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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
(PUBLIC UTILITIES)
Chicago, Illinois
Tuesday, May 20, 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
 - MS. ANN McCABE, Commissioner (via teleconference)
 - MR. MIGUEL DEL VALLE, Commissioner
 - MS. SHERNIA E. MAYE, Commissioner

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 me in Chicago
4 are Commissioner Colgan, Commissioner del Valle, and
5 Commissioner Maye. I am Chairman Scott. We have a
6 quorum.

7 We should also have Commissioner McCabe on the
8 phone.

9 Commissioner, are you there?

10 COMMISSIONER McCABE: Yes, I am.

11 CHAIRMAN SCOTT: Very good.

12 Under the Commission's rules we have to vote
13 to allow Commissioner McCabe to participate by phone. I
14 move to allow Commissioner McCabe's participation by
15 phone. Is there a second?

16 COMMISSIONER COLGAN: Second.

17 CHAIRMAN SCOTT: Seconded by Commissioner Colgan.

18 All in favor, say aye.

19 (Ayes heard.)

20 CHAIRMAN SCOTT: Any opposed?

21 (No response.)

22 CHAIRMAN SCOTT: The vote -- The vote is 4 to
23 nothing, and Commissioner McCabe may participate in
24 today's meeting by phone.

25 Before moving into the agenda, according to

1 Section 1700.10 of Title 2 of the Administrative Code,
2 this is the time we allow members of the public to
3 address the Commission. Members of the public wishing
4 to address the Commission must notify the Chief Clerk's
5 office at least 24 hours prior to the Commission
6 meetings. According to the Chief Clerk's office, we
7 have no requests to speak at today's meeting.

8 The first item of business on today's agenda
9 is the approval of minutes from our May 2nd Special Open
10 Meeting. I understand that amendments have been
11 forwarded.

12 Is there a motion to amend the minutes?

13 COMMISSIONER COLGAN: So move.

14 CHAIRMAN SCOTT: Is there a second?

15 COMMISSIONER MAYE: Second.

16 CHAIRMAN SCOTT: Moved by Commissioner Colgan.

17 Seconded by Commissioner Maye.

18 All in favor, say aye.

19 (Ayes heard.)

20 CHAIRMAN SCOTT: Any opposed?

21 (No response.)

22 CHAIRMAN SCOTT: The vote is 5 to nothing, and the
23 amendments are adopted.

24 Is there now a motion to approve the minutes
25 as amended?

1 COMMISSIONER MAYE: So move.

2 CHAIRMAN SCOTT: Is there a second?

3 COMMISSIONER COLGAN: Seconded.

4 CHAIRMAN SCOTT: Moved by Commissioner Maye.

5 Seconded by Commissioner Colgan.

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 May 2nd Special Open Meeting minutes, as amended, are
12 approved.

13 Items 2 and 3 will be taken together. These
14 items are investigations into ComEd's cost of service
15 for low-use customers in each residential class and
16 ComEd's supply rate subsidies for non-residential space
17 heat and lighting customers. In both cases, Staff
18 recommends entry of an Order initiating an investigation
19 under Section 9-250 of the Public Utilities Act.

20 Commissioner McCabe, did you have a question
21 regarding the timing of these?

22 COMMISSIONER McCABE: Yes.

23 CHAIRMAN SCOTT: Torsten Clausen is coming up to
24 the desk.

25 Go ahead with your question, Commissioner.

1 COMMISSIONER McCABE: I just want to get an idea
2 how long these investigations will take.

3 MR. CLAUSEN: Yeah. I think I can only talk about
4 one of the two, the one that talks about the supply rate
5 subsidies for non-residential space heating and lighting
6 customers. Since, you know, that the supply rates
7 usually get set once a year right before June 1, even
8 though there is no statutory timeline for these 9-250
9 investigations, I don't see a problem getting these done
10 in the 11-month or even earlier time frame so that
11 whatever comes out of this proceeding will then make it
12 its way into the calculations over the next time supply
13 rates are being calculated, which will be in the spring.
14 And I'll let Staff talk about the other.

