

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

BEFORE THE
ILLINOIS COMMERCE COMMISSION

PUBLIC UTILITY BENCH MEETING

Chicago, Illinois
July 14, 2010

Met, pursuant to notice, at 10:30 a.m.

BEFORE:

- MR. MANUEL FLORES, Acting Chairman
- MS. LULA M. FORD, Commissioner
- MS. ERIN M. O'CONNELL-DIAZ, Commissioner
- MR. SHERMAN J. ELLIOTT, Commissioner
- MR. JOHN T. COLGAN, Acting Commissioner

SULLIVAN REPORTING COMPANY, by
Auhdikiam Carney, CSR
License No. 084-004658

1 ACTING CHAIRMAN FLORES: Is everything ready in
2 Springfield?

3 MR. MATRISCH: Yes, it is.

4 ACTING CHAIRMAN FLORES: Okay. Good Morning
5 everybody. Pursuant to the provisions of the
6 Illinois Open Meetings Act, I now convene a regularly
7 scheduled bench session of the Illinois Commerce
8 Commission. With me in Chicago are Commissioners
9 Ford, O'Connell-Diaz, Elliot, and Acting Commissioner
10 Colgan. I am Acting Chairman Flores. We have a
11 quorum. Before moving into the agenda, according to
12 Section 1700.10 of the Illinois Administrative Code,
13 this is the time that we allow for members of the
14 public to address the Commission. Members of the
15 public wishing to address the Commission must notify
16 the Chief Clerk's Office at least 24 hours prior to
17 the bench session. According to the Chief Clerk's
18 Office we have no request to speak at today's bench
19 session.

20 Turning now to the Public Utility
21 agenda, we have minutes to approve from the June 23rd
22 Bench session. I understand that amendments have

1 been forwarded.

2 Is there a motion to amend the
3 minutes?

4 COMMISSIONER O'CONNELL-DIAZ: So moved.

5 ACTING CHAIRMAN FLORES: I'll second it.

6 Its been moved and seconded.

7 All in favor say "aye."

8 (Chorus of ayes.)

9 Any opposed?

10 (No response.)

11 The vote is 5-0 to amend the minutes.

12 Is there a motion to approve the June
13 23rd minutes as amended?

14 COMMISSIONER ELLIOTT: So moved.

15 ACTING CHAIRMAN FLORES: Is there a second?

16 COMMISSIONER O'CONNELL-DIAZ: Second.

17 ACTING CHAIRMAN FLORES: Its been moved and
18 seconded.

19 All in favor say "aye."

20 (Chorus of ayes.)

21 Any opposed?

22 (No response.)

1 The vote is 5-0 and the June 23rd
2 minutes as amended are approved.

3 We will begin with the Electric
4 agenda. Item E-1 concerns Mt. Carmel Public Utility
5 Company's filing of tariffs to increase a standard
6 rate pertaining to the purchase of electricity from
7 cogeneration and small power production facilities.
8 Staff recommends that the Commission allow the
9 Company's proposal by not suspending the filing.

10 Is there a motion to not suspend the
11 filing?

12 ACTING COMMISSIONER COLGAN: So moved.

13 ACTING CHAIRMAN FLORES: I will second it.

14 Its been moved and seconded.

15 All in favor say "aye."

16 (Chorus of ayes.)

17 Any opposed?

18 (No response.)

19 The vote is 5-0 and the filing is not
20 suspended. We will use this 5-0 vote for the
21 remainder of the Public Utility agenda unless
22 otherwise noted.

1 Items E-2 through E-4 will be taken
2 together. These items concern filings by Central
3 Illinois Light Company, Central Illinois Public
4 Service Company and the Illinois Power Company
5 regarding revisions to the Utility's Hourly Supply
6 Service Rider. Staff recommends the Commission allow
7 the company's proposal by not suspending the filings.

8 Is there any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none the filings will not be
13 suspended.

14 Item E-5 is Docket No. 09-0234. This
15 concerns the Ameren Illinois Utility's Petition for
16 approval to enter into an Affiliate Services
17 Agreement with Ameren Services Company. ALJ Yoder
18 recommends entry of an Order approving the Affiliate
19 Services Agreement.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none the Order is entered and
3 the agreement is approved.

4 Item E-6 is Docket No. 09-0354. This
5 concerns Ameren Energy Marketing Company's petition
6 for Approval of a General Service Agreement pursuant
7 to Section 450.120. ALJ Yoder recommends entry of an
8 Order approving the General Service Agreement.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Order is entered and
14 the Agreement is approved.

