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BEFORE THE
ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING
(PUBLIC UTILITIES)

Springfield, Illinois
Tuesday, September 22, 2015

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

PRESENT:

- MR. BRIEN J. SHEAHAN, Chairman
- MS. ANN McCABE, Commissioner (by video)
- MR. MIGUEL DEL VALLE, Commissioner (by video)
- MS. SHERINA E. MAYE, Commissioner (by video)
- MR. JOHN R. ROSALES, Commissioner (by video)

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

1 PROCEEDING

2 CHAIRMAN SHEAHAN: Pursuant to the Open
3 Meetings Act, I call the September 22, 2015, Open
4 Meeting of the Illinois Commerce Commission to order.

5 I am Chairman Sheahan. I'm in Springfield.
6 Commissioners McCabe, del Valle, Maye, and Rosales
7 are present in Chicago and present via
8 videoconference. We have a quorum.

9 We have no requests to speak and will
10 therefore move into our regular Public Utility
11 Agenda.

12 We have no minutes today, so we'll move into
13 our Electricity Agenda.

14 Item E-1 involves Ameren's filing to rename
15 its Rider Peak Time Rebate to Rider Peak Time
16 Rewards.

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

19 (No response.)

20 CHAIRMAN SHEAHAN: Hearing none, the filing
21 is not suspended.

22 Item E-2 commences ComEd's reconciliation of
23 revenues collected its power procurement riders.

24 Are there any objections to approving the

1 proposed Order?

2 (No response.)

3 CHAIRMAN SHEAHAN: Hearing none, the Order
4 is approved.

5 Item E-3 involves a billing complaint filed
6 against ComEd.

7 Are there any objections to approving the
8 proposed Order denying the complaint?

9 (No response.)

10 CHAIRMAN SHEAHAN: Hearing none, the Order
11 denying the complaint is approved.

12 Item E-4 involves a billing complaint filed
13 by ComEd -- filed against ComEd. Pardon me.

14 Are there any objections to granting the
15 parties' Joint Motion to Dismiss?

16 (No response.)

17 CHAIRMAN SHEAHAN: Hearing none, the Joint
18 Motion to Dismiss is granted.

19 Items E-5 and 6 concern Applications for
20 Certifications as Installers of Distributed
21 Generation and Electric Charging Station Facilities.

22 Are there any objections to considering
23 these items together and approving the proposed
24 Orders?

1 (No response.)

2 CHAIRMAN SHEAHAN: Hearing none, the Orders
3 are approved.

4 Item E-7 involves EDF Industrial Power
5 Services' petition to protect a portion of its 2014
6 compliance report.

7 Are there any objections to approving the
8 proposed Order?

9 (No response.)

10 CHAIRMAN SHEAHAN: Hearing none, the Order
11 is approved.

12 Item E-8 involves MidAmerican's Application
13 seeking authority for the issuance and sale of up to
14 \$750,000,000 aggregate principal amount of Long-Term
15 Debt.

16 Are there any objections to approving the
17 Order?

18 (No response.)

19 CHAIRMAN SHEAHAN: Hearing none, the Order
20 is approved.

21 Moving on to our Gas Agenda.

22 Item G-1 concerns the approval of a
23 stipulation regarding a citation for alleged
24 violations of federal rules incorporated by the

1 Illinois Commerce Commission and the Public Utilities
2 Act.

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

5 (No response.)

6 CHAIRMAN SHEAHAN: Hearing none, the Order
7 is approved.

8 Item G-2 involves a billing complaint
9 against Peoples Gas.

10 Is there any objection to approving the
11 proposed Order and granting the parties' Joint Motion
12 to Dismiss?

13 (No response.)

14 CHAIRMAN SHEAHAN: Hearing none, the motion
15 is granted and the complaint is dismissed.

16 Item G-3 concerns Ameren's Application for
17 Temporary and Permanent Certificates of Public
18 Convenience and Necessity to Construct, Operate, and
19 Maintain a Natural Gas Distribution Main and Related
20 Facilities in Madison County.

21 Are there any objections to approving the
22 proposed Order?

23 (No response.)

24 CHAIRMAN SHEAHAN: Hearing none, the Order

1 is approved.

2 Moving on to our Telecommunication's Agenda.

3 Item T-1 is 1 800 Collect's Application for
4 a Certificate of Prepaid Calling Service Provider
5 Authority throughout Illinois.

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

8 (No response.)

