

1 CHAIRWOMAN ZALEWSKI: I am going to do a
2 soundcheck by way of roll call to make sure that we
3 can hear all Commissioners.

4 Commissioner Bocanegra?

5 COMMISSIONER BOCANEGRA: Good morning,
6 Chairman.

7 CHAIRWOMAN ZALEWSKI: Good morning.

8 Commissioner Carrigan, down in
9 Springfield?

10 COMMISSIONER CARRIGAN: Good morning,
11 Chairman.

12 CHAIRWOMAN ZALEWSKI: Good morning.

13 Commissioner Kimbrel?

14 COMMISSIONER KIMBREL: Good morning, Madam
15 Chair.

16 CHAIRWOMAN ZALEWSKI: Good morning.

17 Judge Teague-Kingsley?

18 THE COURT: Good morning, Madam Chairman.

19 CHAIRWOMAN ZALEWSKI: Good morning.

20 Under the Open Meetings Act and in
21 accordance with the Governor's executive orders, I
22 call the May 27, 2021, Regular Open Meeting to

1 order.

2 Before we proceed, for the clarity
3 of the record, I would ask everyone to state their
4 name before speaking and to speak slowly and
5 clearly so that the court reporter can capture
6 everything that is said.

7 I have already checked that all
8 four commissioners are present; we have a quorum.

9 We have ten requests to speak and
10 going in the order we received the requests to
11 speak, we'll hear from the following ten people.
12 1st: Sarah Blanco. 2nd: Dat Hoang Luu. 3rd:
13 Anthony Walraven. 4th: Beau Barber. 5th: Kenny
14 Crowe. 6th: Benjamin Theobald. 7th: Trevin
15 Gaffney. 8th: Jessica Motsinger. 9th: Marc
16 Girdler, and 10th: Allan Max Axelrod.

17 Under 2 Illinois Administrative
18 Code Section 1700.10, any person desiring to
19 address the Commission shall be allowed up to three
20 minutes. My advisor, Tetyana Rabczak, will have
21 the timer on the screen. Only one person may speak
22 on behalf of any organization. Please note that

1 the Commission will not respond directly to any
2 comments. Any person wishing to make further
3 comments may submit a written statement to the
4 Commission. The written comments may be submitted
5 by going onto the ICC website, which is
6 icc.illinois.gov. Go to the e-Dockets system and
7 look for the related docket and click the "File a
8 Comment" link. You can also call the ICC's
9 consumer services division at (800) 524-0795, and
10 they will help you submit the comment.

11 First: Sarah Blanco. Are you on?

12 MS. BLANCO: Yes.

13 CHAIRWOMAN ZALEWSKI: Ms. Blanco, please
14 state and spell your name for the record, and then
15 we will start the clock.

16 MS. BLANCO: My name is Sarah Blanco.
17 That's Sarah, S-A-R-A-H, Blanco, B-L-A-N-C-O. I'm
18 with the Champaign-Urbana Party for Socialism and
19 Liberation and my comment this week is pretty
20 short.

21 Despite the way it's being
22 portrayed, the pandemic is not over. We are

1 nowhere near herd immunity. Children under 12
2 can't be vaccinated. In so many ways, people are
3 living in a state of uncertainty. For many people
4 with underlying health conditions, uncertainty
5 about exactly how safe they are, people uncertain
6 about when they'll have a job again, and so much --
7 some forms of uncertainty are entirely unnecessary.
8 And one of these is uncertainty about being able to
9 keep their lights on. It's stressful for people to
10 not know if they'll be able to qualify for utility
11 assistance programs and a moratorium would take
12 away this stress and uncertainty in a time where
13 people do not need any more of it. So that's it.
14 So thank you.

15 CHAIRWOMAN ZALEWSKI: Thank you.

16 Next is Dat Hoang Luu.

17 MR. LUU: I'm here. Can you hear me?

18 CHAIRWOMAN ZALEWSKI: We can hear you,
19 Mr. Luu. If you could just state and spell your
20 name, please. Then you may proceed.

21 MR. LUU: My name is Dat Hoang Luu, D-A-T
22 H-O-A-N-G L-U-U.

1 So I just want to say that you --
2 just a couple of months ago, we were seeing
3 articles all over, you know, the media, talking
4 about how America's hospital system is, you know,
5 cracking under the pressure of the pandemic. The
6 acknowledgment from the Illinois legislators with
7 passing the bill for utility relief, as well as the
8 fact that, you know, our caseload is still
9 increasing day by day. It shows a very, very
10 obvious sense that the pandemic is not over at all.

11 And yet the ICC has not responded
12 to this in any meaningful capacity since utility
13 shutoffs have continued past April 1. And
14 America's pandemic policy is designed towards not
15 allowing hospitals to be overrun, but why do we
16 have to settle for that when we can continue to
17 eliminate the humanitarian disaster that has been
18 occurring all across the state?

19 And so there's a lot of talk about
20 how tons of businesses are not being able to find
21 workers. And yet, these very same industries of
22 which it is hardest, such as line cooks and

1 essential workers have been among the most hard-hit
2 by the pandemic. People are dying at a higher rate
3 in those jobs than anywhere else. And yet, people
4 are -- the ICC just refuses to do anything.

5 CNBC has released an article
6 showcasing a study in California demonstrating just
7 that. You know, people don't want to go to jobs
8 that pay less and yet at the same time are the most
9 deadly. And this is going to affect our recovery.
10 So I think it's pretty clear that the ICC has got
11 to do something and not just sit and twiddle their
12 thumbs. This is far from over. Thank you.

13 CHAIRWOMAN ZALEWSKI: Thank you.

14 Next, Anthony Walraven.

15 MR. WALRAVEN: Okay. Can you hear me?

16 CHAIRWOMAN ZALEWSKI: I can hear you,
17 Mr. Walraven. Please state and spell your name and
18 then you may proceed.

19 MR. WALRAVEN: My name is Anthony Walraven.
20 Anthony is A-N-T-H-O-N-Y, Walraven is W-A-L-R-A, V,
21 as in "Victor," E-N.