15 Item E-7 is Docket No. 09-0579. This
16 concerns Belos Pirayof's complaint as to
17 billing/charges against ComEd. The parties have
18 voluntarily settled their dispute and ALJ Gilbert
19 recommends that the Commission enter an Order
20 dismissing the case with prejudice.

21 Is there any discussion?

22 (No response.)

1 Any objections?

2 (No response.)

3 Hearing none the Order is entered and
4 the case is dismissed.

5 Item E-8 is Docket No. 10-0109. This
6 concerns a proposed Adoption of 83 Illinois
7 Administrative Code 455, the Renewable Portfolio
8 Standard and Clean Coal Standard for Alternative
9 Retail Electric Suppliers and Utilities operating
10 outside their service areas.

11 The purpose of the proposed rules is
12 to implement Section 16-115 and 16-115(d) of the
13 Public Utilities Act. ALJ Moran recommends entry of
14 an Order adopting the proposed rules.

15 Is there any discussion?

16 (No response.)

17 Any objections.

18 (No response.)

19 Hearing none the Order is entered and
20 the proposed rules are adopted.

21 E-9 is Docket No. 10-0118. This
22 concerns Unified Energy's Services Application for

1 Licensure to operate as an Agent, Broker and
2 Consultant under Section 16-115(c) of the Public
3 Utilities Act. ALJ Yoder recommends entry of an
4 Order approving the Application.

5 Is there any discussion?

6 (No response.)

7 Any objections?

8 (No response.)

9 Hearing none, the Order is entered and
10 the Application is Approved.

11 Item E-10 is Docket No. 10-0181. This
12 concerns Joyce Walker's complaint against ComEd. Due
13 to complainant's failure to appear, ALJ Riley
14 recommends entry of an Order dismissing the complaint
15 without prejudice.

16 Is there any discussion?

17 (No response.)

18 Any objections?

19 (No response.)

20 Hearing none, the Order is entered and
21 the complaint is dismissed.

22 Item E-11 is Docket No. 10-0249. This

1 concerns Maurice Ottenweller's complaint as to
2 service against Ameren CILCO concerning trees being
3 cut on the complainant's property. On this matter
4 ALJ Tapia recommends entry of an Order dismissing the
5 complaint with prejudice.

6 Is there any discussion?

7 COMMISSIONER O'CONNELL-DIAZ: I have a question
8 for Judge Tapia, if she's there.

9 JUDGE WALLACE: Yes, just a second.

10 ACTING CHAIRMAN FLORES: Thank you.

11 JUDGE TAPIA: Yes, Commissioner.

12 COMMISSIONER O'CONNELL-DIAZ: Judge Tapia, was
13 there any establishment in the record with regard to
14 where the tree was located? Was it in the right of
15 way or was -- do you know where it was located on the
16 complainant's property?

17 JUDGE TAPIA: I believe they were -- well, the
18 trees were located on the complainant's property,
19 however, the trees that were protruding to the street
20 area is what was cut. The complainant wasn't
21 objecting to the location or that the trees were cut.
22 He felt that they were cut too much and that he

1 needed the tree to be replaced.

2 COMMISSIONER O'CONNELL-DIAZ: Did you see
3 photos of the trimming job?

4 JUDGE TAPIA: No, the complainant failed to
5 respond to the Motion to Dismiss and also failed to
6 appear to a status hearing. So we never got far into
7 the case.

8 COMMISSIONER O'CONNELL-DIAZ: Okay. Do you
9 believe that it was clear to the complainant that he
10 had redress in a court of general jurisdiction with
11 regard to his claim for compensation?

12 JUDGE TAPIA: Well, Ameren did offer to
13 compensate him \$200 and he wanted -- or in his
14 initial complaint he wanted to see if he could get
15 more.

16 COMMISSIONER O'CONNELL-DIAZ: Okay. I just --
17 you know, I think when we have these tree trimming
18 incidents -- you know, there's obviously two sides of
19 the story. Since we were dismissing it based on our
20 jurisdiction to hear the complaint as filed which was
21 appropriate and I have no problem with that. I just
22 -- in those instances I think it's important that the

1 complainant understand that they could have a
2 cognoscible claim in a court of general jurisdiction
3 if the evidence supported their claim. Thank you.

4 JUDGE TAPIA: Yes, you're very welcome.

5 ACTING CHAIRMAN FLORES: Any further
6 discussion?

7 (No response.)

8 Any objections?

9 (No response.)

