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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES REGULAR OPEN MEETING
Thursday, September 2, 2021
Chicago, Illinois

Met pursuant to notice at 11:30 a.m.
at 160 North LaSalle Street, Chicago, Illinois.

PRESENT:
CARRIE ZALEWSKI, Chairwoman
D. ETHAN KIMBREL, Commissioner
MICHAEL T. CARRIGAN, Commissioner
MARIA S. BOCANEGRA, Commissioner

BRIDGES COURT REPORTING
BY: Jennifer Orozco,
Notary Public

1 CHAIRWOMAN ZALEWSKI: Under the Open
2 Meetings Act, I call the September 2nd, 2021
3 Regular Open Meeting to order. Commissioners
4 Bocanegra, Carrigan, and Kimbrel are with me in
5 Chicago, and we have a quorum.

6 Moving on to our Public Utilities
7 Agenda. There are no minutes to approve under
8 our electric items. Item E-1 concerns an
9 investigation into Star Energy Partners' sales,
10 solicitation, marketing, and enrollment practices.
11 The order approves the settlement agreement under
12 which, among other requirements, Star Energy will
13 refund its eligible customers \$275,000 for the
14 electric supply service and will pay 25,000 into
15 Illinois DCEO's LIHEAP program.

16 Are there any objections to
17 approving the order?

18 COMMISSIONER BOCANEGRA: Chairman, I
19 apologize. I do object.

20 CHAIRWOMAN ZALEWSKI: Okay. Then I will
21 call a roll. So if you are in favor of approving
22 the settlement, please say, "aye," and if you are

1 opposed, please say, "nay."

2 Commissioner Bocanegra?

3 COMMISSIONER BOCANEGRA: Nay.

4 CHAIRWOMAN ZALEWSKI: Commissioner Carrigan?

5 COMMISSIONER CARRIGAN: Aye.

6 CHAIRWOMAN ZALEWSKI: Commissioner Kimbrel?

7 COMMISSIONER KIMBREL: Aye.

8 CHAIRWOMAN ZALEWSKI: And I vote, aye. So
9 the three ayes have it, and the order is approved.

10 Item E-2 concerns an application
11 for certification to install distributed generation
12 facilities in Illinois. The order denies the
13 certificate finding that the applicant has not
14 demonstrated that it possesses the necessary
15 qualifications to provide services.

16 Are there any objections to
17 approving the order?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the
20 order is approved.

21 Items E-3 through E-8 concern
22 applications for certification to install

1 distributed generation facilities in Illinois. The
2 orders grant the certificates, finding that the
3 applicant meets the requirements.

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

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the
9 orders are approved.

10 Item E-9 concerns an application
11 for certification to install distributed generation
12 facilities in Illinois. The order denies this
13 certificate, finding that the applicant did not
14 demonstrate compliance with the requirements of the
15 Public Utilities Act and Part 468 of the
16 Commission's Rules.

17 Are there any objections to
18 approving the order?

19 (No verbal response.)

20 CHAIRWOMAN ZALEWSKI: Hearing none, the
21 order is approved.

22 Items E-10 through E-14 concern

1 Staff's motion to dismiss the citations for failure
2 to comply with Part 454 of the Commission Rules.
3 Staff's motions request to dismiss these matters
4 because some of the respondents are now in
5 compliance, some respondents already had their
6 certificate canceled by the Commission in another
7 docket, and some companies in question were
8 involuntarily dissolved by the Secretary of State,
9 and their license to operate as agents, brokers, or
10 consultants were suspended and then canceled by
11 operational law.

12 Are there any objections to
13 considering these items together and granting the
14 motion to dismiss?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the
17 motions to dismiss are granted.

18 Item E-15 concerns a complaint
19 against ComEd regarding billing. The order denies
20 the complaint, finding that the complainant did not
21 provide sufficient evidence to show that he was
22 overbilled.

1 Are there any objections to
2 approving the order?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the
5 order is approved.

6 Item E-16 concerns a complaint
7 against Santanna Energy Services regarding billing.
8 The order dismisses the proceeding for want of
9 prosecution because the complainant failed to
10 appear at the hearing or take any other procedural
11 actions.

12 Are there any objections to
13 approving the order?

14 (No verbal response.)