22 I want to thank you, members of the

1 ICC, for allowing me the opportunity to speak with
2 you today. I'm a peer of the Peoria Area
3 Democratic Socialists of America. I'm a proud
4 member of AFSCME Local 3464 here in Peoria. Our
5 GSA chapter is proud to be a part of the No Ameren
6 Shutoffs coalition.

7 I've lived in Peoria my whole life
8 and I love my town and that's why I'm here today.
9 Because brothers and sisters in Peoria are
10 suffering. An April 15 Washington Post article
11 highlighted the crisis my hometown is facing.
12 During the Fall, five percent of the households in
13 ZIP Code 61605 had their power shut off in the
14 midst of a pandemic. This ZIP Code is among one of
15 the poorest in the country and is indicative of the
16 economic destruction that's been wrought in my
17 hometown as we suffered de-industrialization and
18 cracks in capitalism.

19 As this was going on, seemingly no
20 one in Peoria was aware. What little safety net we
21 have was completely inadequate to address those
22 issues. People who couldn't file for unemployment

1 because they were paid in cash weren't able to get
2 assistance. Mothers and fathers had to choose
3 between food and water and electricity while trying
4 to avoid getting sick while lacking basic
5 necessities. And all this was going on with the
6 limited moratorium that we already had in place.

7 So, unfortunately, it's only
8 getting worse now. People making \$300 a week are
9 now being hit with 3- and \$4,000 electrical bills.
10 People who are now just getting back to work after
11 months of inactivity are being asked to pay money
12 they don't have to have their water turned on.
13 Without a moratorium, and with the limited reach of
14 our safety net, I would ask the ICC to explain to
15 the people of Peoria going through this, how
16 they're going to manage.

17 Due to the work of many people in
18 Peoria, awareness of this issue resurfaced at city
19 council. In a bipartisan measure, passed ten to
20 one, they called upon the Governor to institute a
21 utility shutoff moratorium. I can assure you that
22 my city's government is not a bastion of radical

1 politics. Indeed, many of our republic -- many of
2 our council members are republican. The citizens
3 of Peoria need help. We need your help.

4 In other parts of the state
5 government, billion-dollar subsidies are being
6 discussed for already profitable utility companies
7 in this state. In the first quarter of 2021, the
8 Ameren Corporation, the power provider in my area,
9 announced a 64 percent increase on Ameren's per
10 share year over year in 2020. Some of that money
11 is directly coming from the misery of my neighbors.

12 This pandemic has highlighted how
13 the working class in Peoria, and everywhere else in
14 this state, are expected to suffer so the well-off
15 can eat in their restaurants, have their stores
16 stocked, and have their needs met. The very least
17 that can be done is to ensure that everyone in
18 Illinois has power and water in their homes when
19 they get back from work.

20 In conclusion, I ask that you
21 support the institution of a utility moratorium
22 that protects people over profits. That protects

1 citizens over the utility, that protects the
2 neighbors over utility companies that are making
3 millions profiting off of providing basic human
4 necessities. I ask that you allow Peoria, which
5 has been kicked around for decades by crisis and
6 challenges, that has had our unions broken and our
7 jobs sent away. The ability to make sure that
8 every child in our city has running water in their
9 home and light to read by. Thank you for your
10 time.

11 CHAIRWOMAN ZALEWSKI: Thank you,
12 Mr. Walraven.

13 Next, Beau Barber.

14 MR. BARBER: Can you hear me?

15 CHAIRWOMAN ZALEWSKI: We can hear you,
16 Mr. Barber.

17 MR. BARBER: Okay. My name is Beau Barber,
18 spelled B-E-A-U B-A-R-B-E-R.

19 Hi. My name is Beau Barber. I am
20 a precinct committee person for the Ogden 1
21 Precinct, a part of the Champaign County Democratic
22 Party, and I'm here to talk about, you know,

1 support for a moratorium as we have before, and
2 again, and again, and here we are yet again. I'm
3 here to talk about maybe some more recent stuff.

4 So Aqua Illinois cited in their
5 late compliance filing submission for the monthly
6 costs and collection reports for both March and
7 April -- they submitted both of those several days
8 late with the excuse saying it was due to
9 unanticipated personnel absence.

10 I learned that through FOIA,
11 through the Freedom of Information Act, and I just
12 -- I learned that's just an excuse the ICC is
13 willing to accept, as it, "Does not invoke or
14 concern any ICC policy." Well, considering that,
15 you know, we're trying to figure out where people
16 have been the most highly impacted and trying to,
17 you know, output resources and focus, you know --
18 focus people's energies to help people get their
19 power either restored or help prevent getting their
20 power shut off, it's kind of good to have this
21 stuff on a timely basis.

22 Because, you know, during this

1 time in March and April when Aqua Illinois was
2 allowed to submit their stuff way -- much later,
3 935 households were disconnected by them across
4 those two months. And I highly doubt a majority of
5 those people had the opportunity to automatically
6 be forgiven for such, you know, lax treatment as
7 Aqua Illinois. And I know other companies have
8 submitted a day or two late on more than one
9 occasion as well. The least -- literally almost
10 the least that you could do even right now, is just
11 try to ensure timely filings by these companies.

12 Speaking on the topic of FOIA's,
13 we know that acronym NAS, which stands for No
14 Ameren Shutoffs, the coalition, that wasn't
15 developed by the coalition itself. That was
16 developed and mentioned by the ICC stakeholder
17 council on utility shutoffs, and that's subject to
18 FOIA, too. And, you know, the late release on the
19 previous ICC meeting's video, that has provided the
20 cause to learn now about the FOIA process for your
21 bodies, and now it's time to see how exactly, you
22 know, what was this body now saying about NAS

1 behind closed doors since July of last year?

2 You know, we know that moratoriums
3 are shown to help the spread of COVID-19. If I'm
4 in your shoes, I don't care how close we are to
5 being in the clear right now. You stacked the deck
6 so people and children like my niece, who caught
7 COVID, are safe, and they can be safe until we
8 truly are in the clear. To not do so is a
9 deliberate choice on your part and it's helping
10 spread COVID-19 across the state to two-year-olds
11 like my niece. So again, do your job. Thank you.