10 Hearing none the Order is entered and
11 the case is dismissed.

12 Item E-12 and E-13 will be taken
13 together. These Items constitute Applications for
14 Licensure as an Agent, Broker and Consultant under
15 Section 16-115(c) of the Public Utilities Act. In
16 each instance the ALJ recommends entry of an Order
17 granting certification.

18 Is there any discussion?

19 (No response.)

20 Any objections?

21 (No response.)

22 Hearing none, the Orders are

1 entered --

2 JUDGE WALLACE: Mr. Acting Chairman.

3 ACTING CHAIRMAN FLORES: Yes, sir.

4 JUDGE WALLACE: E-13 is the motion to withdraw
5 their application, not an Order to grant. You might
6 want to split those two up.

7 ACTING CHAIRMAN FLORES: I'm sorry, Judge. Can
8 you repeat that again.

9 JUDGE WALLACE: E-13 is a motion to withdraw
10 the application by the applicant, it's not an Order
11 granting a certificate.

12 ACTING CHAIRMAN FLORES: Very well. So we're
13 going to take these items separately. Thank you,
14 your Honor.

15 E-12 which is Docket No. 10-0252.
16 Where it is an application for Licensure of Agents,
17 Brokers and Consultants under Section 16-115(c) of
18 the Public Utilities Act. The ALJ recommends entry
19 of an Order granting the certification.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the Order is entered and
3 the certificate is granted.

4 E-13 is Docket No. 10-0267, an
5 application for Licensure of Agents, Brokers and
6 Consultants under Section 16-115(c) under the Public
7 Utilities Act. This is a motion to withdraw. The
8 ALJ recommends granting the Order.

9 Is there any discussion?

10 (No response.)

11 Hearing none the Order to allow motion
12 to withdraw is granted.

13 Items E-14 through E-16 will be taken
14 together. These items constitute petitions for the
15 protection of confidential and/or proprietary
16 information. In each of the cases the ALJ recommends
17 entry of an Order granting the petition for
18 confidential treatment for a period of two years.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the Orders are entered
2 and the Petitions are granted.

3 Item E-17 is Docket No. 10-0314. This
4 concerns Eisenbach Consulting's Application for
5 Licensure to operate as an Agent, Broker and
6 Consultant under Section 16-115(c) of the Public
7 Utilities Act. ALJ Yoder recommends entry of an
8 Order approving the Application.

9 Is there any discussion?

10 (No response.)

11 Any objections.

12 (No response.)

13 Hearing none, the Order is entered and
14 the Application is approved.

15 E-18 is Docket No. 10-0321. This
16 concerns Lower Electric's petition for Confidential
17 Treatment of its Annual Financial Report filed
18 pursuant to Section 454 of the Administrative Code.
19 ALJ Albers recommends entry of an Order granting
20 relief requested for a period of two years.

21 Is there any discussion?

22 (No response.)

1 Any objections?

2 (No response.)

3 Hearing none, the Order is entered and
4 the Confidential Treatment is granted for a period of
5 two years.

6 E-19 and E-20 can be taken together.
7 These items concern applications for License to
8 operate as an Agent, Broker and Consultant under
9 Section 16-115(c) of the Public Utilities Act. In
10 both instances ALJ Yoder recommends entry of an Order
11 of approving the application.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Hearing none, the Orders are entered
17 and the applications are approved.

18 Item E-21 is Docket No. 10-0351. This
19 concerns Carolyn Johnson's complaint against as to
20 billing/charges against ComEd. The parties have
21 voluntarily settled their dispute and ALJ Gilbert
22 recommends entry of an Order dismissing the complaint

1 with prejudice.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Order is entered and
7 the complaint is dismissed.

8 Item E-22 is Docket No. 10-0357.

9 This concerns Ameren IP's request for Approval of the
10 Territorial Service Agreement for the City of
11 Freeburg for the purchase of property pursuant to
12 Section 11-117-6(d) of the Illinois Municipal Code.
13 ALJ Tapia recommends entry of an Order approving the
14 Territorial Agreement.

15 Are there any discussions?

16 (No response.)

17 Any objections?

18 (No response.)

19 Hearing none, the Order is entered and
20 the Agreement is approved.

21 Item E-23 is Docket No. 10-0365. This
22 concerns Clearview Electric's Application for

1 Certificate for Service Authority under
2 Section 16-115 of the Public Utilities Act. The
3 company has indicated its wish to withdraw its
4 application and ALJ Sainsot recommends dismissal of
5 the docket without prejudice.