9 CHAIRMAN SHEAHAN: Hearing none, the Order
10 is approved.

11 Item T-2 is the City of Marion's Emergency
12 Telephone System Board's Petition for Approval to
13 Dismiss its authority to operate as an Emergency
14 9-1-1 System.

15 Is there any objection to approving the
16 proposed Order?

17 (No response.)

18 CHAIRMAN SHEAHAN: Hearing none, the Order
19 is approved.

20 Item T-3 involves Williamson County
21 Emergency Telephone System Board's Petition for
22 Modification of its 9-1-1 Emergency Telephone Number
23 System.

24 Is there any objection to approving the

1 proposed Order?

2 (No response.)

3 CHAIRMAN SHEAHAN: Hearing none, the Order
4 is approved.

5 Moving on to our Water and Sewer Agenda.

6 Item W-1 concerns Illinois-American Water's
7 filing to add a Landlord Service Agreement in
8 accordance with the Illinois Administrative Code.

9 Are there any objections to not suspending
10 the filing?

11 (No response.)

12 CHAIRMAN SHEAHAN: Hearing none, the filing
13 is not suspended.

14 Item W-2 concerns the approval of water and
15 sewer rate increases proposed by Utility Services of
16 Illinois.

17 Commissioner del Valle, I believe you may
18 have a question.

19 COMMISSIONER DEL VALLE: Yes. Thank you,
20 Mr. Chairman. I have some questions.

21 Good morning.

22 JUDGE JORGENSEN: Good morning.

23 COMMISSIONER DEL VALLE: Upon review of the
24 record, it appears that two requests for public

1 forums were properly submitted pursuant to Section
2 8-306(n) of the PUA. One was submitted January 22,
3 2015, and the second was submitted March 13, 2015.

4 When was the ALJ aware of the request for
5 the public forum?

6 JUDGE JORGENSON: Sure.

7 Before I answer your question, I would like
8 to let you know that 627 public comments have been
9 filed on the e-Docket.

10 But with respect to your question,
11 concerning the first request, I wasn't aware of that
12 request until Staff filed its Motion to Deny the
13 public request. And I've since learned that,
14 consistent with Commission practice, the letter was
15 directed to the Clerk's office, and the Clerk's
16 office forwarded it on to the Chief ALJ and Executive
17 Director at the time.

18 COMMISSIONER DEL VALLE: So when did the
19 Staff submit its Motion to Dismiss?

20 JUDGE JORGENSON: That was July 17th, I
21 believe.

22 COMMISSIONER DEL VALLE: July 17th.

23 Do you know why Staff waited in the case of
24 the first request over six months to respond on the

1 record?

2 JUDGE JORGENSEN: I am not certain.

3 COMMISSIONER DEL VALLE: You don't know?

4 JUDGE JORGENSEN: No.

5 COMMISSIONER DEL VALLE: Why did it take so
6 long for the request to be addressed on the record?

7 JUDGE JORGENSEN: Well, I would first like
8 to note that with respect -- are you talking about
9 just the first one or the second request? Or both?

10 COMMISSIONER DEL VALLE: Both.

11 JUDGE JORGENSEN: Okay. With respect to the
12 second request, I wanted to note that I became aware
13 of that request on March 2nd. And the response
14 attached to the Galena Territory Association's
15 response to the Motion to Deny indicates that the day
16 after I got the request, it was forwarded on to the
17 Chief ALJ. And then they filed the letter on
18 March 16th. And I also informed the Chief ALJ about
19 that letter. And the response also shows that on
20 April 2nd, Staff responded and let them know that
21 they were not able to hold the forum. So I don't
22 think it took a long time. And our practice has not
23 been to formally respond to these requests.

24 COMMISSIONER DEL VALLE: We don't formally

1 respond --

2 JUDGE JORGENSEN: No. It's usually handled,
3 you know, the ALJ gets the request and forwards it to
4 the Chief ALJ or it comes in through the Chief --
5 through the Clerk's office, and that's forwarded to
6 the Chief ALJ and Executive Director.

7 COMMISSIONER DEL VALLE: So I know in the
8 past several years we have had public forums for
9 water rate cases.

10 How were those handled? Was there formal
11 response to those?

12 JUDGE JORGENSEN: No.

13 To my knowledge, this motion filed by Staff
14 was the first time we have handled it that way.
15 Normally, the party is informed whether or not we'll
16 have the forum by e-mail or phone or something like
17 that.

18 COMMISSIONER DEL VALLE: Okay. I have seen
19 the record, the document outlying the cost of the
20 public forum. And it puts the cost at \$1,600 and
21 \$1,000 per forum.