12 CHAIRWOMAN ZALEWSKI: Thank you, Mr. Barber.

13 Next is Kenny Crowe. Second call
14 for Kenny Crowe.

15 MR. AXELROD: Kenny needs to know how to
16 unmute his phone.

17 CHAIRWOMAN ZALEWSKI: Okay --

18 MR. CROWE: There we go. Can you hear me
19 now?

20 CHAIRWOMAN ZALEWSKI: Yeah. We can hear
21 you, Mr. Crowe.

22 MR. CROWE: Okay. My name is Kenny Crowe.

1 Well, it's Kenneth, but I go by Kenny. K-E-N-N-Y
2 C-R-O-W-E.

3 CHAIRWOMAN ZALEWSKI: You may proceed,
4 Mr. Crowe.

5 MR. CROWE: Okay. I would like to give you
6 some facts. Christian County, last month, that's
7 where I live, had close to 50 power shutoffs. And
8 Pana, the town I live in, had 15 and from the start
9 of this pandemic, well, at least several months
10 ago, Christian County has had over 230 and Pana's
11 had about 65.

12 Now, there's other bodies that
13 have recognized with more of -- the NAS and what
14 we're trying to do. Some of these bodies are the
15 Urbana and Bloomington and Peoria city councils,
16 Macon and Champaign County democratic parties,
17 bodies like that. I'd like you to know that a lot
18 of this that we're trying to do, it isn't about
19 trying to get a free ride. So I think some people
20 might think that.

21 I myself, just so you know, I'm in
22 no danger of utility shut off. I'm an essential

1 worker and I've been working through the entire
2 pandemic and I've made enough. But this is,
3 however, about not holding people responsible for
4 the things that they have no control over. Now,
5 the state is starting to reopen and there's a
6 vaccine coming around, and that's all good news,
7 but the lack of proper amount of time for those who
8 are suffering and have suffered the most is, as I
9 feel, shameful.

10 And these bodies, some of them
11 that I mentioned and some of them that I didn't,
12 they're already aware of this and it doesn't seem
13 like the ICC is. Now the fact that a body like the
14 ICC still refuses to take a stand for those whose
15 voices cannot carry very far is regarded by myself
16 as an embarrassment to that body, and I'd like to
17 see that change. I, as a citizen of Illinois, am
18 speaking today, not for myself, but for those who
19 are worried and for those who are trying to get
20 back on their feet, and who are once again finding
21 themselves being given insufficient support or
22 resources by their own government in which they're

1 paying taxes for.

2 Now, I live in a town where a man
3 one time was in a Walgreens commenting about how he
4 can't even afford to purchase cold medicine. Now,
5 the point is, people are very poor in some parts of
6 Illinois and that man wasn't necessarily lazy or
7 unemployed. He's just a sufferer of crippling
8 taxation, lack of social programs, and low wages.
9 Now when you have more multi-hundred power bills
10 and utility bills, that's a nightmare for some of
11 these people. I mean, these people are the ones
12 that are most affected.

13 And they are people that you
14 really never see. They blend into the background,
15 and I care about them. That's why I wanted to
16 speak today is because I've noticed them and
17 they're waiting for bodies like the ICC to notice
18 them, too. So I would like to ask the ICC to stand
19 with these other bodies, and the people of
20 Illinois, and remember the slogan that we came out
21 with months ago in this pandemic, "All In Illinois"
22 because that's how we've all been trying to be, but

1 Illinois' own Commerce Commission hasn't been all
2 in and I request that you get all in.

3 I'm Kenny Crowe and I represent
4 the Christian County Democratic Socialists of
5 America. Thank you for your time.

6 CHAIRWOMAN ZALEWSKI: Thank you, Mr. Crowe.

7 Next is Mr. Benjamin Theobald.

8 THE COURT REPORTER: Excuse me, Chair. This
9 is your court reporter.

10 MR. THEOBALD: Yes, I'm --

11 THE COURT REPORTER: Excuse me, Chair. Can
12 we just remind everybody to please mute themselves
13 if they're not speaking?

14 CHAIRWOMAN ZALEWSKI: Absolutely. Yes.
15 It's a good reminder. Please mute your line if you
16 aren't speaking.

17 Benjamin Theobald, are you unmuted?

18 MR. THEOBALD: Yes. I should be.

19 CHAIRWOMAN ZALEWSKI: Great. Okay.

20 MR. THEOBALD: All right.

21 CHAIRWOMAN ZALEWSKI: We can hear you.

22 Please state and spell your name and then we'll

1 start the clock.

2 MR. THEOBALD: Okay. My name is Ben
3 Theobald, B-E-N, last name T-H-E-O-B-A-L-D. I am a
4 member -- or liaison of Champaign-Urbana DSA and I
5 reside in the city of Urbana. And I am, once
6 again, asking that a moratorium, preferably a
7 mandatory moratorium, be put back on utilities here
8 in Illinois.

9 Currently our fully vaccination
10 rate is only about 39 percent. I, myself got my
11 second dose of the vaccine last Thursday. And
12 before that, it took me about -- it was -- the
13 first vaccination, it was about four weeks. So
14 really, it took me a full month to get fully
15 vaccinated. That's a lot of time for -- between
16 then, and so this is going to be a long process
17 until we, until everyone in Illinois is -- can get
18 the vaccine and until we are -- get to herd
19 immunity.

20 And I will state, as I've
21 mentioned before, other states have passed a
22 moratorium -- Rhode Island and New York, despite

1 their corrupt Governor Andrew Cuomo. Six bodies in
2 Illinois have said that there needs to be
3 protections on utilities. Bloomington, Urbana,
4 Peoria, Macon County dems, and Champaign County
5 dems. I know right -- the seven-day average of
6 COVID cases this past week has been roughly over
7 1,000, about 1,158 COVID cases.

8 Unemployment numbers which were
9 just released a few hours ago rose to 18,920 in the
10 last week, which was up from 17,530. Obviously,
11 finding employment during a pandemic isn't easy.
12 As we mentioned, a lot of people who, maybe, worked
13 at jobs such as service worker jobs, perhaps, maybe
14 don't -- and that don't pay enough, probably aren't
15 going to want to go back to a job that makes them
16 vulnerable, especially if they are parents.