6 Is there any discussion?

7 (No response.)

8 Any objections?

9 (No response.)

10 Hearing none, the document is
11 dismissed.

12 Item E-24 is Docket No. 10-0383. This
13 concerns Cindy Gendry's complaint as to
14 billing/charges against ComEd. The complainant
15 indicates that all issues have been resolved amicably
16 and wishes to withdraw the complaint. ALJ Riley
17 recommends that the Commission grants the
18 complainant's Motion to Withdraw.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the complaint is
2 withdrawn.

3 Item E-25 is Docket No. 10-0404. This
4 concerns Linde Energy Services application for
5 Certificate of Service Authority under Section 16-115
6 of the Public Utilities Act. ALJ Yoder recommends
7 entry of an Order granting the Certificate.

8 Is there any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none, the order is entered and
13 the Certificate is granted.

14 Turning to the Gas agenda, Item G-1 is
15 Docket No. 09-0357. This concerns a complaint by the
16 Herbolsheimers against Ameren IP, a complaint as to
17 billing/charges. The parties have filed a Joint
18 Motion to Dismiss indicating that their differences
19 have been resolved and ALJ Tapia recommends that we
20 grant the Motion to Dismiss with prejudice.

21 Is there any discussion?

22 (No response.)

1 Any objections?

2 (No response.)

3 Hearing none, the Motion to Dismiss is
4 granted.

5 Item G-2 is Docket No. 10-0276. This
6 concerns Consumer Gas Company's proposed general
7 increase in gas rates. Before us today is a
8 Resuspension Order to resuspend the filing.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Resuspension Order
14 is granted.

15 Item G-3 is Docket No. 10-0319. This
16 item has been withdrawn.

17 Item G-4 is Docket No. 10-0340. This
18 concerns Julia Dunlap Genus' Complaint as to
19 billing/charges against Just Energy. The parties
20 have voluntarily settled their dispute and have filed
21 this Motion to Dismiss which ALJ Yoder recommends
22 that we grant.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Joint Motion to
6 Dismiss is granted.

7 Item G-5 is Docket No. 10-0381. This
8 concerns ConocoPhillips Company's application for
9 Certificate of Service Authority under Section 19-110
10 of the Public Utilities Act to operate as an
11 alternative gas supplier. The applicant has filed a
12 Motion to Withdraw its application and ALJ Yoder
13 recommends that we grant this Motion to Withdraw.

14 Is there any discussion?

15 (No response.)

16 Any objections?

17 (No response.)

18 Hearing none, the application is
19 withdrawn.

20 Moving on to the Telecommunications
21 portion of the agenda, Item T-1 through T-5 can be
22 taken together. These Items concern applications for

1 Certificates to operate as a Carrier, Provider and/or
2 Reseller of Telecommunication Services in Illinois.
3 In each case the ALJ recommends entry of an Order
4 granting the Certificate.

5 Is there any discussion?

6 (No response.)

7 Any objections?

8 (No response.)

9 Hearing none, the Orders are entered
10 and the Certificates are granted.

11 Item T-6 through T-8 can be taken
12 together. These matters concern Petitions to
13 Withdraw Certificates of Service Authority regarding
14 Telecommunication services in Illinois. In each case
15 the ALJ recommends entry of an Order Granting the
16 Petition to Withdraw.

17 Is there any discussion?

18 (No response.)

19 Any objections?

20 (No response.)

21 Hearing none, the Orders are entered
22 and the Petitions for withdrawal are granted.

1 Item T-9 is Docket No. 09-0052. This
2 concerns BITWISE Communication's complaint as to
3 over-billing and threatened termination of service
4 against Illinois Bell Telephone Company. The parties
5 have reached a settlement and ALJ Moran recommends
6 entry of an Order dismissing the complaint with
7 prejudice.

8 Is there any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none, the order is entered and
13 the complaint is dismissed.

14 Item T-10 is Docket No. 10-026. This
15 concerns Access One's petition for the protection of
16 confidential and/or proprietary information. ALJ
17 Teague recommends an order granting the requested
18 relief for a period of two years.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the Order is entered.
2 Item T-11 is Docket No. 10-0279. This
3 item concerns a proceeding initiated by the
4 Commission against Midwestern Telecommunication
5 Incorporated surrounding compliance with certain
6 reporting requirements of the Illinois Administrative
7 Code. Staff, having apparently received adequate
8 answers from the company, now recommends that the
9 proceedings be dismissed and ALJ Riley recommends
10 entry of an Order dismissing the proceeding with
11 prejudice.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Hearing none, the proceeding is
17 dismissed.