15 CHAIRMAN SCOTT: Is there anybody that can speak to
16 No. 2?

17 MR. SCOTT STRUCK (via teleconference): Yes. This
18 is Scott Struck. Regarding the low-use study, a lot of
19 it will depend upon what ComEd presents and how the
20 parties respond to it.

21 Again, there's no statutory deadline as far as
22 when these cases have to get done. But as a practical
23 matter, there are two milestones that are relevant.

24 The first is if the change needed to be
25 reflected in the formula rates that are effective 2015,

1 this will need to get done and an Order would have to be
2 entered by the end of November. After that, there won't
3 be any changes. So in this case, we're going with the
4 facts for the rates into '16 and making it a little bit
5 tight to get it done by November. Then we would
6 probably have a rehearing case scheduled around the
7 testimony. We're looking for a more complete record. A
8 more realistic expectation would be it gets done
9 sometime next spring.

10 COMMISSIONER McCABE: Thank you.

11 CHAIRMAN SCOTT: Anything else, Commissioner?

12 COMMISSIONER McCABE: No, thank you.

13 CHAIRMAN SCOTT: Torsten and Scott, thank you very
14 much.

15 Is there any other discussion on these items?

16 (No response.)

17 CHAIRMAN SCOTT: Is there a motion to enter the
18 Orders?

19 COMMISSIONER DEL VALLE: Move.

20 CHAIRMAN SCOTT: Is there a second?

21 COMMISSIONER COLGAN: Second.

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

24 All in favor, say aye.

25 (Ayes heard.)

1 CHAIRMAN SCOTT: Any opposed?

2 (No response.)

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

7 Items 4 through 6 can be taken together.

8 These items are our reconciliation of revenues collected
9 by Ameren under coal tar riders with prudent costs
10 associated with coal tar cleanup expenditures in
11 Zones 1, 2, and 3. ALJ Yoder in each case recommends
12 entry of an Order approving the reconciliation.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Are there any objections?

16 (No response.)

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

19 Item 7 is Docket No. 13-0538. This is Betty
20 Hammond's complaint against ComEd as to billing and/or
21 charges in South Chicago Heights. ALJ Sainsot
22 recommends entry of an Order dismissing the complaint
23 for want of prosecution.

24 Is there any discussion?

25 (No response.)

1 CHAIRMAN SCOTT: Any objections?

2 (No response.)

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

5 Item 8 is Docket No. 13-0620. This is Carla
6 Street Beauty Solution Supply's complaint against ComEd
7 as to billing and/or charges in Chicago. ALJ Riley
8 recommends entry of an Order dismissing the complaint
9 with prejudice.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the Order is entered
15 and the complaint dismissed.

16 Items 9 and 10 can be taken together. These
17 items are applications for licensure as an agent, broker
18 and consultant under Section 16-115C of the Public
19 Utilities Act. In both cases ALJ Kimbrel recommends
20 entry of an Order granting the requested certificate of
21 authority.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

25 (No response.)

1 CHAIRMAN SCOTT: Hearing none, the Orders are
2 entered.

3 Item 11 is Docket No. 14-0291. This is Ameren
4 Transmission Company's petition for an Order pursuant to
5 Section 8-509 of the Public Utilities Act authorizing
6 the use of Eminent Domain power and requiring an
7 easement across 26 parcels of land for the purpose of
8 its Illinois Rivers Project. ALJ Albers recommends
9 entry of an Order granting the requested relief on all
10 parcels except one that had been sold during the
11 negotiations.

12 Is there any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: Any objections?

15 (No response.)

16 CHAIRMAN SCOTT: Hearing none, the Order is entered
17 and the requested relief is granted in part.

18 Item 12 is Docket No. 14-0316. This is
19 ComEd's petition to make housekeeping revisions and a
20 compliance change to its filed rate formula.

21 This item has been withdrawn from today's
22 agenda.

23 Items 13 and 14 can be taken together. These
24 items are petitions for confidential and/or proprietary
25 treatment of petitioners' continued compliance reports.

1 The ALJ in both cases recommends entry of an Order
2 granting the requested relief.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Any objections?

6 (No response.)

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

9 Item 15 is Docket No. 14-0342. This is Con
10 Edison Solutions' petition for confidential and/or
11 proprietary treatment of its annual report. Petitioner
12 has filed a motion seeking leave to withdraw its
13 petition, which ALJ Albers recommends we grant.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN SCOTT: Any objections?