17 And it's my view that the CDC,
18 last year, when the pandemic started, sent a letter
19 to all 50 governors specifically about the need for
20 utility protections because people can't live in --
21 you can't protect yourself from things such as
22 COVID if you're not able to wash your hands. And

1 obviously, nobody can live in a place without
2 water.

3 There was a story by ABC-7
4 released at -- that came out on May 4, where
5 tenants were being forced out from their local
6 renters. She had fallen work on hard times.
7 That's one of the first times that I commented, it
8 was very similar, where a woman lost her job and --
9 well, I think my time's coming out, so I'll just
10 again say please put back the moratorium on utility
11 shutoffs here in Illinois. Thank you.

12 CHAIRWOMAN ZALEWSKI: Thank you.

13 Next is Trevin Gaffney.

14 MR. GAFFNEY: Hello. Can you hear me?

15 CHAIRWOMAN ZALEWSKI: We can hear you,
16 Mr. Gaffney.

17 MR. GAFFNEY: Thank you. My name is Trevin
18 Gaffney. I am a member of the Bloomington-Normal
19 Democratic Socialists of America, and I, and our
20 collective, we're just wanting to speak today to
21 hope to encourage you folks to extend this
22 moratorium, very much, and I'm hoping that you're

1 going to take seriously these stories by Anthony,
2 and Kenny, and Ben, and Sarah, and that --
3 wonderful people that are working very hard and
4 have definitely said things that I've heard even in
5 this call that I think are well worth being heard.

6 When a comrade and I spoke to the
7 Bloomington City Council, we had a unanimous
8 decision, an agreement that this moratorium should
9 be extended, that we are obviously still in the
10 throes of this. I've worked at the Salvation Army
11 for a couple of months and have seen firsthand -- a
12 firsthand account of people that are dealing with
13 homelessness as a direct result of them being shut
14 off or their rent not being able to be paid.

15 Very much, in Bloomington, we are
16 trying to pay attention to this issue. And again,
17 the Democratic Socialists of Bloomington are very
18 worried about this becoming a way bigger issue. We
19 very much hope that you, you know, use this
20 privilege that we do have to be able to help folks,
21 especially those that are going to be hurt worse in
22 this pandemic. I thank you for my time, and I

1 would like to relinquish the rest of my time.

2 Thank you.

3 CHAIRWOMAN ZALEWSKI: Thank you.

4 Next is Jessica Motsinger.

5 MS. MOTSINGER: Hello. My name is Jessica
6 Motsinger and I am residing currently in Saint
7 Clair County. I am also a precinct committee
8 person for the Saint Clair County Dems and I'm the
9 leader and founder of Indivisible Metro East and
10 I'm connected with our state and national groups as
11 well. And we all support the moratorium being
12 extended for people, especially during this time.

13 Now, the problem that we have is
14 even though HB2877 passed, and that increases the
15 housing stability for Illinois households that
16 apply by June 7, is the date, for the 1.1 billion
17 in rent assistance and the 400 million in mortgage
18 assistance. However, while the funding for the
19 utility providers to relieve the debt was
20 mentioned, it has yet to be appropriated. None of
21 the funds were appropriated yet, so nobody has
22 truly been helped yet.

1 Now, there is a -- while it was
2 signed into law, in the end, it did not improve the
3 utility situation that the citizens and your
4 constituents are suffering from right now. My
5 county here outside of Cook County has had the
6 largest amount of shutoffs and disconnections, and
7 we have people here that are just, you know,
8 poverty wages and poverty means that when your
9 electricity and your utilities get turned off, they
10 have a heyday with late fees, service reconnection
11 fees and everything else and all that does is add
12 to the burden.

13 Now, I know you guys have not
14 really listened to our pleas and extended the
15 moratorium, but I'm asking you, give people a
16 break. People are at a breaking point, even down
17 here in southern Illinois and everyone I talk to
18 wishes that they had a little bit of help because
19 the help hasn't come enough. It's not soon enough.
20 I know people are trying, but just a little bit
21 longer -- and we need a little bit of empathy.
22 We're not just here as a profit motive for Ameren

1 and the privatized water companies.

2 So please start viewing us as
3 citizens. The poor are not somehow morally worse
4 than the rest of folks. I am speaking, as a
5 person, that I do not need Ameren. I have 33 solar
6 panels. I did that because I've had my electric
7 turned off multiple times while my husband was
8 deployed and we had pay issues. So there is
9 nothing more traumatizing than having toddlers in
10 the house on a summer day and hearing that click
11 and the power going off. Because you know, as soon
12 as you're a day or two late again, they're going to
13 turn it off and you're going to have more late
14 fees.

15 All they're doing is acting
16 predatorily towards the citizens of Illinois that
17 are in most need. This affects the kids and this
18 affects a lot of people that are disabled and they
19 need your empathy. Please do the right thing.
20 Extend the moratorium, at least until June 7.
21 Thank you so very much for your time and I hope you
22 guys have a great day.

1 CHAIRWOMAN ZALEWSKI: Thank you.

2 Next is Marc Girdler.

3 MR. GIRDLER: Hello. Can you hear me?

4 CHAIRWOMAN ZALEWSKI: We can hear you,
5 Mr. Girdler.

6 MR. GIRDLER: My name is Marc Girdler.
7 That's M-A-R-C G-I-R-D-L-E-R. I'm with the Decatur
8 Club of the Communist Party and I don't know if
9 you're aware, but the Washington Post came out with
10 a national story about Decatur, specifically, on
11 how poorly utility assistance and rent assistance
12 are being given out to our citizens.

13 We were granted over half a
14 million dollars months ago. You know how much of
15 that money is still sitting there uncollected?
16 Over \$400,000. Enough to get a national news
17 outlet to come here to find out what was going
18 wrong.

19 Every obstacle you can put in
20 front of people are being put in front of people.
21 Esoteric things that people would have no idea
22 about, even if you worked within the system.

1 People who desperately need help are unable to get
2 it for no other reason than ridiculous
3 means-testing methods. But it's not just poor
4 people that are having trouble getting help.
5 Thousands of families right here in Illinois are
6 being turned away for help simply because they
7 haven't had to ask for it in the last three years.

