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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
REGULAR OPEN MEETING  
PUBLIC UTILITY  
AUGUST 18, 2021  
Springfield, Illinois

- CARRIE ZALEWSKI, Chairman
- MICHAEL T. CARRIGAN, Commissioner
- D. ETHAN KIMBREL, Commissioner
- MARIA S. BOCANEGRA, Commissioner
  
  
  
  
  
  
  
  
  
  
- Jennifer L. Crowe, IL CSR
- Alaris Litigation Services

1           CHAIRMAN ZALEWSKI: Good morning. Under  
2 the Open Meetings Act I call the August 18, 2021  
3 regular open meeting to order. Commissioners  
4 Bocanegra, Carrigan and Kimbrel are with me in  
5 Springfield, so we have a quorum. We have no  
6 requests to speak. There is no Transportation  
7 agenda today, so we are moving onto our Public  
8 Utilities agenda. There are no minutes to approve.

9           Under Electric items, items E-1 through  
10 E-15 concern commission orders initiating  
11 proceedings to terminate the licenses of companies  
12 registered as agents, brokers and consultants in  
13 Illinois. These companies failed to file both  
14 their 2019 and 2020 annual recertification reports  
15 and are no longer in good standing to conduct  
16 business in Illinois. Commission staff, therefore,  
17 believes that the companies have abandoned their  
18 licenses. The orders will initiate proceedings to  
19 rescind the licenses unless the companies appear  
20 and show cause why their license should not be  
21 rescinded.

22           Are there any objections to considering  
23 these items together and approving the orders?

24   (No response.)

1           CHAIRMAN ZALEWSKI:  Hearing none, the  
2 orders are approved.

3           Items E-16 and E-17 concern requests for  
4 proprietary treatment of the petitioners' annual  
5 compliance reports.  The orders grant the  
6 protections finding that the information is highly  
7 proprietary and confidential.

8           Are there any objections to considering  
9 these items together and approving the orders?

10   (No response.)

11           CHAIRMAN ZALEWSKI:  Hearing none, the  
12 orders are approved.

13           Item E-18 concerns a complaint against  
14 ComEd regarding alleged excessive billing practices  
15 and failure to repair faulty equipment.  The  
16 parties filed a stipulation and joint motion to  
17 dismiss stipulating that all matters in dispute  
18 have been resolved.  They are requesting that the  
19 Commission dismiss the complaint with prejudice.

20           Are there any objections to granting the  
21 joint motion to dismiss?

22   (No response.)

23           CHAIRMAN ZALEWSKI:  Hearing none, the  
24 motion is granted.

1           Item E-19 concerns the application for a  
2 license to operate as a retail electric agent,  
3 broker and consultant in Illinois. The order  
4 grants the license finding that the applicant meets  
5 the requirements.

6           Are there any objections to considering  
7 these items together?

8                                 (No response.)

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

11           Item E-20 concerns ComEd's petition for  
12 special permission to create a tariff page for its  
13 rate technical charging study on less than 45 days  
14 notice. We will be holding this case for later  
15 disposition.

16           Items E-21 through E-24 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.

21           Are there any objections to considering  
22 these items together and approving the orders?

23                                 (No response.)

24           CHAIRMAN ZALEWSKI: Hearing none, the

1 orders are approved.

2 Under the gas items, item G-1 concerns  
3 Consumers Gas Company proposed increase in gas  
4 service rates. There were no contested issues  
5 presented during the evidentiary hearing, and  
6 following the hearing, Consumers Gas entered into a  
7 stipulation with commission staff. The stipulation  
8 resolves all issues of the docket and provides for  
9 a revenue increase in the amount of \$191,633. The  
10 order approves the stipulation and grants Consumers  
11 Gas' request for a rate increase.

12 Are there any objections to approving the  
13 order?

14 (No response.)

15 CHAIRMAN ZALEWSKI: Hearing none, the order  
16 is approved.

17 Item G-2 concerns Nicor's petition for  
18 approval of the company's energy efficiency plan  
19 for calendar years of 2022 through 2025.  
20 Consistent with the terms of the company's EE plan,  
21 Nicor will invest approximately \$183 million to  
22 help customers install more than 750,000 energy  
23 efficiency measures and complete over 80,000 energy  
24 efficiency retrofit and technical assistance

1 projects in homes, businesses and the public sector  
2 across the company's service area. There were no  
3 contested issues at the completion of the hearing,  
4 and following the hearing the parties entered into  
5 a stipulation agreement. The order approves the  
6 petition and stipulation agreement finding them  
7 consistent with the Public Utilities Act.

8 Are there any objections to approving the  
9 order?

10 (No response.)

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

13 Under Telecommunication items, item T-1  
14 concerns the application for a certificate of  
15 authority to operate as a 9-1-1 system provider in  
16 Illinois. The order grants the certificate subject  
17 to the stipulations set in the appendix to the  
18 order.

