

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 UTILITIES REGULAR OPEN MEETING
Thursday, September 30, 2021
Chicago, Illinois

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

PRESENT:

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

BRIDGES COURT REPORTING
BY: Stephen Mortensen,
Notary Public

1 CHAIRWOMAN ZALEWSKI: Good morning, are we
2 ready to proceed in Springfield?

3 CLERK: Yes we are, Madam Chair.

4 CHAIRWOMAN ZALEWSKI: Thank you. Then under
5 the Open Meetings Act, I call the September 30th,
6 2021, Regular Open Meeting to order.

7 Commissioners Bocanegra, Carrigan,
8 and Kimbrel are with me in Chicago. We have a
9 quorum.

10 We have no requests to speak.

12 There are edits to the August 27th
13 and September 8th Public Utilities Special Open
14 Meeting Minutes and to the September 2nd Regular
15 Open Meeting Minutes. There are also edits to the
16 September 14th Supplier Diversity Policy Session
17 Meeting Minutes.

18 Are there any objections to
19 approving the minutes as edited?

20 (No verbal response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the
22 minutes are approved.

1 THE COURT REPORTER: I'll be getting a
2 script from you afterwards, right?

3 CHAIRWOMAN ZALEWSKI: You will.

4 THE COURT REPORTER: We're okay.

5 CHAIRWOMAN ZALEWSKI: Okay. I'm happy to
6 repeat if necessary, too. Okay.

7 Under Electric Items, Item E-1
8 concerns the initiation of a proceeding to
9 determine disposition of certain customer-owned
10 overhead lines in ComEd's territory. Staff has
11 produced a report dated September 20th of 2021, in
12 which Staff recommends that the Commission initiate
13 a proceeding to determine whether ComEd should
14 assume ownership, operation, and maintenance of the
15 customer-owned portions of the overhead primary
16 service connection lines. The Order accepts the
17 recommendations contained in the Staff Report and
18 initiates the proceeding.

19 Are there any objections to
20 approving the Order?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 Order is approved.

2 Item E-2 concerns Docket 20-0310,
3 which is the moratorium on in-person marketing of
4 services by alternative retail electric suppliers
5 during the public health emergency in this docket,
6 requesting an interim order permitting in-person
7 solicitation by ARES in Illinois upon the
8 commencement of Phase 5 of Restore Illinois subject
9 to certain conditions. Reliant/Green Mountain
10 and RESA opposed two of the Staff's
11 conditions, Conditions (a) and (b). Condition (a)
12 requires full vaccination of any persons engaged in
13 in-person solicitation. Condition (b) requires
14 face covering during an in-person solicitation.

15 The Order rejects Staff's Condition (a)
16 to require full vaccination but adopts a
17 modified Condition (b), finding that a mask
18 requirement is reasonable at this time because the
19 Commission is not mandating that all employees,
20 sales agents, or representatives engaged in
21 in-person solicitation must be fully vaccinated.

22 There are substantive edits to the

1 Order. The edits adopt a modified Condition (a)
2 that requires that the ARES ensure that all their
3 employees, sales agents, or representatives engaged
4 in in-person solicitation are either fully
5 vaccinated or have a negative COVID test result
6 prior to in-person visits.

7 I move the edit.

8 Is there a second?

9 COMMISSIONER BOCANEGRA: Second.

10 CHAIRWOMAN ZALEWSKI: Are there any
11 objections to adopting the edits?

12 (No verbal response.)

13 CHAIRWOMAN ZALEWSKI: Hearing none, the
14 edits are approved.

15 Are there any objections to
16 approving the Order as edited?

17 (No verbal response.)

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

20 Items E-3 and E-5 concern requests for
21 proprietary treatment of information in the
22 petitioner's reports. The Orders grant the

1 protection, finding that the information is highly
2 proprietary and confidential.

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 Items E-6 through E-8 concern
10 application for certification to install
11 distributed generation facilities in Illinois. The
12 Orders grant the certificates, finding that the
13 applicants meet the licensing requirements.

14 Are there any objections to
15 considering these items together and approving the
16 Orders?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the
19 Orders are approved.

20 Item E-9 concerns ComEd's annual update to
21 DG rebate revenue requirement and determination of
22 DG adjustments. The Order approved ComEd's

1 reconciliation of actual costs for 2020. The
2 Order, among other, finds prudent and reasonable
3 the total of the estimated rebate amounts to be
4 incurred in the 2021 year in the amount of
5 \$59.5 million.