8 So I would ask you -- who are you
9 there to represent? It's not poor people. You've
10 shown that is not the case. It's not working-class
11 people because they're not able to get the help
12 either. That doesn't seem to move you. Even your
13 corporate overlords are taking in money hand over
14 fist during this pandemic.

15 There is no harm in setting the
16 moratorium back up again. It doesn't make any
17 sense. Maybe instead of coming back to Decatur to
18 do another story, the Washington Post should do a
19 story on this board and the individuals that make
20 it up because something doesn't make sense here.
21 You're literally helping no one. People are dying,
22 people are getting sick.

1 Here in Decatur, even though our
2 numbers are up and we have less than 30 percent
3 vaccinated, we had a mediocre country western
4 concert here with hundreds of people, no masks, no
5 social distancing. Our government leaders in
6 Decatur have completely abandoned us. And all
7 we're asking from the Commission is a little bit of
8 help just to keep our power on, our water on, and
9 that's it.

10 And you can look with cold eyes,
11 and play on your phone, and not even put a mask on.
12 It's ridiculous. Thank you.

13 CHAIRWOMAN ZALEWSKI: Thank you.

14 Finally, Mr. Allan Max Axelrod.

15 MR. AXELROD: Can you hear me?

16 CHAIRWOMAN ZALEWSKI: We can hear you.

17 MR. AXELROD: All right. My name is Allan
18 Max Axelrod, spelled A-L-L-A-N M-A-X A-X-E-L-R-O-D.
19 I'm the Campaign lead of No Ameren Shutoffs, the
20 zero dollar, all-volunteer group of 48 member
21 organizations and counting spanning the state of
22 Illinois, north and south, east and west. We

1 formed last July when we realized what was coming.

2 And I was looking at my Facebook
3 memories earlier today. One of the things that I
4 had said was "I'm concerned that pandemic relief
5 meant to prevent evictions will only last through
6 the decennial census." There are some things about
7 this pandemic that were glaringly obvious because
8 that was one of those things that exactly happened.

9 On October 13, the Supreme Court
10 stopped the census, and on November 13, Governor
11 Pritzker ended the blanket eviction protection.
12 The cynicism of the state body cannot be hidden
13 with archival work that we have been more than
14 forthcoming to do.

15 Last time we spoke, I talked to
16 you about the households in Joliet, the Illinois
17 Poor People's Campaign communicated to us, "We're
18 at risk of shutoffs." They've been shut off. You
19 were asked to speak, not even to spend money, to
20 speak before that happened, and yet you did not. I
21 want you to sit with that for a moment.

22 The Utility Disconnection

1 Avoidance Program that was implemented has a
2 glaring gap as well. One of the things that it did
3 was it did not apply to households that were
4 already shut off. So the households that were shut
5 off between April 14 and the implementation date of
6 April 22, they were out of luck.

7 And if we look at the
8 disconnection numbers, it looks eerily similar to
9 the last week of September of 2020, where over
10 16,000 households were shut off. What were the
11 shutoff numbers in April, I wonder? Oh right, over
12 16,000 households. So we have households that were
13 failed by this body that can be fixed with a stroke
14 of a pen.

15 You need to advocate for these
16 folks. We shouldn't have had to lift a finger to
17 stay safe in this state. In New York, they've
18 implemented these policies. In California, they've
19 implemented these policies. In Texas, they've
20 implemented these policies. In Arkansas, they've
21 implemented these policies. In over a dozen
22 states, they've implemented these policies, yet in

1 Illinois, we've not.

2 The fact of the matter is that the
3 utility companies have had the chance to
4 demonstrate their goodwill. They have none. They
5 were asked to provide the disconnection notices
6 like they were required to up until April to the
7 Public Health District. The water utility said,
8 "No." The power utility said, "No." How much
9 clearer do you need it to be?

10 Maybe this will help. Other
11 speakers have mentioned that six bodies have spoken
12 up against utility shutoffs. As of this past
13 Monday, it's seven. The McDonough County
14 Democratic Party unanimously passed a resolution
15 calling for a moratorium. When will you speak?
16 Thank you.

17 CHAIRWOMAN ZALEWSKI: Thank you,
18 Mr. Axelrod.

19 This concludes our Public Comment,
20 so we are going to move on to our agenda.

21 There are edits to the April 29,
22 2021, Public Utilities Regular Open Meeting

1 Minutes. Are there any objections to approving the
2 minutes as edited?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the
5 minutes are approved.

6 Under our Electric Items.

7 Item E-1 concerns ERM 21-042, which
8 is Mount Carmel's filing to modify its Rider D,
9 Parallel Generation Service. This filing is an
10 annual adjustment made in accordance to the
11 directives of Part 430 of the Commission's Rules,
12 and will slightly increase the rates pertaining to
13 the purchases of electricity from co-generation and
14 small power production facilities. The revised
15 rates will go into effect June 1 of 2021.
16 Commission Staff has reviewed the revisions, finds
17 them to be reasonable, and recommends not
18 suspending the filing. Are there any objections to
19 not suspending the filing?

20 (No verbal response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the
22 filing is not suspended.

1 Item E-2 concerns ERM 21-044,
2 which is ComEd's filing to modify its Rider POG, or
3 Parallel Operation of Retail Customer Generation
4 Facilities. This filing will reduce rates
5 pertaining to purchases of electricity from
6 co-generation at small power production facilities
7 under Part 430 of the Commission Rules. The
8 revised rates will go into effect on May 29 of
9 2021. Commission Staff has reviewed the revisions,
10 finds them reasonable, and recommends not
11 suspending the filing. Are there any objections to
12 not suspending the filing?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the
15 filing is not suspended.

16 Item E-2 [sic] concerns the
17 petition for approval of a revised long-term
18 renewable resources procurement plan. The order
19 finds that the IPA's proposal to defer payments for
20 remaining contract obligations impacted by the
21 anticipated budget shortfall is prudent, reasonable
22 and best supported by the record evidence. The

1 order extends both the 2010 long-term power
2 purchase agreements, and the 2015 through 2017
3 utility distributed generation procurement expenses
4 from contacts, deferrals and prioritizes Illinois
5 Solar for All expenses. The order also approved
6 full payment of obligations under the renewable
7 portfolio standard during the first six months of
8 the 2021 through 2022 delivery year. Are there any
9 objections to approving the order?