18 Items T-12 through T-18 can be taken
19 together. These items concern petitions for the
20 Approval of Interconnection Agreements pursuant to 47
21 U.S.C. Section 252. In each case the ALJ recommends
22 entry of an Order approving the Interconnection

1 Agreement or amendment thereto.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Orders are entered
7 and the Interconnection Agreements are approved.

8 We now move to the Water and Sewer
9 portion of today's agenda.

10 Item W-1 is Docket No. 09-0210. This
11 concerns Aqua Illinois' Petition for Declaratory
12 Judgement on its right to disconnect service. In
13 part, through the assistance of Staff, the parties
14 have reached an agreement in this matter and Aqua has
15 filed a motion seeking voluntary dismissal of its
16 petition.

17 ALJ Sainsot recommends that the
18 Commission grant this request by dismissing the
19 docket with prejudice.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the docket is dismissed.

3 Item W-2 is Docket No. 09-0478. This
4 concerns Louis Burrell's complaint as to
5 billing/charges against Aqua Illinois. The issues
6 between the parties have apparently been resolved and
7 ALJ Sainsot recommends entry of an Order dismissing
8 the docket with prejudice.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the docket is dismissed.

14 Item W-3 is Docket No. 10-0297. This
15 concerns Edward Pekarovich's complaint as to
16 billing/charges against Illinois-American Water
17 Company. ALJ Tapia recommends dismissing the
18 complaint with prejudice.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 Hearing none, the complaint is

1 dismissed.

2 We have a few petitions for Rehearing
3 left to address today. We will take Items PR-1
4 through PR-4 together. These items concern
5 applications for rehearing filed by the Attorney
6 General's Office in the four On-Bill Financing
7 dockets, Docket Nos. 10-0090, 10-0091, 10-0095, and
8 10-0056. ALJ Haynes recommends denying all requests
9 for rehearing in this case.

10 Is there any discussion?

11 (No response.)

12 Any objections?

13 (No response.)

14 Hearing none, the applications for
15 rehearing are denied.

16 Lastly, Item PR-5 is Item No. 10-0236.
17 This concerns an Interconnection Agreement between
18 AT&T Illinois and MCI which the Commission approved
19 on June 23rd. However, there was apparently an
20 appendix omitted from the initial filing and AT&T now
21 seeks rehearing to submit the original appendix into
22 the record and allow it to be available for Staff for

1 the Commission's review. ALJ Baker recommends
2 granting the petition for rehearing for this purpose.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the petition for
8 rehearing is granted for the purpose of correcting
9 the filing and allowing review.

10 There are no other matters other
11 than -- I see there was a resolution that was brought
12 to my attention. I'm going to ask that a motion be
13 made to allow for the Commission to have the
14 opportunity to review this resolution.

15 Commissioner O'Connell-Diaz, you have
16 a motion?

17 COMMISSIONER O'CONNELL-DIAZ: Yes, thank you
18 for calling the motion.

19 ACTING CHAIRMAN FLORES: Is there a second to
20 the motion.

21 COMMISSIONER ELLIOTT: Second.

22 ACTING CHAIRMAN FLORES: Very well.

1 It's a motion that has been seconded.

2 All in favor say "aye."

3 (Chorus of ayes.)

4 This is, again, to review this
5 resolution that has been submitted.

6 Commissioner O'Connell-Diaz.

7 COMMISSIONER O'CONNELL-DIAZ: If we could have
8 Judge Moran come up to the hot heat. She thought she
9 was going to get away with things today.

10 JUDGE MORAN: I thought you passed these
11 Orders.

12 ACTING CHAIRMAN FLORES: Oh, no.

13 COMMISSIONER O'CONNELL-DIAZ: You're not so
14 enthusiastic to come up here today. Usually she's
15 chomping at the bit back there.

16 ACTING CHAIRMAN FLORES: Do we have a witness
17 list?

18 COMMISSIONER O'CONNELL-DIAZ: We can develop
19 one.

20 ACTING CHAIRMAN FLORES: We may develop a
21 witness list.

22 COMMISSIONER O'CONNELL-DIAZ: We have a

1 Resolution that I'd like to present to everyone and
2 hopefully my Commissioner colleagues will approve it
3 as well. All the people in this room enjoy a walk
4 down memory lane with just a great public servant.
5 The Resolution reads as follows:

6 Illinois Commerce Commission on its
7 own motion Acknowledging and Expressing Appreciation
8 for Judge Eve Moran's Public Service on the Occasion
9 of her Separation of Service from the Commission.

