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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES REGULAR OPEN MEETING
Thursday, June 9, 2022
Springfield, Illinois

Met pursuant to notice at 11:30 a.m., at
527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairperson
- MARIA BOCANEGRA, Commissioner (via videoconference)
- ANN McCABE, Commissioner
- D. ETHAN KIMBREL, Commissioner
- MICHAEL T. CARRIGAN, Commissioner

BRIDGES COURT REPORTING, by
JENNIFER L. CROWE, CSR
LICENSE NO. 084.003786

1 CHAIRPERSON ZALEWSKI: Under the Open
2 Meetings Act I call the June 9, 2022, Regular Open
3 Meeting to order. I'm in the Springfield office
4 with Commissioners Kimbrel, Carrigan and McCabe,
5 and Commissioner Bocanegra is in the Chicago
6 office.

7 We have a quorum.

8 We have no requests to speak.

9 We now are moving onto our Public Utilities
10 Agenda. There are edits to the May 12 of 2022
11 Regular Open Meeting minutes; to the May 13th, 2022
12 Policy Session meeting minutes; to the May 20th,
13 2022 Special Open Meeting minutes; and to the May
14 20th, 2022 Emergency Open Meeting minutes.

15 Are there any objections to approving the
16 minutes as edited?

17 (No response.)

18 CHAIRPERSON ZALEWSKI: Hearing none, the
19 minutes are approved.

20 Under the Electric Utility items, Item E-1
21 concerns an Order Initiating a Proceeding to
22 terminate abandoned certificate to operate as

1 retail electric suppliers, agents, brokers or
2 consultants, or ABC's, in Illinois. A staff report
3 filed by the Commission's Office of Retail Market
4 Development recounts that Respondent failed to file
5 its compliance recertification report for 2019,
6 2020 and 2021, is not in good standing to conduct
7 business in Illinois, and is delinquent in its
8 designated agent form.

9 Thus, staff argues that the respondent has
10 abandoned its certificate, and it should be
11 formally terminated by the Commission. The Order
12 initiates the proceeding to terminate the
13 certificate.

14 There are substantive edits to the order.
15 The edits require that the respondent appear before
16 the Commission to induce evidence and to show cause
17 why the Commission should not deem abandoned and
18 terminate its Certificate of Service Authority to
19 operate as an ABC in Illinois.

20 Is there a motion to approve the edits?

21 COMMISSIONER BOCANEGRA: Commissioner
22 Bocanegra here. I will make the motion.

1 CHAIRPERSON ZALEWSKI: Commission Bocanegra
2 makes the motion. Thank you. Is there a second?

3 COMMISSIONER KIMBREL: Second.

4 CHAIRPERSON ZALEWSKI: Commissioner Kimbrel
5 has seconded.

6 Are there any objections to approving the
7 edits to the Order?

8 (No response.)

9 CHAIRPERSON ZALEWSKI: Hearing none, the
10 edits are approved.

11 Are there any objections to approving the
12 Order as edited?

13 (No response.)

14 CHAIRPERSON ZALEWSKI: Hearing none, the
15 Order is approved.

16 Item E-2 concerns Ameren's proposed
17 creation of a Rider Utility-Owned Solar and Storage
18 Adjustment.

19 On March 3 of 2022, the Commission
20 suspended the proposed creation of the Rider. The
21 Commission's investigation in this matter has not
22 been concluded. The order resuspends the tariff

1 for a further period of six months to complete the
2 Commission's investigation.

3 Are there any objections to approving the
4 Resuspension Order?

5 (No response.)

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

8 Items E-3 and E-4 concern Applications for
9 Certification to install distributed generation
10 facilities in Illinois. The Orders grant the
11 Certificates finding the applicants meet the
12 requirements.

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

15 (No response.)

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

18 Item E-5 concerns a petition by IDOT
19 requesting the taking through eminent domain of a
20 common property for the purpose of undertaking road
21 work and improvements to Illinois Route 47 from
22 Cross Street to Galena Road in Kane and Kendall

1 Counties. IDOT has been unable to acquire the
2 subject property from ComEd to complete this
3 project and therefore seeks to acquire the property
4 under the eminent domain laws of Illinois. The
5 Eminent Domain Act of Illinois requires IDOT to
6 obtain Commission approval prior to the taking or
7 damaging of ComEd's property.

8 IDOT requests that the Commission approve
9 the taking of this property by exercising the right
10 of eminent domain including IDOT's quick-take
11 powers under the Eminent Domain Act.

12 The Order grants the petition and approves
13 the taking of this property finding that the work
14 to be done at this location is fully within the
15 public interest and clearly constitutes a public
16 purpose.

17 Are there any objections to approving the
18 Order?

19 (No response.)

20 CHAIRPERSON ZALEWSKI: Hearing none, the
21 Order is approved.

22 Items E-6 through E-8 concern Applications

1 for Certifications to Installing Energy Efficiency
2 Measures in Illinois. The Orders grant the
3 certificates finding that the applicants meet the
4 requirements.