10 (No verbal response.)

11 CHAIRWOMAN ZALEWSKI: Hearing none, the
12 order is approved.

13 Item E-4 concerns Docket 20-0499,
14 which was a complaint against CleanChoice Energy
15 regarding deceptive business practices in violation
16 of the Commission's rule governing alternative
17 retail electric suppliers. CleanChoice petitioned
18 the Commission for interlocutory review of the
19 administrative law judge's February 25, 2021,
20 ruling on CleanChoice's Motion to Dismiss and the
21 March 29 ruling on CleanChoice's Motion for
22 Clarification.

1 CleanChoice is arguing that the
2 ALJ erred in not addressing CleanChoice's argument
3 that the complainant, the Environmental Law and
4 Policy Center, does not have statutory right to
5 bring claims under Section 2EE of the Consumer
6 Fraud and Deceptive Business Practices Act. The
7 ALJs ruling saw that the ELPC's claims were
8 properly brought under the Public Utilities Act and
9 thus the Commission has explicit authority to
10 adjudicate claims under the Consumer Fraud Act as
11 it relates to the alternative electric suppliers.

12 However, the ALJ granted
13 CleanChoice's motion to dismiss without prejudice,
14 citing that the counts in the complaint were
15 insufficiently pled and directing ELPC to file an
16 amended complaint. The ALJ also held that
17 CleanChoice cannot prematurely argue against what
18 ELPC may file in an amended complaint.

19 The Commission agrees with the
20 ALJ. The Commission also agrees with Staff that
21 CleanChoice's request for Commission review is
22 improper at this time, and may not be addressed

1 prematurely before ELPC's amended complaint is
2 filed. Therefore, the Commission denies the
3 Petition for Interlocutory Review. Are there any
4 objections to denying the Petition for
5 Interlocutory Review?

6 COMMISSIONER BOCANEGRA: Madam Chairman,
7 this is Commissioner Bocanegra. I'm actually going
8 to be objecting to today's ruling. I do have a few
9 comments to make, if that's okay.

10 I just want to note that, in my
11 opinion, I think that this particular docket has an
12 unusual procedural path that's been somewhat
13 unclear, but so has the filing that has been
14 submitted, and I think some of the orders in this
15 case. For example, I think CleanChoice has alleged
16 that, you know, ELPC has pled claims under the
17 Consumer Fraud Act, and that it has no standing to
18 pursue these claims.

19 Yet it seemed that the Court has
20 found that ELPC had not filed under that statute.
21 Yet also found that it had standing to pursue that
22 claim. What's even more confusing to me is in the

1 Court's February ruling, it specifically referred
2 to 22 counts filed by ELPC, and the ruling
3 specifically included violation of the Consumer
4 Fraud Act.

5 And despite the fact that the
6 March 3 ruling claims that ELPC filed under 10-101
7 of the Act, what's confusing to me is not a single
8 citation to this particular statute in the Public
9 Utilities Act appear in its complaint. Rather,
10 there's references to 16-115, Part 412, and of
11 course, the Consumer Fraud Act.

12 The only reference in the -- or
13 the first complaint, rather, is under Section
14 10-108, which it doesn't speak to, in my opinion,
15 the complaint itself, but rather 108 speaks as to
16 who can bring a claim, not what claim.

17 And as to the issue of speaking
18 with particularity, I agree with ClearChoice [sic]
19 that the allegations so far are high-level, they're
20 broad, they're vague, and they fail to point to any
21 single example of a violation of any law or rule.
22 In addition, I don't see any sufficient pleading of

1 any actual harm, or even indirect harm, to either
2 ELPC or whoever they claim to be representing.

3 So for me, I feel as though I
4 would have granted CleanChoice's request for review
5 on the clarification as, to me, there seems to be
6 these questions of law and fact on the issue of
7 consumer fraud allegations. Thank you.

8 CHAIRWOMAN ZALEWSKI: Thank you. I will now
9 call to vote. So if you are in favor of denying
10 the petition for interlocutory review, please say
11 "Aye," and if you are opposed, please say, "Nay."

12 Commissioner Bocanegra?

13 COMMISSIONER BOCANEGRA: Nay.

14 CHAIRWOMAN ZALEWSKI: Commissioner Carrigan?

15 COMMISSIONER CARRIGAN: Aye.

16 CHAIRWOMAN ZALEWSKI: Commissioner Kimbrel?

17 COMMISSIONER KIMBREL: Aye. Yeah, I think
18 the ALJ got this correct. Okay. That's all I
19 have.

20 CHAIRWOMAN ZALEWSKI: I vote "Aye" as well.

21 The three ayes have it, and
22 therefore, the petition is denied.

1 Item E-5 concerns Docket 20-0771,
2 which is a complaint against ComEd regarding the
3 destruction of complainant's thermostat following a
4 power outage. The parties have filed a stipulation
5 and a joint Motion to Dismiss, indicating that all
6 issues have been resolved and requesting the
7 Commission dismiss the complaint with prejudice.
8 Are there any objections to granting the Motion to
9 Dismiss?

10 (No verbal response.)

11 CHAIRWOMAN ZALEWSKI: Hearing none, the
12 motion is granted.

13 Item E-6 concerns Docket 21-0062,
14 which is a complaint against ComEd alleging that a
15 faulty meter caused the complainant to receive
16 abnormally high electric bills. The parties filed
17 a stipulation and joint Motion to Dismiss
18 stipulating that all matters in dispute have been
19 resolved and requesting that the Commission dismiss
20 the complaint. Are there any objections to
21 granting the Motion to Dismiss?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the
2 motion is granted.

3 Item E-7 concerns Docket 20-0832,
4 which is ComEd's tariff sheets, to consider revenue
5 neutral tariff changes related to cost allocation
6 and rate design. Among other requirements, the
7 order adopts a modified formula for calculating the
8 railroad class load through adjustment, directs
9 ComEd to evaluate and present in its next rate case
10 how to produce or phase out the flow through
11 adjustment if warranted, and directs ComEd to
12 initiate a working group to determine the
13 appropriate compensation for prior use of railroad
14 facilities. The order directs ComEd to take the
15 next step towards full revenue responsibility for
16 the railroad class.

