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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
SPECIAL OPEN MEETING  
Tuesday, June 1, 2017  
Chicago, Illinois

Met pursuant to notice at 10:30 A.M., at  
160 North LaSalle Street, Chicago, Illinois.

PRESENT:

- BRIEN J. SHEAHAN, Chairman
- SADZI M. OLIVA, Acting Commissioner
- SHERINA MAYE EDWARDS, Commissioner
- MIGUEL del VALLE, Commissioner
- JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by  
BRAD BENJAMIN, CSR  
LICENSE NO. 084-004805

1           CHAIRMAN SHEAHAN: Good morning, are we ready  
2 to proceed in Springfield?

3           DEPUTY EXECUTIVE DIRECTOR MATRISCH: Yes, we  
4 are.

5           CHAIRMAN SHEAHAN: Pursuant to the Open  
6 Meetings Act, I call the June 1st, 2017, Special Open  
7 Meeting to order.

8                         Commissioners del Valle, Edwards,  
9 Rosales, and Acting Commissioner Oliva are present  
10 with me in Chicago. We have a quorum.

11                         We have one request to speak this  
12 morning. As a reminder, our speaker will have three  
13 minutes. We'll let you know when you have three  
14 minutes left, two, one minute left, and when your  
15 time has expired.

16                         Please be aware that the Commission  
17 affords the public an opportunity to comment.  
18 However, we can't respond to your comments. Your  
19 comments will be made part of the record. However,  
20 we cannot rely on them to resolve disputed issues of  
21 fact in a contested case.

22                         Mr. Ohde?

1 MR. HARRY OHDE: (No response.)

2 CHAIRMAN SHEAHAN: Mr. Ohde?

3 MR. HARRY OHDE: Oh, I'm sorry. I can't hear  
4 you.

5 CHAIRMAN SHEAHAN: Yeah. You -- you're up.  
6 You're up, right? Public comments?

7 MR. HARRY OHDE: Yeah.

8 CHAIRMAN SHEAHAN: Have a seat right there,  
9 sir.

10 MR. HARRY OHDE: Okay. Thank you.

11 CHAIRMAN SHEAHAN: Just make sure you press the  
12 button on the mic.

13 MR. HARRY OHDE: Good morning. My name is --  
14 thank you for allowing me to speak on behalf of IBEW  
15 134 Chicago.

16 My name is Harry Ohde. I am the  
17 renewable energy coordinator for IBEW 134. I'm also  
18 the alternate member for the National Expert Code  
19 Making 14 whose purview includes all renewable energy  
20 particles, and especially solar. I've had the  
21 pleasure and privilege to be involved in the  
22 rulemaking process for distributed generation

1 installer certification a few years ago.

2                   Most of the proposed utility-scale  
3 solar and wind certification rules came from the  
4 distributed generation rulemaking. It is of my  
5 understanding that distributed generation would be  
6 installs smaller than 2 megawatts. The utility solar  
7 and wind installation would be those greater than 2  
8 megawatts. While both certifications is similar in  
9 context, to a point, there is a difference between  
10 the two.

11                   I am here to speak on the importance  
12 and relevance of the two terms that are being  
13 proposed in Section XXX.10, definitions for the  
14 utility-scale solar and wind certifications.

15                   IBEW submitted language to the term  
16 "install," and expanded on the term "install" to  
17 create two definitions to reflect and meet the  
18 industry's needs. One is for solar install and the  
19 second is for wind install, as they are two different  
20 and separate technologies.

21                   Let's look at the term "solar install"  
22 first. While we agree that the term "solar install"

1 does, in fact, comprise of the part of the existing  
2 language of performing the electrical wiring and  
3 connections to the interconnect, the new solar  
4 project with the utility distribution system, the  
5 installation just does not start and end there.

6           The National Electrical Code Article  
7 690, which deals with solar photovoltaic systems, has  
8 been in the NEC since 1984 with a revision cycle  
9 every three month- -- every three years. Each and  
10 every revision cycle, the solar industry sees great  
11 strides in developing Article 690 to be a stronger,  
12 and more importantly, enforceable part of the code  
13 for the solar community.

14           In Section 690.2, there's a definition  
15 defining the term "array," and it reads as follows:

16           A array is going to be a mechanically  
17 integrated assemblance of solar modules or solar  
18 panels with the support structure and foundation,  
19 tracker, and other components, as required, to form a  
20 DC or AC power unit.

21           This has been understood and  
22 interpreted that the entire solar install -- install

1 includes the installation of not just the electrical  
2 components, but as well as the mechanical structure  
3 of the PV array.

