working remotely during this unprecedented time.

15 I would also like to thank several
16 staff members who have worked together to ensure
17 today's hearing was live streamed directly to ICC's
18 website for the first time in the Commission's
19 history. You did a great job of getting this working
20 in a short amount of time.

21 Specifically, I'd like to thank Brad
22 Smith, Tim Payne, and Paul Razor from IT; Kiersten

1 Neswick and Joy Nicdao-Cuyugan from Fiscal; Phil
2 Kosanovich, our General Counsel; Vicki Crawford from
3 Public Affairs, and Christy George, our Executive
4 Director.

5 With that and without objection, the
6 meeting is adjourned. Thank you.

7 (WHEREUPON, the above-entitled
8 matter was adjourned.)

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