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BEFORE THE
ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING
(PUBLIC UTILITIES)

Springfield, Illinois
Wednesday, January 25, 2017

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

- PRESENT:
- MR. BRIEN J. SHEAHAN, Chairman
 - MR. JOHN R. ROSALES, Commissioner
 - MR. MIGUEL del VALLE, Commissioner
 - MS. SHERINA MAYE EDWARDS, Commissioner
 - MS. SADZI OLIVA, Acting Commissioner
- Midwest Litigation Services, by
Dorothy J. Hart, Reporter
CSR #084-001390

1 PROCEEDINGS

2 COMMISSIONER EDWARDS: Pursuant to the
3 Open Meetings Act, I call the January 25th, 2017,
4 Regular Open Meeting to order.

5 On behalf of the Chairman and my fellow
6 Commissioners, I would like to take just a moment
7 to welcome our newest member of the ICC, Acting
8 Commissioner Oliva. Effective January 17th, 2017,
9 Governor Rauner appointed Sadzi Martha Oliva to a
10 five-year term.

11 Acting Commissioner Oliva comes to the
12 Commission from the Illinois Department of
13 Financial and Professional Regulation, where she
14 served most recently as General Counsel but also
15 previously served as Ethics Officer, Administrative
16 Law Judge, and Chief of Medical Prosecutions, and
17 also as Chief ALJ at the Illinois Department of
18 Children and Family Services.

19 Acting Commissioner Oliva earned a JD
20 from Loyola University School of Law and a BA from
21 DePaul University.

22 Her appointment to the ICC has helped
23 us shatter yet another glass ceiling, as she is the
24 first Latina to serve in this role, which speaks to

1 our Governor's continued commitment to diversity.
2 Her arrival also makes this Commission, with now
3 three Latinos, one African-American, two women, and
4 one Irish-American, without a doubt, the most
5 diverse public utilities commission in the nation.

6 Please join me in welcoming Acting
7 Commissioner Oliva to the ICC.

8 (Applause)

9 ACTING COMMISSIONER OLIVA: Thank you.

10 COMMISSIONER EDWARDS: Commissioner
11 Rosales and Acting Commissioner Oliva are present
12 with me in Springfield. Commission del Valle is
13 present in Chicago. We do have a quorum. Chairman
14 Sheahan is participating by phone.

15 Mr. Chairman, are you there?

16 CHAIRMAN SHEAHAN: I am. Thank you.

17 COMMISSIONER EDWARDS: Good morning.

18 CHAIRMAN SHEAHAN: Good morning.

19 COMMISSIONER EDWARDS: I move to allow
20 Chairman Sheahan to participate by phone. Is there
21 a second?

22 COMMISSIONER ROSALES: Second.

23 COMMISSIONER EDWARDS: Any discussion?

24 (No response)

1 COMMISSIONER EDWARDS: All those in
2 favor, say aye.

3 (Chorus of ayes.)

4 COMMISSIONER EDWARDS: Opposed, say
5 nay.

6 (No response)

7 COMMISSIONER EDWARDS: The ayes have it
8 and Chairman Sheahan has permission to participate
9 by phone.

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

12 There are no minutes to approve on this
13 week's Public Utility agenda. Therefore, we will
14 move on to our Electric items.

15 Item E-1 concerns ComEd's
16 revenue-neutral tariff changes related to rate
17 design.

18 Are there any objections to approving
19 the proposed Resuspension Order?

20 (No response)

21 COMMISSIONER EDWARDS: Hearing none,
22 the Resuspension Order is approved.

23 Item E-2 concerns CUB's Complaint
24 against ComEd regarding its 2015 AMI Implementation

1 Progress Report.

2 Is there a motion to approve the
3 proposed Order Dismissing the Complaint?

4 COMMISSIONER ROSALES: So moved.

5 COMMISSIONER EDWARDS: Is there a
6 second?

7 ACTING COMMISSIONER OLIVA: Second.

8 COMMISSIONER EDWARDS: Any discussion?

9 COMMISSIONER del VALLE: Yes,
10 Commissioner.

11 COMMISSIONER EDWARDS: Commissioner del
12 Valle, please proceed.

13 COMMISSIONER del VALLE: Thank you,
14 Commissioner.

15 As I stated when we first dismissed
16 this Complaint, the Commission has the
17 responsibility to take a close look and scrutinize
18 these expensive modernization programs on behalf of
19 the ratepayers and the General Assembly.

20 For the last two years, the Company has
21 submitted AMI Plan Updates that covered the
22 implementation and results for investments that
23 total over one billion dollars, and the Commission
24 doesn't even make a single comment on the

1 substance.

2 Based on this Order, the Commission
3 views its responsibility as merely determining
4 whether the plants -- plans are properly completed
5 and not whether they demonstrate an adequate level
6 of progress in implementing the expensive
7 modernization. The Commission is not applying an
8 appropriate level of engagement and scrutiny for
9 these programs.

10 In this docket, the Complaint raises
11 valid concerns regarding ComEd's AMI Plan and its
12 implementation.

13 For reasons discussed in a dissent I
14 will be filing, I think this Complaint is wrongly
15 dismissed. Accordingly, I will be voting no on
16 this Order.