4 This solar install leads to  
5 mechanical -- and I have --

6 That's it.

7 CHAIRMAN SHEAHAN: You can wrap up, sir.

8 MR. HARRY OHDE: I can wrap this up?

9 CHAIRMAN SHEAHAN: Yeah. Please.

10 MR. HARRY OHDE: To this extent, we've added  
11 verbiage to the term "solar install" to reflect this.  
12 The solar install means the mechanical and also the  
13 electrical components such as fabrication and  
14 installation of mechanical structure of the solar  
15 panels to the mechanical structure.

16 And then the rest of the language will  
17 stay the same.

18 There has been much confusion on who  
19 will install the other mechanical and balance the  
20 systems components under the distributed generation  
21 certification, and with additional language, it  
22 brings clarity to the subject.

1                   To separate the solar install from the  
2 wind install, we added the term "wind install" and  
3 language to include the erection of the wind tower to  
4 the term. And everything else stays the same.

5                   Probably the second and most important  
6 part component would be the term, what we call,  
7 "qualified people" -- or "qualified person." We  
8 agree with Staff's recommendation dated in 5/18 on  
9 most of the proposed definitions except the last two  
10 lines, which includes the following: "or a mandated  
11 apprentice or training program for an electrician in  
12 another state."

13                   There seems to be no meat and potatoes  
14 for this addition as it really is vague and it's  
15 really hard to manage and keep records. What exactly  
16 is meant by this additional language remains to be  
17 seen. What type of training program for an  
18 electrician are we talking about?

19                   We know that all United States  
20 Department of Labor registered electrical  
21 apprenticeship programs throughout the state and  
22 country provide the necessary training in preparing

1 those for all electrical installations that are safe  
2 and free from all electrical hazards. We believe  
3 that this language should be struck from the 5/16/17  
4 rulemaking revision.

5 In closing, we believe that these two  
6 revisions that would enable the utility-scale solar  
7 and the wind certification a stronger and enforceable  
8 mandated rulemaking for all entities involved. There  
9 is going to be a lot of solar photovoltaic systems  
10 installed throughout the state of Illinois, and it is  
11 necessary to have each and every installation  
12 installed by a qualified persons.

13 Thank you very much.

14 CHAIRMAN SHEAHAN: Thank you, sir.

15 We'll now move into our public  
16 utilities agenda.

17 There are no edits to the minutes of  
18 our May 10th, 2017, Regular Open Meeting.

19 Are there any objections to approving  
20 the minutes?

21 (No response.)

22 CHAIRMAN SHEAHAN: Hearing none, the minutes



1 are approved.

2 Items E-1 through E-10 and E-11  
3 through 13 concern various filings regarding  
4 implementation of Public Act 99-0906.

5 Are there any objections to  
6 considering Items E-1 through E-10 together and not  
7 suspending the filings?

8 (No response.)

9 CHAIRMAN SHEAHAN: Hearing none, the filings  
10 are not suspended.

11 Items E-11 through 13 concern the  
12 adoption of emergency rules pertaining to the  
13 implementation of Public Act 99-0906.

14 Are there any objections to  
15 considering these items together and approving the  
16 proposed orders granting -- pardon. I'm sorry.

17 -- adopting emergency rules,  
18 initiating rulemaking proceedings, and authorizing  
19 First Notice Periods?

20 (No response.)

21 CHAIRMAN SHEAHAN: Hearing none, the Orders are  
22 approved.

1                   Item E-14 concerns the Adoption of the  
2 Policy Document for the Illinois Technical Reference  
3 Manual for Energy Efficiency and the Illinois Energy  
4 Efficiency Policy Manual.

5                   Are there any objections to approving  
6 the proposed order initiating the proceeding?

7                   (No response.)

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

10                   E-15 concerns an amendment to the  
11 Illinois Administrative Code, Parts 212 [sic] and  
12 453. We have both substantive and non substantive  
13 edits to the proposed -- proposed order.

14                   I move that we approve the edits of  
15 the proposed order.

16                   Is there a second?

17                   COMMISSIONER ROSALES: Second.

18                   CHAIRMAN SHEAHAN: Any discussion?

19                   (No response.)

20                   CHAIRMAN SHEAHAN: All those in favor of  
21 approving the edits to the proposed order, say aye.

22                   (Chorus of ayes.)

1           CHAIRMAN SHEAHAN:  Opposed, say nay.

2                           (No response.)