17 The order directs Staff to prepare
18 a report within 121 -- or excuse me, 120 days of
19 the order describing issues and setting forth the
20 parameters of a possible future proceeding
21 regarding issues surrounding Staff's recommendation
22 that ComEd initiate a process to take over

1 ownership of residential customer-owned primary
2 overhead facilities. The order also directs Staff,
3 ComEd, and other relevant stakeholders to engage in
4 discussions to address these issues. The order
5 approves tariff changes related to cost allocation
6 and rate design. Are there any objections to
7 approving the order?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, the
10 order is approved.

11 Items E-8 and E-9 concern
12 application for Certification to Install, Maintain,
13 or Repair Electric Vehicle Charging Station
14 Facilities. The order grants the licenses, finding
15 that the applicants meet the requirements. Are
16 there any objections to considering these items
17 together and approving the orders?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the
20 orders are approved.

21 Items E-10 through E-14 concern
22 applications for Authority to Install Distributed

1 Generation Facilities in Illinois. The orders
2 grant the certificates, finding that the applicants
3 meet the requirements. Are there any objections to
4 considering these items together and approving the
5 orders?

6 (No verbal response.)

7 CHAIRWOMAN ZALEWSKI: Hearing none, the
8 orders are approved.

9 Items E-15 through E-19 concern
10 requests for confidential treatment of information
11 in the petitioner's report. The orders grant the
12 protection, finding that the information is highly
13 proprietary and confidential. Are there any
14 objections to considering these items together and
15 approving the orders?

16 (No verbal response.)

17 CHAIRWOMAN ZALEWSKI: Hearing none, the
18 orders are approved.

19 Item E-20 concerns a MidAmerican
20 petition to enter into a contract with an
21 affiliated interest to purchase wind power
22 equipment. The order grants the petition, finding

1 that the financing proposal set forth in the
2 petition is in the public interest and supported by
3 the evidence filed in this docket. Are there any
4 objections to approving the order?

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the
7 order is approved.

8 Items E-21 through E-25 concern
9 petitions to cancel Energy Efficiency Installer
10 Certificates. The orders cancel the certificates.
11 Are there any objections to considering these items
12 together and approving the orders?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the
15 orders are approved.

16 Items E-26 and E-27 concern
17 applications for Certifications to Install Energy
18 Efficiency Measures in Illinois. The orders grant
19 the certificates, finding that the applicants meet
20 the requirements. Are there any objections to
21 considering these items together and approving the
22 orders?

1 (No verbal response.)

2 CHAIRWOMAN ZALEWSKI: Hearing none, the
3 orders are approved.

4 Under Gas Items.

5 Item G-1 concerns Docket 20-0722 in
6 which Nicor seeks approval to implement a pilot
7 program that would allow renewable natural gas
8 production facilities to interconnect with Nicor
9 Gas's system, and to place into effect Rate 81
10 General Renewable Gas Interconnection Service
11 Pilot. In its briefs on exceptions, Nicor requests
12 that the Commission grant oral argument pursuant to
13 Illinois Administrative Code, Section 200.85083
14 regarding Nicor's exception to the proposed orders.
15 Are there any objections to granting the request
16 for oral argument?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the
19 request for oral argument is granted. The oral
20 argument will be held on June 8 at 12:30 in a
21 virtual online format. A due notice of the oral
22 argument will be issued shortly.

1 Item G-2 concerns Nicor's proposed
2 general rate increase and revisions to other terms
3 and conditions of service. The Commission's
4 investigation is still ongoing, so the filing needs
5 to be re-suspended. The order re-suspends the
6 filing until December of 2021. Are there any
7 objections to re-suspending the filing?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, the
10 filing is re-suspended.

11 Under Telecommunications Items.

12 Items T-1 through T-3 concern
13 application for designation as eligible
14 telecommunications carriers for the purpose of
15 receiving federal rural digital opportunity fund
16 support. The orders grant their applications with
17 conditions, finding that the applicants meet the
18 requirements. Are there any objections to
19 considering these items together and approving the
20 orders?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 orders are approved.

2 Items T-4 through T-17

3 concern requests to be an eligible
4 telecommunications carrier status and designation
5 so that the carriers can receive federal funding,
6 including funding awarded through the FCC's Rural
7 Digital Opportunity Fund Auction. The order grants
8 the applications. Are there any objections to
9 considering these items together and approving the
10 orders?

11 (No verbal response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none, the
13 orders are approved.

14 Items T-18 and T-19 concern
15 petitions for confidential treatment of information
16 in the petitioner's annual reports. The orders
17 grant the protections, finding that the information
18 is highly proprietary and confidential. Are there
19 any objections to considering these items together
20 and approving the orders?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 orders are approved.

2 Item T-20 concerns the petition
3 from Cibolo Creek Ventures to cancel its
4 Certificate to Provide Local and Inter-Exchange
5 Telecommunications Services. The order cancels
6 their certificate and directs the petitioner to
7 file any outstanding annual reports with the
8 Commission within 60 days of the date of the order.
9 Are there any objections to approving the order?

10 (No verbal response.)

11 CHAIRWOMAN ZALEWSKI: Hearing none, the
12 order is approved.

13 Item T-21 concerns an application
14 from Cintex Wireless for a Certificate of Wireless
15 Authority to Operate as a Retailer of
16 Telecommunications Services throughout Illinois.
17 The order grants the certificate, finding that the
18 applicant meets the requirements. Are there any
19 objections to approving the order?

20 (No verbal response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the
22 order is approved.

1 Under Miscellaneous Items.

2 Item M-1 concerns initiation of a
3 proceeding under Section 2-202(i-5) of The Public
4 Utilities Act to determine the proper apportionment
5 of assessments among the entities subject to the
6 jurisdiction of the Commission. Section 2-202(i-5)
7 requires the Commission to initiate this proceeding
8 no less than every three years to determine the
9 relative costs to the Commission of exercising its
10 regulatory function with respect to those
11 industries and service providers so that it may
12 assess costs to support the funding of the agency.
13 The order initiates the proceeding. Are there any
14 objections to approving the order?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the
17 order is approved.