10 Resolution by the Commission.

11 WHEREAS, in 1998 Eve Moran joined the
12 Illinois Commerce Commission as an Administrative Law
13 Judge in the Public Utilities Division. Judge Moran
14 has dedicated her legal career to public service. To
15 wit, previous to her appointment to the Commission,
16 she served as an Assistant Public Defender for Cook
17 County and as an Illinois Assistant Attorney General,
18 serving in the Civil Appeal Division and honing her
19 regulatory skills and knowledge in the Public
20 Utilities Division; and

21 WHEREAS, Judge Moran's dedication to
22 her profession is exhibited in leadership as Chair of

1 the National Association of Regulatory Commission's
2 Staff Subcommittee on the Law and the National
3 Conference of Regulatory Attorneys. In these
4 positions she has produced innovative ethics programs
5 that have been used nationally and internationally to
6 educate and inform regulators and their Staff,
7 utilities and regulatory attorneys regarding the
8 appropriate and legal conduct as it relates to our
9 everyday activities; and

10 WHEREAS, Judge Moran has presented
11 programs on regulatory practice and process to
12 numerous visiting foreign delegations at the Illinois
13 Commerce Commission. She has also participated in
14 the Energy Regulators Regional Association (ERRA)
15 legal regulatory working groups in Istanbul, Turkey;
16 and

17 WHEREAS, Judge Moran in her career at
18 the Illinois Commerce Commission has handled cases of
19 the most significant import. Her recommendations
20 have always been thorough, well balanced and most
21 importantly legally sustainable. In the course of
22 doing so, she has earned the respect and friendship

1 of her colleagues at the Illinois Commerce Commission
2 and the Illinois Public Utilities Bar, based upon
3 her, skill diligence and good natured professional
4 courtesy; and

5 WHEREAS, Judge Moran always is
6 prepared and enthusiastic to discuss her Proposed
7 Orders with the Commission. She revels in assisting
8 the Commission to understand the issue presented for
9 review, the party's positions and arguments and the
10 legal standards and nuances inherent in her
11 recommendation. Additionally, the Commissioners and
12 docket participants could also get a good workout
13 hoisting on of Judge Moran's notoriously lengthy but
14 well reasoned Proposed Orders; and

15 WHEREAS, Judge Moran is twice a
16 citizen due to her volunteerism, particularly in her
17 leadership roles at the Chicago Bar Association as
18 well as the Greektown Neighborhood Association; and

19 WHEREAS, Judge Moran is of an
20 exceedingly generous spirit and has for years warmly
21 welcomed Commission members to Dugan's for holiday
22 and other festivities; and.

1 WHEREAS, despite all of the demands
2 placed on Judge Moran by her career achievements and
3 goals, her role of Mother to her beloved daughter
4 Maggie has been an unstinting example of dedication,
5 love and adventure; and

6 NOW, THEREFORE BE IT RESOLVED, that
7 the Illinois Commerce Commission hereby acknowledge
8 Judge Eve Moran's years of public service during her
9 employment with the Illinois Commerce Commission and
10 expresses its deep appreciation for her public
11 service and dedication on the occasion of her
12 retirement from the State of Illinois.

13 Thank you, Eve, and I look for support
14 from my fellow Commissioner. And if you don't
15 support me, I will smack you down.

16 ACTING CHAIRMAN FLORES: Well, we still need
17 that witness list.

18 I'm going to now ask Commissioner
19 Ford.

20 COMMISSIONER FORD: Thank you, Acting Chairman.

21 It certainly has been an honor to work
22 with you, Eve. I remember coming to this Commission

1 in 2003 and your 800-page document with SBC -- I've
2 changed glasses three times since then and that
3 was -- and I actually pondered my decision for coming
4 to the Illinois Commerce Commission after reading
5 your 800-page document. But it has certainly been an
6 honor and a privilege for me to work with someone of
7 your caliber and I certainly enjoyed you on a
8 professional and personal level. May God continue to
9 bless you.

10 JUDGE MORAN: Thank you.

11 ACTING CHAIRMAN FLORES: Commissioner Elliot.

12 COMMISSIONER ELLIOTT: Well, same here. I've
13 worked with you for a number of years and I hope that
14 you will continue in some capacity in the regulatory
15 world. And we'll continue to see the sock puppets at
16 NARUC. That's always been a highlight for me. Your
17 means to portray the ethics to practitioners has
18 always been entertaining and your Orders have always
19 been thorough. Its been a pleasure working with you
20 and all the best.