5 Are there any objections to considering
6 these items together and approving the Orders?

7 (No response.)

8 CHAIRPERSON ZALEWSKI: Hearing none, the
9 Orders are approved.

10 Moving onto our Gas Utilities items, Item
11 G-1 concerns a complaint against Peoples Gas from a
12 customer alleging that he was charged the incorrect
13 rate. The Order denies the complaint finding the
14 respondent acted in accordance with its tariff and
15 that the complainant was properly billed for the
16 gas service at his building.

17 Are there any objections to approving the
18 Order?

19 (No response.)

20 CHAIRPERSON ZALEWSKI: Hearing none, the
21 Order is approved.

22 Item G-2 concerns a complaint against

1 Peoples Gas regarding billing. The complainant has
2 failed to appear at any of the scheduled hearings.
3 The Order dismisses the complaint finding that the
4 complainant has failed to prosecute his complaint.

5 Are there any objections to approving the
6 order?

7 (No response.)

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

10 Item G-3 concerns Nicor Gas's request for
11 reconciliation of revenues under its Rider 26 or
12 uncollectable expense adjustment for the period of
13 June 1st, 2020, to May 31 of 2021.

14 The Order approves the reconciliation as
15 set in the appendix to the order finding that costs
16 were prudently incurred.

17 Are there any objections to approving the
18 Order?

19 (No response.)

20 CHAIRPERSON ZALEWSKI: Hearing none, the
21 Order is approved.

22 Item G-4 concerns docket no. 21-0698 which

1 is Nicor's Application for a Certificate of Public
2 Convenience and Necessity to provide gas service to
3 certain portions of Kankakee County.

4 On January 5 of 2022, the Commission issued
5 a final order in this matter granting Nicor Gas's
6 petition for a Certificate of Public Convenience
7 and Necessity.

8 On February 4 of 2022, an application for
9 rehearing was filed by the Pembroke Environmental
10 Justice Coalition, Blacks in Green, Green Power
11 Alliance and the Energy Defense Fund, collectively
12 referred to as PEJC, et al. That is P-E-J-C, et
13 al. I guess PJC, et al, excuse me.

14 On February 17, the Commission denied the
15 application for rehearing.

16 On March 23 of 2022, PJC, et al submitted a
17 Petition for Review and Notice of Appeal to the
18 Illinois Appellate Court, Third Judicial District
19 to the Commission.

20 On May 5 of 2022, PEJC, et al filed a
21 motion to stay with the Commission. In its motion,
22 PEJC, et al argued that a stay is necessary to

1 prevent irreparable harm that would occur if
2 construction begins during the pendency of the
3 appeal and if the final order is later overturned
4 by the Court.

5 The ALJ recommends that the Commission deny
6 the motion to stay, stating that it seems clear
7 based on Section 10-204(a) of the Act that it is
8 more appropriate for the Appellate Court as the
9 reviewing court to determine whether a stay should
10 be granted while the case is on appeal.

11 The ALJ additionally notes that in its
12 motion, PEJC, et al made the same arguments that
13 they made when the case was presented to the
14 Commission and that the arguments were already
15 considered by the Commission when it granted Nicor
16 Gas a Certificate of Public Convenience and
17 Necessity.

18 Are there any comments?

19 COMMISSIONER McCABE: I will be abstaining.

20 COMMISSIONER ZALEWSKI: Okay. Are there
21 any objections to denying the motion to stay?

22 (No response.)

1 Wireless Authority to Operate as a Reseller of
2 Telecommunication Services. The Order grants the
3 certificate finding that the applicant meets the
4 requirements.

5 Are there any objections to approving the
6 Order?

7 (No response.)

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

10 Item T-2 concerns a request by a
11 telecommunication service provider to cancel its
12 certificate to operate in Illinois. The Order
13 cancels the certificate finding that the
14 cancellation will not deprive any Illinois
15 customers of necessary telecommunication service
16 and are not otherwise contrary to the public
17 interest.

18 Are there any objections to approving the
19 Order?

20 (No response.)

21 CHAIRPERSON ZALEWSKI: Hearing none, the
22 Order is approved.

1 Item T-3 concerns a petition by
2 telecommunication provider to cancel its
3 Certificate of Service Authority to provide
4 customer-owned pay phone service.

5 On January 10 of 2020, Petitioner's
6 authority to do business in Illinois was revoked by
7 the Illinois Secretary of State.

8 On January 21 of 2020, the Commission
9 served Petitioner with a notice of suspension
10 noting Petitioner's Certificate of Service
11 Authority would be revoked should Petitioner fail
12 to provide proof of good standing with the
13 Secretary of State within one year.

14 Petitioner failed to provide proof of good
15 standing and its Certificates of Service Authority
16 was revoked on January 21st of 2021.