18 Item PR-1 concerns Nicor Gas's
19 Application for Rehearing in Docket 20-0606 which
20 is a proposed revenue neutral tariff filing to
21 address issues arising from the Storage Study
22 presented in Docket number 18-1775.

1 Nicor Gas requests a hearing for
2 the limited purpose in having the Commission modify
3 the portion of the order addressing the time frame
4 to submit an evaluation of the optimal customer
5 size limits for Daily Read accounts. The
6 Administrative Law Judge notes that during the
7 evidentiary phase of the docket, no party proposed
8 a particular time frame for the company to conduct
9 its evaluation. Instead, Staff first raised the
10 proposal to submit the evaluation within 90 days of
11 the order in its brief on exceptions.

12 The Administrative Law Judge
13 agrees with Nicor Gas that because Staff's
14 suggestion for an evaluation in 90 days was not
15 made until the brief on exceptions, no party has
16 significant time to comment. The ALJ notes that
17 granting rehearing for this limited purpose would
18 give all parties an opportunity to respond to
19 Staff's suggestion and determine whether the 90
20 days' deadline for an evaluation is feasible in
21 light of the other directives concerning the daily
22 lead size limit in its order. Are there any

1 objections to the granting of the application for
2 rehearing?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the
5 rehearing is granted.

6 Under Other Business.

7 Item O-1 concerns approval of
8 batches, contracts, and confirmations under the
9 Illinois Adjustable Block Program. Are there any
10 objections to approving the program administrator's
11 submissions?

12 (No verbal response.)

13 CHAIRWOMAN ZALEWSKI: Hearing none, the
14 submissions are approved. This concludes our
15 Public Utilities Agenda.

16 Judge Teague-Kingsley, do we have
17 any other matters to come before the Commission
18 today?

19 THE COURT: No. We don't. But I just
20 wanted to clarify that Items T-1 through T-17 were
21 all approved, correct?

22 CHAIRWOMAN ZALEWSKI: T-1 through T-17?

1 THE COURT: Yes. Those are all approved,
2 correct?

3 CHAIRWOMAN ZALEWSKI: Yes. They were.

4 THE COURT: Thank you. That's all.

5 CHAIRWOMAN ZALEWSKI: Thank you.

6 Do any other Commissioners have any
7 items to discuss?

8 COMMISSIONER CARRIGAN: Chairman, this is
9 Commissioner Carrigan, if I may?

10 CHAIRWOMAN ZALEWSKI: Please.

11 COMMISSIONER CARRIGAN: Thank you, Madam
12 Chair. I'd like to take a minute to formally
13 welcome a new summer intern to our team and to the
14 ICC. His name is Tyler Smith. Tyler started with
15 us on Monday, May 17. Tyler is a graduate of the
16 Indiana University School of Public and
17 Environmental Affairs and a current law student at
18 Marquette University with an interest in
19 environmental law. He joins us with a wealth of
20 previous energy policy and environmental experience
21 and we're thrilled to have him on board this
22 summer. I, we, generally welcome Tyler Smith to

1 the ICC. He just finished his first year of law
2 school, and we're very glad to have him. Thank
3 you.

4 CHAIRWOMAN ZALEWSKI: Thank you,
5 Commissioner. And welcome, Tyler. We're glad to
6 have you on board and with your welcome, I'd also
7 like to mention that I want to thank and say
8 farewell to my intern, Sarah Soleiman. I want to
9 thank her for her good work and diligence. It's
10 her last week with the Commission. Sarah is
11 graduating this May with her JD from the University
12 of Illinois College of Law. We appreciate her help
13 and we wish her all the success and growth in her
14 professional career, and we hope that she stays in
15 touch.

16 Finally, I want to remind
17 customers again, who are at risk of service
18 disconnections of the state's Utility Disconnection
19 Avoidance Program or UDAP, created by the governor,
20 which allocates \$80 million to help households in
21 crisis. Through this UDAP program, eligible
22 customers that are LIHEAP or PIP recipients and are

1 at risk of disconnection may receive a one-time
2 credit of at least \$250 and up to a maximum of
3 \$5,000 for each eligible utility account.

4 LIHEAP is the Low Income Home
5 Energy Assistance Program, and PIP is the
6 Percentage of Income Payment Plan. Both programs
7 are designed to help eligible low-income households
8 pay for energy services and to help avoid
9 disconnections. If you believe you are eligible
10 for LIHEAP and PIP and not currently signed up,
11 please call your LIHEAP agency to see if you
12 qualify. You can find your local agency by looking
13 at the CCO's dedicated Help Illinois Families
14 website, which is helpillinoisfamilies.com or call
15 their hotline, (833) 711-0374.

16 I also want to remind customers if
17 you receive a disconnection notice that you can
18 avoid being shut off from service if you act
19 quickly. Call your utility and work out a deferred
20 payment arrangement. The utility can also tell you
21 whether you qualify for bill payment assistance due
22 to what you owe in arrearages.

1 Finally, I'd like to remind
2 everyone on a few other resources currently
3 available to customers. Eligible Illinoisans can
4 enroll in the Low Income Home Energy Assistance
5 Program, or LIHEAP, by calling 1 (877) 411-WARM or
6 9276. The Help Illinois Families Initiative is a
7 state effort to provide home energy assistance
8 released to eligible Illinoisans through May.
9 There's only a few days left to this program.
10 Residents can learn more about the initiative by
11 visiting the website at the Department of Commerce
12 and Economic Opportunity.

13 Also, The Illinois Commerce
14 Commission stands ready to assist customers
15 navigate their options. The ICC has both English
16 and Spanish-speaking customers, or computer
17 counselors, rather, who can help you file a
18 complaint Monday through Friday, 8:30 to 5:00. The
19 number is 1 (800) 524-0795. There is also
20 additional information on our ICC website,
21 icc.illinois.gov under the consumer's tab.

22 Do Commissioners have any other

1 comments?

2 (No verbal response.)

3 CHAIRWOMAN ZALEWSKI: Hearing nothing and
4 without objection, the meeting is now adjourned.
5 Thank you.

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