3           CHAIRMAN SHEAHAN:  The ayes have it and the  
4 edits are approved.

5                           Moving on to the proposed order as  
6 edited.

7                           Is there a motion to approve the  
8 Proposed Second Order Notice?

9           COMMISSIONER ROSALES:  So moved.

10          CHAIRMAN SHEAHAN:  Is there a second?

11          COMMISSIONER EDWARDS:  Second.

12          CHAIRMAN SHEAHAN:  Any discussion?

13                           (No response.)

14          CHAIRMAN SHEAHAN:  I'd like to say that in  
15 recent years, the Commission's Consumer Services  
16 Division has identified a marked increase in public  
17 complaints regarding retail electric suppliers.  This  
18 rule works to protect consumers by providing them  
19 with sufficient information to make informed  
20 decisions and prevent retail electric suppliers from  
21 using deceptive marketing practices.

22                           I want to thank, again, the Attorney

1 General and CUB for their input on this important  
2 rule. I'd also like to thank my fellow commissioners  
3 and their staffs for their collaborative effort in  
4 putting forth this revised rule.

5 I'm looking forward to receiving input  
6 from JCAR as we move forward to ensure that Illinois  
7 consumers have a wide range of choices in their  
8 electric supply, and that those choices are informed  
9 ones. Thank you.

10 With that, all those in favor of  
11 approving the proposed Second Order Notice as edited,  
12 say aye.

13 (Chorus of ayes.)

14 CHAIRMAN SHEAHAN: Opposed, say nay.

15 (No response.)

16 CHAIRMAN SHEAHAN: The ayes have it and the  
17 Order is approved.

18 Moving on to our Gas Agenda, Items G-1  
19 and 2 concern filings regarding the implementation of  
20 Public Act 99-0906.

21 Are there any objections to  
22 considering these items together and not suspending

1 the filings?

2 (No response.)

3 CHAIRMAN SHEAHAN: Hearing none, the filings  
4 are not suspended.

5 Items G-4 -- 3 and 4 concern Peoples  
6 and North Shore Gas Applications to Make Change to  
7 Rate Schedules and to Give Effect to the Such Changes  
8 in Less Than Forty-Five Days.

9 Are there objections to considering  
10 these items together and granting the special  
11 permissions?

12 (No response.)

13 CHAIRMAN SHEAHAN: Hearing none, the special  
14 permissions are granted.

15 Moving on to our Water and Sewer  
16 agenda item. W-1 concerns Illinois-American Water's  
17 Application for a Variance.

18 Are there objections to approving the  
19 proposed order granting the application?

20 (No response.)

21 CHAIRMAN SHEAHAN: Hearing none, the Order is  
22 approved.

1                   Moving on to our Miscellaneous agenda  
2     item. M-1 concerns a joint application for consent  
3     to modify approved Energy Efficiency Plans.

4                   Are there any objections to approving  
5     the proposed order on granting the application as  
6     modified?

7                   (No response.)

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

10                   Under Petitions for Rehearing, we have  
11    one. Item PR-1 concerns a consumer complaint against  
12    Peoples Gas.

13                   Are there any objections to denying  
14    the Petition for Rehearing?

15                   (No response.)

16                   CHAIRMAN SHEAHAN: Hearing none, the Petition  
17    for Rehearing is denied.

18                   Under Other Business, we have an --  
19    announcements.

20                   Commissioner Edwards?

21                   COMMISSIONER EDWARDS: Thank you.

22                   Good morning, everyone. I would just

1 like to welcome my legal summer intern, Elissa  
2 Berdini.

3 Elissa is a 2019 J.D. candidate at  
4 Northwestern Law where she is a member of the  
5 National Trial Team. She also serves on the  
6 Executive Board of the Federalist Society. Elissa  
7 earned a B.A. in philosophy, politics, and economics  
8 from the University of Pennsylvania where she played  
9 on the Women's Varsity Soccer team.

10 Elissa, will you stand? Please join  
11 me in welcoming Elissa.

12 (Applause.)

13 COMMISSIONER EDWARDS: Thank you.

14 Judge Kimbrel, do you have any other  
15 matters to bring before the Commission this morning?

16 JUDGE KIMBREL: No, Mr. Chairman.

17 CHAIRMAN SHEAHAN: Commissioners, do any of you  
18 have any other matters you would like to raise before  
19 the Commission?

20 (No response.)

21 CHAIRMAN SHEAHAN: Hearing none and without  
22 objection, therefore the meeting stands adjourned.

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(Whereupon the above  
matter was adjourned.)