17 Since Petitioner no longer retains an
18 active Certificate of Service Authority with the
19 Commission, this docket may be dismissed as moot.
20 The Order dismisses the petition.

21 Are there any objections to approving the
22 Order?

1 (No response.)

2 CHAIRPERSON ZALEWSKI: Hearing none, the
3 Order is approved.

4 JUDGE TEAGUE KINGSLEY: Madam Chairman, I
5 am sorry to interrupt, I want to clarify that for
6 this item, T-3, we are just going to dismiss the
7 docket. It incorrectly says order dismissing
8 petition. There is no order.

9 CHAIRPERSON ZALEWSKI: Okay. Thank you for
10 the clarification. So it will be a vote to dismiss
11 the docket. Thank you.

12 Moving onto our Miscellaneous items, Item
13 M-1 concerns initiation of a Notice of Inquiry
14 Proceeding Regarding the Infrastructure Investment
15 and Jobs Act, or IIJA.

16 On November 15 of 2021, President Biden
17 signed into law the IIJA of 2021. IIJA provides
18 for approximately \$550 billion in federal funding
19 for infrastructure improvements including public
20 utility infrastructure such as electric generation,
21 clean energy transmission and deployment, electric
22 vehicle infrastructure, grid reliability, energy

1 efficiency, access to clean water and cyber
2 security.

3 The Commission believes that it is in the
4 public interest for Illinois public utilities to
5 consider taking advantage of these available
6 federal grants, loans and other assistance to
7 promote adequate, reliable and economical utility
8 service to Illinois customers.

9 Therefore, the Commission is seeking
10 information on which of the available federal
11 grants, loans, assistance and programs under the
12 IIJA that Illinois public utilities are eligible to
13 apply for and for which the Illinois public
14 utilities intend to apply for or have already
15 applied.

16 In addition, the Commission is seeking
17 information on actions that it or in coordination
18 with other Illinois state agencies can take can or
19 should take to facilitate the ability of Illinois
20 public utilities to avail relevant federal grants
21 and loans under IIJA.

22 Are there any objections to approving the

1 Notice of Inquiry?

2 (No response.)

3 CHAIRPERSON ZALEWSKI: Hearing none, Notice
4 of Inquiry is approved.

5 Under Petitions for Rehearing, Item PR-1
6 concerns docket 21-0671 which is a complaint
7 against ComEd alleging property damage on ComEd
8 installed equipment in the complainant's backyard.

9 On April 21 of 2022, the Commission entered
10 its final order denying the complaint.

11 On May 23, Complainant filed a petition for
12 rehearing.

13 The ALJ recommends denying the application
14 for rehearing noting that the complainant's claims
15 were adequately addressed in the Commission's final
16 order and that Complainant has not provided any
17 statutory authority to support an extension of a
18 filing required for an application for rehearing.

19 Are there any objections to denying the
20 application for rehearing?

21 (No response.)

22 CHAIRPERSON ZALEWSKI: Hearing none, the

1 application for rehearing is denied.

2 Under Other Business, Item 0-1 concerns
3 Approval of Batches, Contracts and Confirmations
4 under the Illinois Solar For All Program.

5 Are there any objections to approving the
6 program administrator submissions?

7 (No response.)

8 CHAIRPERSON ZALEWSKI: Hearing none, the
9 submissions are approved.

10 Item 0-2 concerns Approval of Batches,
11 Contracts and Confirmations under the Illinois
12 Adjustable Block Program.

13 Are there any objections to approving the
14 program administrator's submissions?

15 (No response.)

16 CHAIRPERSON ZALEWSKI: Hearing none, the
17 submissions are approved.

18 This concludes our agenda.

19 Judge Teague Kingsley, do we have other
20 matters to come before the Commission today?

21 JUDGE TEAGUE KINGSLEY: No, Madam Chairman.

22 CHAIRPERSON ZALEWSKI: Do we have -- do the

1 Commissioners have any other business to discuss?

2 I just want to make one announcement. It
3 is with mixed emotions that I announced at the end
4 of this week my policy advisor, Jordan Graham, will
5 be leaving the Commission for another opportunity.
6 Jordan's kindness and insatiable curiosity about
7 the complex energy world made him an asset to the
8 Commission.

9 Jordan, I learned so much by your
10 thought-provoking questions and highly-valued
11 advice, and I am a better regulator after having
12 you as my advisor.

13 So I just want to thank you for your
14 service to the state, and you will be missed.

15 Hearing no other -- okay.

16 COMMISSIONER KIMBREL: Madam Chair, I'd
17 also like to add, Jordan, I don't have mixed
18 emotions about your departure, sir.

19 CHAIRPERSON ZALEWSKI: He is just plain
20 sad. We have a box of tissues up here, Jordan,
21 just so you know.

22 All right. Well, without any other

1 objections and hearing nothing else, the meeting is
2 now adjourned. Thank you.

3 (Whereupon the above matter is now adjourned.)
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