17 (No response.)

18 CHAIRMAN SCOTT: Hearing none, the Motion to
19 Withdraw is granted.

20 Items 16 and 17 can be taken together. These
21 items are petitions for confidential and/or proprietary
22 treatment of petitioners' various reports. The ALJ in
23 both cases recommends entry of an Order granting the
24 requested relief.

25 Is there any discussion?

1 (No response.)

2 CHAIRMAN SCOTT: Any objections?

3 (No response.)

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

6 Items 18 and 19 can be taken together. These
7 items are Nicor, North Shore Gas & Peoples Gas Company's
8 applications pursuant to Section 8-104 of the Public
9 Utilities Act for consent to and approval of an energy
10 efficiency plan. In both cases, ALJ Benn recommends
11 entry of an Order directing the Company to file a
12 modified plan consistent with the findings therein
13 within 30 days of the date of the Order.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN SCOTT: Any objections?

17 (No response.)

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

20 Items 20 and 21 can be taken together. These
21 items are our amendments of 83 Illinois Administrative
22 Code 710 and 711. In both cases, ALJ Riley recommends
23 entry of an Order adopting the amendments.

24 Is there any discussion?

25 (No response.)

1 CHAIRMAN SCOTT: Any objections?

2 (No response.)

3 CHAIRMAN SCOTT: Hearing none, the Orders are
4 entered and the amendments adopted.

5 Item 22 is Docket No. 13-0563. This is
6 Digizip.com's Petition for Withdrawal of its certificate
7 of authority to operate as a reseller of interexchange
8 telecommunications services in the state of Illinois,
9 which ALJ Baker recommends we grant.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

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

16 Item 23 is Docket No. 13-0637. This is
17 Lightyear Network Solutions' Application for
18 Cancellation of its certificates of local, interexchange
19 and prepaid calling service authorities. ALJ Baker
20 recommends entry of an Order granting the requested
21 relief.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

25 (No response.)

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

3 Item 24 is Docket No. 14-0306. This is
4 CenturyLink MRC's Petition to Withdraw its certificates
5 of service authority and interexchange service
6 authority. ALJ Riley recommends entry of an Order
7 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 Order is
13 entered.

14 Item 25 is Docket No. 14-0103. This is
15 Nextlink Wireless' petition for confidential and/or
16 proprietary treatment of its 2013 annual report. ALJ
17 Yoder recommends entry of an Amendatory Order correcting
18 the misspelling of the applicant's name in the May 13,
19 2014 Order, which granted the requested relief.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Any objections?

23 (No response.)

24 CHAIRMAN SCOTT: Hearing none, the Amendatory Order
25 is entered.

1 Item 26 is Docket No. 14-0286. This is
2 RCLEC, Incorporated's petition for confidential and/or
3 proprietary treatment of its annual report.
4 ALJ Jorgenson recommends entry of an Order granting the
5 requested relief.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.)

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

12 Item 27 is Docket No. 11-0033. This is Amcor
13 Flexibles' complaint against ComEd pursuant to Sections
14 9-250 and 10-108 of the Public Utilities Act and Section
15 200.170 of the Rules of Practice. Amcor has filed a
16 Motion to Stay and Application for Rehearing, which
17 ALJ Teague Kingsley recommends we deny.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Are there any objections to deny
21 the motions?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the Motion to Stay
24 and Application for Rehearing are denied.

25 Judge Dolan, are there any other matters to

1 come before the Commission today?

2 JUDGE DOLAN: Not today.

3 CHAIRMAN SCOTT: Thank you, sir.

4 Hearing none, this meeting stands adjourned.

5 Thanks, everyone.

6 (Meeting adjourned.)

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

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5 Sharon Valli, being first duly sworn, on oath
6 says that she is a Certified Shorthand Reporter doing
7 business in the City of Chicago, County of Cook and the
8 State of Illinois;

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

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

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SHARON VALLI, CSR

19 CSR No. 084-004551

20

21 SUBSCRIBED AND SWORN TO
22 before me this 21st day of
23 May, A.D., 2014.

23

24 NOTARY PUBLIC

25