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BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITY)

Springfield, Illinois
Wednesday, August 13, 2014

Met, pursuant to notice, at 10:30 a.m. at
527 East Capitol Avenue, Springfield, Illinois.

- PRESENT:
- MR. DOUGLAS P. SCOTT, Chairman
 - MR. JOHN T. COLGAN, Commissioner
 - MS. ANN McCABE, Commissioner (by video)
 - MR. MIGUEL DEL VALLE, Commissioner (by video)

MIDWEST LITIGATION SERVICES, by
Angela C. Turner, Reporter
CSR #084-004122

1 PROCEEDINGS

2 CHAIRMAN SCOTT: Pursuant to the provisions
3 of the Open Meetings Act, I now convene a regularly
4 scheduled Bench Session of the Illinois Commerce
5 Commission. With me in Springfield is Commissioner
6 Colgan. With us in Chicago are Commissioner McCabe
7 and Commissioner del Valle. I am Chairman Scott. We
8 have a quorum.

9 Before moving into the agenda, according to
10 Section 1700.10 of Title 2 of the Administrative
11 Code, this is the time we allow members of the public
12 to address the Commission. Members of the public
13 wishing to address the Commission must notify the
14 Chief Clerk's office at least 24 hours prior to
15 Commission meetings. According to the Chief Clerk's
16 office, we have no requests to speak at today's Bench
17 Session.

18 Moving on to the Public Utility Agenda.
19 Turning first to the Electric portion of today's
20 agenda. Item E-1 is ERM Number 14-092. This is
21 MidAmerican Energy Company's filing to modify Rate
22 Number 57, Cogeneration and Small Power Production
23 Facilities. Staff recommends that we approve the
24 modification by not suspending the filing.

1 Is there any discussion?

2 (No response.)

3 CHAIRMAN SCOTT: Is there a motion to not
4 suspend the filing?

5 COMMISSIONER COLGAN: So moved.

6 CHAIRMAN SCOTT: Is there a second?

7 COMMISSIONER McCABE: Second.

8 CHAIRMAN SCOTT: Moved by Commissioner
9 Colgan; second by Commissioner McCabe.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: All in favor say aye.

13 (Chorus of ayes.)

14 CHAIRMAN SCOTT: Any opposed?

15 (No response.)

16 CHAIRMAN SCOTT: The vote is four to nothing
17 and the filing is not suspended. We will use this
18 four to nothing vote for the remainder of today's
19 Public Utility Agenda unless otherwise noted.

20 Items E-2 and E-3 can be taken together.
21 These items are complaints against Ameren and ComEd
22 as to billing and/or charges. In both cases, it
23 appears the parties have settled their differences
24 and filed a Joint Motion to Dismiss, which the ALJ in

1 each case recommends we grant.

2 Is there any discussion?

3 (No response.)

4 CHAIRMAN SCOTT: Any objections?

5 (No response.)

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

8 Item E-4 is Docket Number 14-0386. This is
9 Osce McCallum's complaint against Ameren as to
10 billing and/or charges. ALJ Yoder recommends entry
11 of an Order dismissing the complaint without
12 prejudice for want of prosecution.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Any objections?

16 (No response.)

17 CHAIRMAN SCOTT: Hearing none, the Order is
18 entered.

19 Item E-5 is Docket Number 14-0455. This is
20 Dynergy Energy Services' Application for a
21 Certificate of Service Authority under Section 16-115
22 of the Public Utilities Act to serve all eligible
23 retail customers in the service territories of Ameren
24 Illinois Company and Commonwealth Edison Company and

1 to provide single billing services in Commonwealth
2 Edison Company's service territory. ALJ Von Qualen
3 recommends entry of an Order granting the requested
4 Certificate of Service Authority.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

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

11 Item E-6 is Docket Number 14-0352. This is
12 Shane Hoeper doing business as Hoeper Green Power's
13 Application for Certification as an installer of
14 distributed generation facilities under Section
15 16-128A of the Public Utilities Act. ALJ Baker
16 recommends entry of an Order granting the requested
17 certificate.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

22 CHAIRMAN SCOTT: Hearing none, the Order is
23 entered.

24 Item E-7 is Docket Number 14-0354. This is

1 Sustainable Star LLC's Petition for the Confidential
2 and/or Proprietary Treatment of certain portions of
3 its re-certification report. ALJ Kimbrel recommends
4 entry of an Order granting the requested relief.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

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

11 Item E-8 is Docket Number 14-0425. This is
12 Spark Energy LLC's Petition for the Confidential
13 and/or Proprietary Treatment of its continuing
14 compliance report. This item has been pulled from
15 today's agenda.

16 Item E-9 is Docket Number 14-0448. This is
17 TERM Power and Gas, LLC, doing business as TERM
18 Energy, doing business as ENCOA's Petition for the
19 Confidential and/or Proprietary Treatment of its
20 annual reports. ALJ Von Qualen recommends entry of
21 Order granting the requested relief.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

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

4 Turning now to Natural Gas. Item G-1 is
5 MidAmerican's filing to correct an inconsistency
6 regarding the application of its daily balancing
7 charges. Staff recommends that we approve the
8 correction by not suspending the filing.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the filing is
14 not suspended.

15 Item G-2 is Nicor's filing to change its
16 customer bill format to incorporate changes to the
17 front and back of its current bill format. Staff
18 recommends we approve the change by not suspending
19 the filing.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Any objections?

23 (No response.)

24 CHAIRMAN SCOTT: Hearing none, the filing is

1 not suspended.

2 Item G-3 is Docket Number 13-0031. This is
3 our reconciliation of revenues collected under
4 Nicor's coal tar riders with prudent costs associated
5 with coal tar cleanup expenditures. ALJ Benn
6 recommends entry of an Order approving the
7 reconciliation statement.