6 Are there any objections to
7 approving the Order?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, the
10 Order is approved.

11 Item E-10 concerns a complaint
12 against Direct Energy as to unauthorized services.
13 The parties settled all issues and filed a joint
14 Motion to Dismiss.

15 Are there any objections to
16 granting the joint Motion to Dismiss?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none the
19 Motion to Dismiss is granted.

20 Items E-11 and E-12 concern
21 applications for certifications to install
22 energy efficiency measures in Illinois. The Orders

1 grant the certificates, finding that the applicants
2 meet 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 Moving on to our Gas Items. Item G-1
10 concerns Docket 20-0311, which is the moratorium on
11 in-person marketing of services by alternative gas
12 suppliers during the public health emergency in
13 this docket, requesting an interim order permitting
14 in-person solicitation by AGS in Illinois upon the
15 commencement of Phase 5 of Restore Illinois
16 subject to certain conditions. The AGS approved
17 two, excuse me, opposed two of Staff's conditions,
18 Conditions (a) and (b). Condition (a) requires full
19 vaccination of any persons engaged in in-person
20 solicitation. Condition (b) requires face
21 coverings during in-person solicitation.

22 The Order rejects Staff's

1 Condition (a), to require full vaccinations but
2 adopts a modified Condition (b), finding that a
3 mask requirement is reasonable at this time because
4 the Commission is not mandating that all employees,
5 sales agents, or representatives engaged in
6 in-person solicitation must be fully vaccinated.

7 There are substantive edits to the
8 Order. The edits adopt a modified Condition (a)
9 that requires that the AGS ensure that all of their
10 employees, sales agents, or representatives engaged
11 in in-person solicitation are either fully
12 vaccinated or have a negative COVID test result
13 prior to in-person visits.

14 I move the edits. Is there a
15 second?

16 COMMISSIONER BOCANEGRA: I'll second.

17 CHAIRWOMAN ZALEWSKI: Are there any
18 objections to adopting the edits?

19 (No verbal response.)

20 CHAIRWOMAN ZALEWSKI: Hearing none, the edits
21 are adopted.

22 Are there new objections to

1 approving the edits, excuse me, approving the Order
2 as edited?

3 (No verbal response.)

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

6 Item G-2 concerns a complaint
7 against Peoples Gas regarding overcharge. The
8 Order denies the complaint, finding that the
9 complainant is being charged at the correct weight.

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 Item G-3 concerns a request for
16 proprietary treatment of information in the
17 petitioner's report. The Order grants the
18 protection of finding that the information is
19 highly proprietary and confidential.

20 Are there any objections to
21 approving the Order?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the
2 Order is approved.

3 Item G-4 concerns Ameren's
4 reconciliation of the 2020 volume balancing
5 adjustment under Rider VBA. The Order approved the
6 reconciliation as specified in the appendix to the
7 Order.

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 Moving on to our Telecommunications
14 Items. Item T-1 concerns a petition to withdraw
15 certificates of local and interexchange authority.
16 This docket may be dismissed as moot since the
17 relief requested in this docket has already been
18 granted in a different docket.

19 Are there any objections to
20 dismissing this docket as moot?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 document is dismissed.

2 Item T-2 concerns application for
3 designation as an eligible telecommunications
4 carrier for the purpose of receiving federal and
5 universal service support for Lifeline. The Staff
6 reviewed the application and recommends approving
7 it. The Order approves the application.

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 Item T-3 concerns a request for
14 proprietary treatment of information in the
15 petitioner's report. The Order grants the
16 protection, finding that the information is highly
17 proprietary and confidential.

18 Are there any objections to
19 approving the Order?

20 (No verbal response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the
22 Order is approved.

1 Item T-4, concerns a petition for
2 withdrawal of MCImetro Access Transmission
3 Services Corporation Service, excuse me,
4 Corporation's Certificate of Service Authority, and
5 issuance of a Certificate of Service Authority for
6 MCImetro Access Transmission Services, LLC. The
7 Order grants the petition.

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 Item T-5 concerns cancellation of
14 Mobilitie Management's certificate of exchange
15 service authority to provide facilities-based local
16 telecommunications services. Petitioner does not
17 offer any intrastate telecommunications services in
18 Illinois, does not plan to do so in the future, and
19 has no customers in Illinois. The Order cancels
20 the certificate.