22 Who determines whether the Commission can
23 afford to hold a public forum?

24 JUDGE JORGENSEN: That's a good question.

1 I am not sure if this issue has come up
2 before regarding the public forum. But I do know in
3 this case it's my understanding that the Executive
4 Director initially made the decision regarding
5 Galena's request.

6 COMMISSIONER DEL VALLE: My last question.

7 JUDGE JORGENSEN: Sure.

8 COMMISSIONER DEL VALLE: At this stage, if
9 three or more Commissioners wanted to hold public
10 forums pursuant to this request, is it too late to do
11 so now?

12 JUDGE JORGENSEN: With respect to the final
13 Order -- I am sorry. With respect to the final
14 Order, it is, because the deadline is October 6th,
15 and the next meeting is September 30th, I believe.
16 And the Act also requires 30-day notice. So there
17 wouldn't be enough time for the final Order, which I
18 think is the reason why Galena Territory is
19 requesting that the Commission order -- direct Staff
20 to have a public forum and then later grant rehearing
21 so that those comments can be considered in an Order
22 on rehearing.

23 COMMISSIONER DEL VALLE: Could this request
24 for a public forum have been brought to the

1 Commission in a more timely manner?

2 JUDGE JORGENSEN: Um.

3 COMMISSIONER DEL VALLE: Given that now it's
4 too late.

5 JUDGE JORGENSEN: I don't know. Because I
6 guess if we changed our process, it could have --

7 COMMISSIONER DEL VALLE: If we changed the
8 process?

9 JUDGE JORGENSEN: But right now, you know, I
10 think it was -- I think the responses were addressed
11 pretty quickly.

12 COMMISSIONER DEL VALLE: Thank you.

13 JUDGE JORGENSEN: No problem.

14 CHAIRMAN SHEAHAN: Are there any other
15 questions regarding this item?

16 (No response.)

17 CHAIRMAN SHEAHAN: Is there any objection to
18 approving the proposed Order?

19 (No response.)

20 CHAIRMAN SHEAHAN: Hearing none, the Order
21 is approved.

22 Moving on to Other Business, we have one
23 other item of business. This concerns an update on
24 the status of transmission cost allocation

1 proceedings before the FERC.

2 COMMISSIONER MAYE: Mr. Chairman.

3 CHAIRMAN SHEAHAN: Yes, Commissioner.

4 COMMISSIONER ROSALES: The request for
5 public forum, did you move on it?

6 CHAIRMAN SHEAHAN: I am sorry. I didn't. I
7 did not.

8 Given the ALJ's explanation, is there a
9 motion with respect to that request?

10 COMMISSIONER MAYE: Mr. Chairman, I move
11 that the request be denied.

12 CHAIRMAN SHEAHAN: Is there a second?

13 COMMISSIONER ROSALES: Second.

14 CHAIRMAN SHEAHAN: All those in favor, say
15 aye.

16 (Chorus of ayes heard.)

17 CHAIRMAN SHEAHAN: Opposed, say nay.

18 (No response.)

19 CHAIRMAN SHEAHAN: The ayes have it and the
20 request is denied.

21 Thank you, Commissioner for pointing that
22 out.

23 Moving back to Other Business. Our
24 discussion of FERC Docket EL05-121-009 involves

1 potential litigation. And so we'll enter closed
2 session for our discussion.

3 Is there a motion to enter closed session?

4 COMMISSIONER MCCABE: So moved.

5 COMMISSIONER MAYE: Second.

6 CHAIRMAN SHEAHAN: All those in favor, say
7 aye.

8 (Chorus of ayes.)

9 CHAIRMAN SHEAHAN: Opposed, say nay.

10 (No response.)

11 CHAIRMAN SHEAHAN: The ayes have it and
12 we'll enter closed session.

13 (Pages 15 - 23 of the proceedings
14 are contained in a separate closed
15 transcript.)

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CONTINUATION OF PROCEEDINGS

CHAIRMAN SHEAHAN: For the record, we are
back in open session.

Judge Kimbrel, do we have any other matters
to come before the Commission this morning?

JUDGE KIMBREL: No, Mr. Chairman.

CHAIRMAN SHEAHAN: Commissioners, do any of
you have any new business this morning?

(No response.)

CHAIRMAN SHEAHAN: Hearing that we have
none, the meeting stands adjourned. Thank you.

REGULAR OPEN MEETING 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 hearing 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