19 Are there any objections to approving the  
20 order?

21 (No response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the order  
23 is approved.

24 Under Water and Sewer items, item W-1

1 concerns Illinois-American Water's petition to  
2 reconcile revenues under its Rider QIP, or  
3 Qualifying Infrastructure Plant, surcharge. The  
4 order approves a reconciliation and sets an  
5 appendix in the order finding that the costs during  
6 the reconciliation period were prudently incurred.

7 Are there any objections to approving the  
8 order?

9 (No response.)

10 CHAIRMAN ZALEWSKI: Hearing none, the order  
11 is approved.

12 Item W-2 concerns Illinois-American Water  
13 Company's application for the approval of the  
14 purchase of certain assets in the Village of Hardin  
15 in Calhoun County. Illinois-American filed a  
16 notice letter with the commission staff identifying  
17 three appraisers the company proposes to use to  
18 determine the fair market value of the water and  
19 wastewater systems in Hardin. Staff filed a motion  
20 requesting commission approval of IAWC's engagement  
21 agreement with each appraiser. The interim order  
22 approves the terms of the engagement agreements.

23 Are there any objections to approving the  
24 interim order?

1 (No response.)

2 CHAIRMAN ZALEWSKI: Hearing none, the  
3 interim order is approved.

4 Moving onto Miscellaneous items, item M-1  
5 concerns consolidated docket no. 17-0857 and  
6 20-0457 which is a rulemaking proceeding to amend  
7 commission rules in Part 412, obligations of retail  
8 electric suppliers, and Part 512 for obligations of  
9 alternative gas suppliers. Combined these  
10 amendments align the commission's rules with the  
11 provisions set forth in the Home Energy  
12 Affordability and Transportation Act, or HEAT act,  
13 and sets standards for marketing, solicitations,  
14 enrollment and regulatory compliance by both  
15 alternative gas and alternative retail electric  
16 suppliers in Illinois.

17 The Commission is issuing the proposed  
18 first notice order following a series of  
19 stakeholder workshops, comments and briefings by  
20 all parties to the proceedings. There are  
21 substantive edits to the orders. These edits  
22 clarify party positions regarding certain defined  
23 terms for the accuracy of the record and, second,  
24 adopt ideas and modifications to the disclosures



1 required prior to renewing a customer contract  
2 under Part 412.230 (b) and 512.230 (b).

3 I move the edits. Is there a second?

4 COMMISSIONER BOCANEGRA: I will second.

5 CHAIRMAN ZALEWSKI: Thank you. Are there  
6 any objections to approving the edits to the order?

7 (No response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the edits  
9 are approved.

10 Are there any objections to approving the  
11 order as edited?

12 (No response.)

13 CHAIRMAN ZALEWSKI: Hearing none, the order  
14 is approved.

15 Under Petitions for Rehearing, item PR-1  
16 concerns the Environmental Law & Policy Center  
17 petitioner for rehearing in docket 20-0710 which is  
18 Ameren's proposal for the creation of the Rider  
19 Optional Electric Vehicle Charging Program. The  
20 ALJ recommends that the Commerce Commission deny  
21 the rehearing noting Ameren provided sufficient  
22 evidence to support its proposal and that the  
23 petitioner provided untimely alternative program  
24 suggestions that were not supported by the record.

1           Additionally the ALJ notes that the  
2 petitioners have not offered any additional  
3 arguments, facts, testimony, witnesses or evidence  
4 in support of their application.

5           So I am now going to call a vote on this  
6 request. If you are in favor of denying the  
7 application for rehearing, please say aye, and if  
8 you are opposed and want to grant it, please say  
9 nay. Commissioner Bocanegra?

10           COMMISSIONER BOCANEGRA: Aye.

11           CHAIRMAN ZALEWSKI: Commissioner Carrigan?

12           COMMISSIONER CARRIGAN: Aye.

13           CHAIRMAN ZALEWSKI: Commissioner Kimbrel?

14           COMMISSIONER KIMBREL: Aye.

15           CHAIRMAN ZALEWSKI: Consistent with my  
16 concurring vote in this case, I believe a rehearing  
17 is warranted to allow to explore more DS-1 options.  
18 So I'm going to be voting nay and would grant the  
19 petition for rehearing. Therefore the three ayes  
20 have it, and the application for rehearing is  
21 denied.

22           Under Other Business on this agenda we have  
23 items O-1 and O-2 which concern approval of  
24 batches, contracts and confirmations under the

1 Illinois Adjustable Block Program. It came to my  
2 attention that due to a technical glitch to the new  
3 E agenda system, item O-1 was added twice. So  
4 there should not be an item O-2 on this agenda.

5 Are there any objections to withdrawing  
6 item O-2 from the agenda?

7 (No response.)