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

17 Item E-17 concerns a complaint
18 alleging that the respondents improperly installed
19 distributed generation projects in Illinois. The
20 complainant's now filed a motion to voluntarily
21 dismiss the complaint without prejudice.

22 Are there any objections to

1 granting the motion to dismiss?

2 (No verbal response.)

3 CHAIRWOMAN ZALEWSKI: Hearing none, the
4 motion is granted.

5 Items E-18 and E-19 concern
6 petitions for confidential treatment of the
7 Petitioners reports. The orders grant the
8 protection, finding that the information is highly
9 proprietary and confidential.

10 Are there any objections to
11 considering these items together and approving the
12 orders?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the
15 orders are approved.

16 Item E-20 concerns a rulemaking,
17 amending Part 305 of the Commission Rules on
18 construction of electric power and communication
19 lines. The proposed amendments to Section 305.20
20 would adopt and incorporate by reference certain
21 portions of the 2017 edition of the National
22 Electrical Safety Code. The order adopts the

1 proposed amendments for second notice and authorize
2 their submission to the Joint Committee on
3 Administrative Rules. No comments were received
4 during the first notice period on this proposal.

5 Are there any objections to
6 approving the second notice order?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the
9 order is approved.

10 Item E-21 concerns an application
11 for a license to operate as a retail electric
12 agent, broker, and consultant in Illinois. The
13 order grants the license, finding that the applicant
14 meets the requirements.

15 Are there any objections to
16 approving the order?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the
19 order is approved.

20 Item E-22 concerns an application
21 for authority to install energy efficiency measures
22 in Illinois. The order denies the certificate,

1 finding that the application was deficient, and the
2 applicant failed to cure the deficiencies as
3 requested by the Administrative Law Judge.

4 Are there any objections to
5 approving the order?

6 (No verbal response.)

7 CHAIRWOMAN ZALEWSKI: Hearing none, the
8 order is approved.

9 Item E-23 concerns a petition to
10 cancel a certificate of authority to install energy
11 efficiency measures of -- measures in Illinois.
12 The order cancels the certificate, finding that the
13 cancellation will not deprive any Illinois customer
14 of service.

15 Are there any objections to
16 approving the order?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the
19 order is approved.

20 Items E-24 through E-30 concern
21 applications for certification to install energy
22 efficiency measures in Illinois. The orders grant

1 the certificates, finding that the applicants meet
2 the requirements.

3 Are there any objections to
4 considering these items together and approving the
5 orders?

6 (No verbal response.)

7 CHAIRWOMAN ZALEWSKI: Hearing none, the
8 orders are approved.

9 Under the Gas Items, Item G-1
10 concerns Nicor Gas' filing to revise the
11 information sheet timeline for Rider 38, or volume
12 balancing adjustment, or Rider VBA, to allow
13 additional information sheet adjustments to its VBA
14 on other than an annual basis. Commission staff
15 recommends not suspending the filing.

16 Are there any objections to not
17 suspending the filing?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the
20 filing is not suspended.

21 Item G-2 concerns Nicor Gas'
22 proposed Revenue-Neutral Tariff filings to address

1 issues arising from the storage study. The
2 Commission granted rehearing in this docket for the
3 limited purpose of modifying the portion of the
4 final order, addressing the time frame for Nicor
5 Gas to submit an evaluation of the optimal customer
6 size limit for daily read accounts served by a
7 group manager under the Company's Rider 13. On
8 July 6th of 2021, Nicor Gas filed a stipulation
9 signed by the parties, has resolved all issues on
10 rehearing.

11 The order on rehearing approves
12 this stipulation, finding that settling this matter
13 on the terms set forth in the stipulation is fair
14 and equitable to all customers and all parties.

15 Are there any objections to
16 approving the order?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the
19 order is approved.

20 Item G-3 concerns a petition to
21 cancel Champion Energy's certificate of service
22 authority to operate as an alternative gas

1 supplier. The order cancels this certificate,
2 finding that cancellation will not deprive Illinois
3 residents of any necessary service and is not,
4 otherwise, contrary to the public interest.

5 Are there any objections to
6 approving the order?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the
9 order is approved.

10 Item G-4 concerns North Shore Gas
11 proposed increase in rates for gas distribution
12 service. We'll be holding this matter for later
13 disposition.