21 JUDGE MORAN: Thank you.

22 ACTING CHAIRMAN FLORES: Acting Acting

1 Commissioner Colgan.

2 ACTING COMMISSIONER COLGAN: Well, I haven't
3 known you long, but I've been through a few of your
4 documents in the time that I have been here. And
5 I've enjoyed your professional expertise, taking
6 advantage of that and I wish you all the success in
7 the world in your professional career. And on a
8 personal note I say namaste.

9 JUDGE MORAN: Thank you.

10 ACTING CHAIRMAN FLORES: Judge Wallace -- you
11 didn't think you were going to get away without
12 having to say a few words, did you.

13 JUDGE WALLACE: I certainly thought I might.

14 ACTING CHAIRMAN FLORES: You're on my witness
15 list. You can proceed Judge Wallace.

16 JUDGE WALLACE: We're certainly going to miss
17 you. We regret that she's decided to go ahead and
18 retire at this time and move on to other things. She
19 is a very good ALJ and we will certainly miss her in
20 the office and I'm sure the participants will miss
21 her in the hearing rooms. I wish you the best.

22 JUDGE MORAN: Thank you.

1 ACTING CHAIRMAN FLORES: Judge Dolan.

2 JUDGE DOLAN: I too have had the pleasure of
3 working with Eve for many years and see her knowledge
4 and her dedication to all her Orders. As
5 Commissioner O'Connell-Diaz indicated, many of them
6 are very long and highlighted, but Eve always did a
7 thorough job. She drove herself crazy on a lot of
8 cases and as you can tell just from the people around
9 the community that know her and respect her that
10 she's brought a lot to this Commission over the years
11 that she's been here and she will be missed.

12 ACTING CHAIRMAN FLORES: Mr. Anderson, Tim
13 Anderson.

14 MR. TIM ANDERSON: Yes, Acting Chairman. Thank
15 you.

16 ACTING CHAIRMAN FLORES: You're welcome.

17 MR. TIM ANDERSON: Eve, I just wanted to say
18 thank you, not just for what everyone has talked
19 about in your dedication to your job here at the
20 Commission; but all of the extras which you've done.
21 The work with NARUC, the work for Staff morale, the
22 work with the visitors that we have to the

1 Commission, all of those things are noticed and
2 greatly appreciated. We will all miss you. Thank
3 you.

4 JUDGE MORAN: Thank you.

5 ACTING CHAIRMAN FLORES: Thank you, Tim.

6 Now I reserve the final address. I
7 have had the opportunity to know and work with Eve
8 now -- Judge Moran since January since coming on
9 board and I wanted to say personally thank you, Judge
10 for your helping hand and for bringing me along. I
11 really appreciate your leadership and the work that
12 you've done, not only in the Illinois Commerce
13 Commission, but also through the work that you've
14 done at NARUC and also the Chicago Bar Association.

15 Through your efforts it has given us
16 an opportunity to showcase the good work that we do
17 here at the Illinois Commerce Commission and that you
18 are a representative of the entire team. So we
19 really thank you for your leadership and your
20 generosity and your willingness to just work with
21 everyone and to develop a strong sense of
22 collegiality, and really a strong sense of family.

1 You will be missed on some level; but
2 we will not let you go, as you know. I have already
3 put in dibs on making sure that I have an open line
4 of communication directly to you, and I mean that
5 sincerely just from a perspective of your knowledge
6 and also your experiences. And so it's very
7 difficult for us to say goodbye, but you're not going
8 away forever. So we want to wish you
9 congratulations. We want to wish you God speed.

10 The Resolution, thank you,
11 Commissioner O'Connell-Diaz, and I know Staff put it
12 together and these were just heartfelt, warm words
13 that we feel about Eve. So there is a motion
14 pending. I'd like to take a roll call vote in voting
15 for this Resolution.

16 Commissioner Ford.

17 COMMISSIONER FORD: Aye.

18 ACTING CHAIRMAN FLORES: Commissioner
19 O'Connell-Diaz.

20 COMMISSIONER O'CONNELL-DIAZ: Aye.

21 ACTING CHAIRMAN FLORES: Commissioner Elliott.

22 COMMISSIONER ELLIOTT: Aye.

1 ACTING CHAIRMAN FLORES: Acting Commissioner
2 Colgan.

3 ACTING COMMISSIONER COLGAN: Aye.

4 ACTING CHAIRMAN FLORES: And I vote aye.

5 I also want to make sure that this
6 Resolution is attached as part of this record so that
7 Judge Moran, if she so wishes, can keep a copy of
8 this transcript with the attached Resolution as part
9 of the record and the appendix. Again, thank you so
10 much.