8 CHAIRMAN ZALEWSKI: Hearing none, item O-2  
9 is withdrawn.

10 Is there any objection to approving item  
11 O-1?

12 (No response.)

13 CHAIRMAN ZALEWSKI: Hearing none, hearing  
14 none, item O-1 is approved.

15 This concludes our Public Utility agenda.

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

18 JUDGE TEAGUE KINGSLEY: No, Madam Chairman.

19 CHAIRMAN ZALEWSKI: Do other commissioners  
20 have business to discuss?

21 COMMISSIONER BOCANEGRA: Chairman, I have a  
22 few remarks, if that's okay.

23 Thank you, Chairman. Good morning,  
24 everybody. I just wanted to take a moment to share

1 some remarks and observations as we celebrate 100  
2 years of regulation here at the Illinois Commerce  
3 Commission.

4 In reflecting on my time here, I truly want  
5 to celebrate and thank the backbone of this agency  
6 which is our dedicated and incredibly talented  
7 staff both here in Springfield and in Chicago.  
8 Indeed, without any of you, the important and  
9 impactful work of this agency both locally,  
10 regionally and nationally could not be accomplished  
11 as well as its day-to-day operations. It is  
12 because of all of you that we are here today and  
13 able to celebrate, excuse me, the 100-year  
14 anniversary of the Illinois Commerce Commission.

15 Candidly when I arrived at the commission,  
16 I had no energy or utility background.  
17 Nevertheless, the success and contributions of my  
18 office, the industry -- we made to Illinois  
19 industry with respect to policy and regulation  
20 along with the success of my colleagues and the  
21 rest of this agency could not have been  
22 accomplished without such dedicated staff.

23 I also want to take a moment to recognize  
24 former colleagues and all former commissioners that

1 preceded us here today. Your contributions to  
2 regulation, policy, diversity and inclusion without  
3 a doubt have left big shoes to fill, and I want to  
4 thank you for your work, your insight, wisdom and  
5 your knowledge.

6 I would also like to more specifically  
7 recognize the important work of our administrative  
8 law judges, technical staff, support personnel and  
9 advisors also whom all have contributed to this  
10 agency as well as our Illinois utilities and  
11 stakeholders.

12 And as we look to the next 100 years of  
13 utility regulation, I remain committed to our  
14 public service of contributing to Illinois' clean  
15 energy transition in a collaborative and equitable  
16 way. Never has there been a more crucial time for  
17 the work that lies ahead in what we all do, both  
18 within the agency and in the energy, water and  
19 utility phase as we work towards a cleaner energy  
20 future for the betterment of all Illinoisans.

21 Lastly but certainly not least, I want to  
22 thank Governor Pritzker for the honor of serving in  
23 this capacity and working alongside staff,  
24 colleagues and stakeholders. Thank you, Chair.

1           CHAIRMAN ZALEWSKI: Thank you.

2           COMMISSIONER CARRIGAN: Madam Chair, if I  
3 may?

4           CHAIRMAN ZALEWSKI: Sure.

5           COMMISSIONER CARRIGAN: I want to extend my  
6 most sincere thanks to Tyler Smith for his time  
7 spent interning with myself and my team this  
8 summer. Tyler joined us last May after concluding  
9 his first year of law school at Marquette  
10 University, and he has been an invaluable addition  
11 to our team. Today is Tyler Smith's last day with  
12 us. We thank him for his unwavering positive  
13 can-do attitude. Tyler is an extremely remarkable  
14 young man who plays above his weight class. He has  
15 helped us out immensely. We wish him the best of  
16 luck as he continues on with his second year of law  
17 school, and, of course, we wish him best of luck  
18 with all of his future endeavors. Thank you.

19           CHAIRMAN ZALEWSKI: Thank you. Thank you  
20 for your service, Tyler. We know you have a bright  
21 future ahead of you. If there are no other  
22 comments, my final comment is I just want to  
23 continue to note that I realize customers may still  
24 be struggling during this time to pay their bills,

1 and I want to remind customers that if you receive  
2 a disconnection notice, that you can avoid being  
3 shut off if you act quickly. Call your utility and  
4 work out a different payment arrangement. Utility  
5 companies can also tell you whether you qualify for  
6 bill payment assistance to reduce what you owe in  
7 arrearages. As always, the Illinois Commerce  
8 Commission stands ready to assist customers to  
9 navigate their options. The ICC has both English  
10 and Spanish speaking consumer counselors that can  
11 help file a complaint Monday through Friday 8:30 to  
12 5, and the number again is 1-800-524-0795. There  
13 is also additional information on the ICC web site  
14 at [icc.illinois.gov](http://icc.illinois.gov) under the consumers tab.

15 If there are no other comments and there is  
16 no objection, the meeting is now adjourned. Thank  
17 you.

18 (Hearing adjourned at 11:44 a.m.)

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