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 Under Water and Sewer Items.
5 Item W-1 concerns Illinois-American Water's application
6 for approval of its annual reconciliation of
7 purchased water and purchased sewage treatment
8 surcharges. The Order approves the reconciliation
9 for 2019, finding that the reconciliation, as
10 adjusted in appendices to the Order, reasonable and
11 accurate.

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 W-2 concerns Illinois-American
18 Water's petition for initiation of reconciliation
19 for the 2019 invested capital tax or ICT. The Order
20 approves the reconciliation, finding that the
21 company has appropriately reconciled its ICT
22 riders for the reconciliation year.

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 Moving on to our Other Business
7 Items. Item O-1 concerns approval of batches,
8 contracts, and confirmations under the Illinois
9 Solar for All Program.

10 Are there any objections to
11 approving the program administrator's submissions?

12 (No verbal response.)

13 CHAIRWOMAN ZALEWSKI: Hearing none, the
14 submissions are approved.

15 Item O-2 concerns various items
16 necessary to comply with the requirements of
17 Public Law 102-0662. On September 15th of 2021,
18 Governor Pritzker signed legislation that will
19 further the State of Illinois' goals of
20 transitioning the State to 100 percent clean
21 energy, supporting a responsible transition away
22 from carbon intensive power generation, increasing

1 public participation in regulatory matters, and
2 encouraging further diversity and inclusion within
3 the renewable energy industry.

4 In the Staff Report dated
5 September 24th of 2021, Staff recommended the
6 Commission take various actions to begin to implement
7 programs, initiatives, and directives contemplated by
8 Public Act 102-0662. Because there are a number of
9 recommendations, I will describe each
10 recommendation individually and then call a vote
11 for that recommendation.

12 The first recommendation contained
13 in the Staff Report concerns beneficial
14 electrification. Public Law 102-0662 creates a new
15 provision codified at 20 ILCS 627/45, intended to
16 increase access to electric vehicles for all
17 citizens of Illinois with the goal of increasing
18 the adoption of the electric vehicles within the
19 State to 1 million by 2030. The statute requires
20 the Commission to initiate workshops no later than
21 November 30th of 2021 to conclude no later than
22 February 28th of 2022 to solicit input from a

1 diverse group of stakeholders, including
2 representatives of environmental justice and
3 low-income communities on the design of beneficial
4 electrification programs to be offered by ComEd and
5 Ameren.

6 Staff recommends the Commission
7 direct Staff to initiate a workshop process to
8 discuss beneficial electrification programs in
9 Illinois no later than November 30th of 2021.

10 Staff further recommends the Commission authorize
11 Staff, should Staff find it advantageous and
12 practicable, to engage a facilitator to conduct the
13 workshops. Staff further recommends the Commission
14 direct Staff to conclude the workshops by February
15 28th of 2022 and to file a report on the workshop
16 process no later than March 31st of 2022.

17 Are there any objections to
18 directing Staff to, first, initiate a workshop
19 process to discuss beneficial electrification
20 programs by November 30th of 2021, to be concluded
21 no later than February 28th of 2022; to, second,
22 direct Staff to file a report on the workshop

1 process no later than March 31st of 2022; and,
2 third, to authorize Staff to engage a facilitator
3 to conduct the workshops?

4 (No verbal response.)

5 CHAIRWOMAN ZALEWSKI: Hearing none, the
6 recommendation is approved.

7 The second recommendation in the
8 Staff Report concerns energy efficiency. Revisions
9 to 220 ILCS 5/8-103B allow large private energy
10 customers to opt out of mandated energy efficiency
11 programs. On or before September 30th of 2021, the
12 Commission is to prescribe the form for notice
13 required for opting out of energy efficiency
14 programs. Appended to the Staff Report is a form of
15 notice to allow large private energy customers to
16 opt out of EE programs. Staff recommends the
17 Commission approve this form as the opt-out form
18 for large private energy customers.

19 Are there any objections to
20 prescribing the form appended to the Staff Report
21 as the form to be used by large private energy
22 customers who wish to inform ComEd or Ameren of

1 their intention to opt out of electric energy
2 efficiency programs?

3 (No verbal response.)