14 Item G-5 concerns Nicor Gas
15 proposed general increase in rates and revisions to
16 other terms and conditions of service. The
17 Commission suspended this filing until June 12th of
18 2021. However, the Commission has not concluded
19 its investigation yet and needs to extend the
20 suspension for another six months. The order
21 extends the suspension period until December 12th
22 of 2021.

1 Are there any objections to
2 approving the order?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the
5 order is approved.

6 Item G-6 concerns Tylex, Inc.'s
7 petition for confidential treatment of Petitioner's
8 financial statements. The Commission has already
9 granted confidential treatment to the information
10 the Petitioner seeks to protect in another docket,
11 and the Petitioner filed a motion to withdraw.

12 Are there any objections to
13 granting the motion to withdraw?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the
16 motion is granted.

17 Items G-7 and G-8 concern
18 complaints against Constellation New Energy. In
19 both dockets the parties settled all issues and
20 filed stipulations and joint motions to dismiss
21 with prejudice.

22 Are there any objections to

1 considering these items together and granting the
2 motions to dismiss?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the
5 motions are granted.

6 Item G-9 concerns a petition for
7 confidential treatment of Petitioners report. The
8 order grants the protections finding that the
9 information is highly proprietary and confidential.

10 Are there any objections to
11 approving the order?

12 (No verbal response.)

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

15 Under the Telecommunications Items,
16 Item T-1 concerns American Fiber Network's
17 application for a certificate to become a
18 telecommunications carrier. The order grants the
19 certificate, finding that the applicant meets the
20 licensing requirements.

21 Are there any objections to
22 approving the order?

1 (No verbal response.)

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

4 Item T-2 concerns a petition for
5 confidential treatment of petitioner's report. The
6 order grants the protections, finding that the
7 information is highly proprietary and confidential.

8 Are there any objections to
9 approving the order?

10 (No verbal response.)

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

13 Under the Water and Sewer Items,
14 Item W-1 concerns the Illinois American Water's
15 reconciliation for the Riders VBA or the volume
16 balancing adjustment for calendar year 2019 for
17 Zone 1: Pekin, Lincoln, and Chicago metro
18 wastewater districts. The order approves
19 reconciliations as summarized in the appendix to
20 the order, finding the expenditures prudent.

21 Are there any objections to
22 approving the order?

1 (No verbal response.)

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

4 Item W-2 concerns the Illinois
5 American Water's application for approval of the
6 purchase of certain water distribution assets of
7 Jim McDonald Sales Inc., an establishment of
8 customer rates, and rate-making rate base.

9 The interim order before us to
10 approve the engagement agreements for the
11 appraisers who will determine the market value of
12 the portions of the water systems to be acquired
13 from McDonald Sales Inc.

14 Are there any objections to
15 approving the interim order?

16 (No verbal response.)

17 CHAIRWOMAN ZALEWSKI: Hearing none, the
18 order's approved.

19 Under Miscellaneous items, Item M-1
20 concerns RCN Telecom Services' requests for
21 authorization to use, occupy, and construct
22 facilities in the public rights-of-way, for the

1 delivery of cable and video services and for
2 State-issued authority to provide cable and video
3 services in the existing WideOpenWest Illinois LLC
4 service area footprint. The Commission Staff has
5 reviewed the application. Staff and the
6 Administrative Law Judge recommended the Commission
7 grants the authorization.

8 Are there any objections to
9 granting the authorization?

10 (No verbal response.)

11 CHAIRWOMAN ZALEWSKI: Hearing none, the
12 authorization is granted.

13 Under Other Business, Item O-1
14 concerns approval of batches, contracts, and
15 confirmations under the Illinois Adjustable Block
16 Program.

17 Are there any objections to
18 approving the program administrator's submissions?

19 (No verbal response.)

20 CHAIRWOMAN ZALEWSKI: Hearing none, these
21 submissions are approved.

22 This concludes our Public Utilities

1 Agenda.

2 Judge Teague-Kingsley, do we have
3 other matters to come before the Commission?

4 JUDGE TEAGUE-KINGSLEY: No, Madam
5 Chairwoman.

6 CHAIRWOMAN ZALEWSKI: Do Commissioners have
7 any other business to discuss?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing nothing, the
10 meeting is now adjourned. Thank you.

11 (Whereupon the above-entitled
12 matter was adjourned.)

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