8 Is there any discussion?

9 (No response.)

10 CHAIRMAN SCOTT: Any objections?

11 (No response.)

12 CHAIRMAN SCOTT: Hearing none, the Order is
13 entered.

14 Item G-4 is Docket Number 14-0061. This is
15 Maria Abdon's complaint against Peoples' as to
16 discontinuance of service without notice in Chicago.
17 ALJ Riley recommends entry of an Order denying the
18 complaint, but disallowing People's collection of the
19 entire amount they proposed to back bill the
20 Complainant.

21 My office had some edits to this Order. The
22 edits do not change the ultimate decision. They
23 further clarify that the Commission finds that the
24 evidence presented by Peoples' did not adequately

1 explain its methodology to estimate unbilled usage.

2 Though Peoples' argued that the methods used
3 were longstanding practices, it is unclear from the
4 evidence why Peoples' chose the date it did for back
5 billing, why they chose separate dates for the two
6 floors of the residence at issue, and how the figures
7 on the supporting worksheets for the back bills
8 connect to the sums they propose to bill the
9 Complainant.

10 The Commission agrees that there is evidence
11 that tampering occurred at the residence, but
12 believes that Peoples' must go back and more clearly
13 explain when they believed the tampering occurred and
14 exactly what calculations make up the total amount of
15 unbilled usage in order to recover the cost.

16 With that, I would move for the adoption of
17 these edits. Is there a second?

18 COMMISSIONER COLGAN: Second.

19 CHAIRMAN SCOTT: Second by Commissioner
20 Colgan.

21 Is there any discussion on the edits?

22 (No response.)

23 CHAIRMAN SCOTT: All in favor say aye.

24 (Chorus of ayes.)

1 CHAIRMAN SCOTT: Any opposed?

2 (No response.)

3 CHAIRMAN SCOTT: The vote is four to nothing
4 and the edits are adopted.

5 Is there now a motion to enter the Order as
6 amended?

7 COMMISSIONER McCABE: So moved.

8 CHAIRMAN SCOTT: Is there a second?

9 COMMISSIONER COLGAN: Second.

10 CHAIRMAN SCOTT: Moved by Commissioner
11 McCabe; second by Commissioner Colgan.

12 Any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: All in favor say aye.

15 (Chorus of ayes.)

16 CHAIRMAN SCOTT: Any opposed?

17 (No response.)

18 CHAIRMAN SCOTT: The vote is four to nothing
19 and the Order, as amended, is entered.

20 Item G-5 is Docket Number 14-0466. This is
21 Consumers Gas Company's Informational Statement
22 pursuant to Section 6-102 of the Public Utilities Act
23 seeking authority to incur indebtedness in the amount
24 of \$1,500,000 to be repaid over a period of time in

1 excess of 12 months to give security therefore, to
2 pay the proceeds of such funds received for such
3 indebtedness, and determining the fee to be paid
4 pursuant to Section 6-108 of the Public Utilities
5 Act. ALJ Von Qualen recommends entry of an Order
6 authorizing the requested financing.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

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

13 On to Telecommunications. Item T-1 is
14 Docket Number 11-0132. This is our citation
15 proceeding against Powercom Corp. for their failure
16 to file an annual report. The Commission previously
17 revoked Powercom's Certificate of Service Authority
18 granted in 2005 in Docket Number 11-0132, but failed
19 to revoke other outstanding Certificates of Service
20 Authority granted to Powercom at an earlier date.
21 Staff recommends entry of an Amendatory Order
22 reopening Docket Number 11-0132 and revoking the
23 remaining Certificates of Service Authority.

24 Is there any discussion?

1 (No response.)

2 CHAIRMAN SCOTT: Any objections?

3 (No response.)

4 CHAIRMAN SCOTT: Hearing none, the
5 Amendatory Order is entered.

6 Items T-2 through T-7 can be taken together.
7 These items are Petitions for the Approval of or
8 Modifications to 9-1-1 Emergency Telephone Number
9 Systems. In each case, the ALJ recommends entry of
10 an Order granting the requested relief.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN SCOTT: Any objections?

14 (No response.)

15 CHAIRMAN SCOTT: Hearing none, the Orders
16 are entered.

17 Item T-8 is Docket Number 14-0381. This is
18 True Pinless' Application for a Certificate of
19 Prepaid Calling Service Provider Authority throughout
20 the state of Illinois. ALJ Riley recommends entry of
21 an Order granting the requested certificate.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

1 (No response.)

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

4 Item T-9 is Docket Number 14-0430. This is
5 Midwest Cable Phone of Illinois' Application for
6 Certificate of Local and Interexchange Authority to
7 operate as a reseller and facilities-based carrier of
8 telecommunications service in the state of Illinois.
9 ALJ Riley recommends entry of an Order granting the
10 requested certificates.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN SCOTT: Any objections?

14 (No response.)

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

17 Item T-10 is Docket Number 14-0437. This is
18 Defense Mobile Corp.'s Application for a Certificate
19 of Service Authority pursuant to Section 13-401 of
20 the Public Utilities Act. ALJ Riley recommends entry
21 of an Order granting the requested certificate.

22 Is there any discussion?

23 (No response.)

24 CHAIRMAN SCOTT: Any objections?

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(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Judge Wallace, are there any other matters to come before the Commission today?

JUDGE WALLACE: No, there isn't, Mr. Chairman.

CHAIRMAN SCOTT: Thank you, sir.

Hearing none, this meeting stands adjourned. Thank you, everyone.

BENCH SESSION CONCLUDED.

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CERTIFICATE OF REPORTER

I, Angela C. Turner, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the proceeding aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Angela C. Turner
IL CSR #084-004122