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

6 The third recommendation in the Staff Report
7 concerns a newly created intervenor compensation
8 fund intended to enable consumer interest
9 representatives increased opportunities to
10 participate in Commission proceedings by allowing
11 representatives who meet certain criteria, certain
12 qualifications, rather, to apply to have some
13 portion of their participation expenses paid for by
14 the fund. Staff notes that pursuant to the
15 statute, the Illinois Procurement Code does not
16 apply to the hiring and payment of the
17 administrator. Staff recommends the Commission
18 direct Staff to develop selection criteria and
19 requirements for the third-party administrator and,
20 subject to appropriations, issue a request for
21 qualifications for a third-party administrator
22 based on those requirements and criteria, and

1 select a third-party administrator for Commission
2 approval.

3 Are there any objections to
4 directing Staff to develop the selection criteria
5 and requirements for the third-party administrator,
6 and, subject to appropriations, issue a request for
7 qualifications for a third-party administrator
8 based on those requirements and criteria, and
9 select the third-party administrator for Commission
10 approval?

11 (No verbal response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none, the
13 recommendation is approved.

14 The fourth recommendation concerns
15 the directive that the Commission establish an
16 interconnection working group which should include
17 stakeholders with a substantial interest in
18 interconnection. Staff notes that, on
19 September 14th of 2021, Staff filed a report in
20 Docket 20-0700, the Commission's ongoing rulemaking
21 to amend Code Parts 466 and 467, the Commission's
22 interconnection rules. In that report, Staff

1 indicated its indication, excuse me, its intention
2 to initiate the discussion about the transition to
3 IEEE Standard 1547-2018, as directed by the
4 Commission in its second notice Order in Docket
5 20-0700. Staff notes it has scheduled a first
6 workshop for October 28th, 2021, from 10:00 a.m. to
7 12:00 p.m. and believes that the participants in
8 the workshop will be substantially the same as
9 those that would be part of the interconnection
10 working group. Staff recommends that it be
11 directed to conduct the planned 1547-2018 as the
12 first actions of the interconnection working group
13 and then expand workshops to include other
14 interconnection topics.

15 Are there any objections to
16 directing Staff to continue with the planned
17 workshops on IEEE 1547-2018 and to expand workshops
18 to include other interconnection issues, and to
19 consider these workshop participants, as well as any
20 other interested individuals, to be in the
21 interconnection working group as that term is used
22 in PA 102-0662?

1 (No verbal response.)

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

4 The final recommendation in the Staff Report
5 concerns the development of performance and
6 tracking measures for ComEd and Ameren to
7 transition from current formula rates to a
8 performance-based rate structure. The Commission
9 is required to initiate a workshop to discuss
10 performance and tracking measures no later than
11 September 30th of 2021. The Commission must
12 initiate workshops to develop performance and
13 tracking measures, and workshops must conclude no
14 later than October 31st of 2021.

15 Are there any objections to
16 directing Staff to conduct a workshop process to
17 conclude no later than October 31st of 2021 to
18 develop metrics for performance-based ratemaking
19 and to further direct Staff to file a report with
20 the Commission at the conclusions of these
21 workshops?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the
2 recommendation is approved.

3 The Commission notes that Staff has
4 created a web page to share information about
5 programs and activities associated with the
6 implementation of Public Act 102-0662. The link
7 for the website can be found on the Commission's
8 website under the public notice and projects
9 banner. Staff is directed to file its
10 September 24th 2021 Staff Report on that webpage.

11 This concludes our Public Utilities
12 Agenda.

13 Judge Teague Kingsley, do we have
14 any other matters to come before the Commission
15 today?

16 JUDGE KINGSLEY: No, Madam Chair.

17 CHAIRWOMAN ZALEWSKI: Do other Commissioners
18 have business to discuss?

19 (No verbal response.)

20 CHAIRWOMAN ZALEWSKI: I just want to make
21 one announcement. On September 20th,
22 Governor JB Pritzker announced \$327 million in funds

1 are now available for the State's Low Income Home Energy
2 Assistance Program or LIHEAP and Community Services
3 Block Grant Programs. LIHEAP provides funding for
4 low income residents for home energy services. The
5 funding amount is \$52 million higher than last
6 year, roughly a 20 percent increase. Last year,
7 Illinois expanded LIHEAP eligibility to make funds
8 more available for those who need them. To enroll
9 in LIHEAP, apply at helpillinoisfamilies.com or
10 call 1-877-411-WARM or 9276.

11 Without other objections or comments,
12 the meeting is now adjourned. Thanks.

13 (Which were all the proceedings had
14 at this time, date, and place.)