11 Judge, would you like to say a few
12 words?

13 JUDGE MORAN: You know, it's funny. All the
14 other times that I'm up here I've just got so much to
15 say and today I'm still thinking, Hey, I've still got
16 to do this and still got to do that. Thank you.
17 It's been an honor and a privilege and a joy at
18 times to have worked here. I've loved the work. I
19 loved the people and I've grown immensely in my
20 tenure at the Commission. I will miss all of you,
21 each and every one of you. You're all different.
22 You're all dear to me in your own special way and I

1 say that to everyone else here too. Thank you.

2 ACTING CHAIRMAN FLORES: Thank you, Judge.

3 All right. Judge Wallace, are there
4 any other mattes to come before the Commission today?

5 JUDGE WALLACE: No, there are not,
6 Mr. Acting Chairman.

7 ACTING CHAIRMAN FLORES: Thank you so much
8 everyone. I hope you guys have a great day down
9 there.

10 Hearing none, this meeting stands
11 adjourned.

12 (And those were all the
13 proceedings had.)

14

15

16

17

18

19

20

21

22

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission :
On its own motion :
:
Acknowledging and Expressing :
Appreciation for Judge Eve Moran's :
Public Service on the Occasion of her :
Separation Of Service From the :
Commission :

RESOLUTION

By the Commission:

WHEREAS, in 1998 Eve Moran joined the Illinois Commerce Commission as an Administrative Law Judge in the Public Utilities Division. Judge Moran has dedicated her legal career to public service. To wit, previous to her appointment to the Commission, she served as an Assistant Public Defender for Cook County and as an Illinois Assistant Attorney General, serving in the Civil Appeal Division and honing her regulatory skills and knowledge in the Public Utilities Division; and

WHEREAS, Judge Moran's dedication to her profession is exhibited in leadership as Chair of the National Association of Regulatory Commission's Staff Subcommittee on the Law and the National Conference of Regulatory Attorneys. In these positions she has produced innovative ethics programs that have been used nationally and internationally to educate and inform regulators and their Staff, utilities and regulatory attorneys regarding the appropriate and legal conduct as it relates to our everyday activities; and

WHEREAS, Judge Moran has presented programs on regulatory practice and process to numerous visiting foreign delegations at the Illinois Commerce Commission. She has also participated in the Energy Regulators Regional Association (ERRA) legal regulatory working groups in Istanbul, Turkey; and

WHEREAS, Judge Moran in her career at the Illinois Commerce Commission has handled cases of the most significant import. Her recommendations have always been thorough, well balanced and most importantly, legally sustainable. In the course of doing so, she earned the respect and friendship of her colleagues at the Illinois Commerce Commission and the Illinois Public Utilities Bar, based upon her skill, diligence and good natured professional courtesy; and

WHEREAS, Judge Moran always is prepared and enthusiastic to discuss her Proposed Orders with the Commission. She revels in assisting the Commission to understand the issues presented for review, the party's positions and arguments and the legal standards and nuances inherent in her recommendation. Additionally, the Commissioners and docket participants could also get a good workout hoisting one of Judge Moran's notoriously lengthy but well reasoned Proposed Orders; and

WHEREAS, Judge Moran is twice a citizen due to her volunteerism, particularly in her leadership roles at the Chicago Bar Association as well as the Greektown Neighborhood Association; and

WHEREAS, Judge Moran is of an exceedingly generous spirit and has for years warmly welcomed Commission members to Dugan's for holiday and other festivities; and

WHEREAS, despite all of the demands placed on Judge Moran by her career achievements and goals, her role of Mother to her beloved daughter Maggie has been an unstinting example of dedication, love and adventure; and

NOW, THEREFORE BE IT RESOLVED, that the Illinois Commerce Commission hereby acknowledges Judge Eve Moran's years of public service during her employment with the Illinois Commerce Commission and expresses its deep appreciation for her public service and dedication on the occasion of her retirement from the State of Illinois.

Manuel Flores, Chairman Lula M. Ford, Commissioner Erin M. O'Connell-Diaz, Commissioner

Sherman J. Elliott, Commissioner

John T. Colgan, Commissioner