17 COMMISSIONER EDWARDS: Thank you,
18 Commissioner del Valle.

19 All those in favor of approving the
20 proposed Order dismissing the Complaint, say aye.

21 (Chorus of ayes)

22 COMMISSIONER EDWARDS: Opposed, say
23 nay.

24 COMMISSIONER del VALLE: Nay.

1 COMMISSIONER EDWARDS: The ayes have it
2 and the Order is approved.

3 Items E-3 through E-5 concern Ameren,
4 ComEd, and DCEO's approval of their Energy
5 Efficiency Plans.

6 Are there any objections to considering
7 these items together and approving the proposed
8 Orders approving the plans?

9 (No response)

10 COMMISSIONER EDWARDS: Hearing none,
11 the Orders are approved.

12 Item E-6 concerns IDOT's Petition for
13 Use of Eminent Domain.

14 Are there any objections to approving
15 the Motion to Withdraw?

16 (No response)

17 COMMISSIONER EDWARDS: Hearing none,
18 the motion is granted.

19 Item E-7 concerns Black Hawk Resources'
20 Application for an ABC License.

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

23 (No response)

24 COMMISSIONER EDWARDS: Hearing none,

1 the Order is approved.

2 Item E-8 concerns a consumer complaint
3 against ComEd.

4 Are there any objections to granting
5 the Joint Motion to Dismiss?

6 (No response)

7 COMMISSIONER EDWARDS: Hearing none,
8 the motion is granted.

9 Item G-1 concerns North Shore and
10 Peoples Gas Reconciliation of revenues collected
11 under Riders EOA.

12 Are there any objections to approving
13 the proposed Order approving the Reconciliation?

14 (No response)

15 COMMISSIONER EDWARDS: Hearing none,
16 the Order is approved.

17 Item G-2 concerns a consumer complaint
18 against Peoples Gas.

19 Are there any objections to granting
20 the Motion to Withdraw?

21 (No response)

22 COMMISSIONER EDWARDS: Hearing none,
23 the motion is granted.

24 Item G-3 concerns Nicor's Application

1 for Approval of an Agreement with Sequent Energy
2 Management.

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

5 (No response)

6 COMMISSIONER EDWARDS: Hearing none,
7 the Order is approved.

8 Under our Telecommunications portion of
9 the agenda, Item T-1 concerns NetWolves Application
10 for a Telecom Carrier Certificate.

11 Are there any objections to approving
12 the proposed Order granting the Certificate?

13 (No response)

14 COMMISSIONER EDWARDS: Hearing none,
15 the Order is approved.

16 Items T-2 and T-3 concern Citations for
17 failure to maintain managerial resources and
18 abilities.

19 Are there any objections to considering
20 these items together and granting the Motions to
21 Dismiss?

22 (No response)

23 COMMISSIONER EDWARDS: Hearing none,
24 the motions are granted.

1 Items T-4 and T-5 concern Petitions for
2 Confidential Treatment of Annual Reports.

3 Are there any objections to considering
4 these items together and approving the proposed
5 Orders granting the Petitions?

6 (No response)

7 COMMISSIONER EDWARDS: Hearing none,
8 the Orders are approved.

9 Under Water, Item W-1 concerns IAWC's
10 Reconciliation of Purchased Water and Sewage
11 Treatment Surcharges.

12 Are there any objections to approving
13 the proposed Order Approving Reconciliation?

14 (No response)

15 COMMISSIONER EDWARDS: Hearing none,
16 the Order is approved.

17 Under Petitions for Rehearing, Item
18 PR-1 concerns Applications for Rehearing on IAWC's
19 rate increases.

20 The Commission will be holding this
21 item for disposition at a future meeting.

22 Item PR-2 concerns ComEd's Annual
23 Formula Rate Update.

24 Is there a motion to deny the

1 Application for Rehearing? Is there --

2 CHAIRMAN SHEAHAN: So moved.

3 COMMISSIONER EDWARDS: Thank you.

4 Is there a second?

5 COMMISSIONER ROSALES: Second.

6 COMMISSIONER EDWARDS: Any discussion?

7 (No response)

8 COMMISSIONER EDWARDS: All those in

9 favor of denying the Application for Rehearing, say

10 aye.

11 (Chorus of ayes)

12 COMMISSIONER EDWARDS: Opposed, say

13 nay.

14 (No response)

15 COMMISSIONER EDWARDS: The ayes have it

16 and the Application is denied.

17 Item PR-3 concerns Ameren's Pricing

18 Annual Update.

19 Is there a motion to deny the

20 Application for Rehearing?

21 COMMISSIONER ROSALES: So moved.

22 CHAIRMAN SHEAHAN: So moved.

23 COMMISSIONER EDWARDS: Thank you.

24 Is there a second?

1 ACTING COMMISSIONER OLIVA: Second.

2 CHAIRMAN SHEAHAN: Okay.

3 COMMISSIONER EDWARDS: Any discussion?

4 (No response)

5 COMMISSIONER EDWARDS: All those in

6 favor of denying the Application for Rehearing, say

7 aye.

8 (Chorus of ayes)

9 COMMISSIONER EDWARDS: Opposed, say

10 nay.

11 COMMISSIONER del VALLE: Nay.

12 COMMISSIONER EDWARDS: The ayes have it

13 and the Application is denied.

14 Item PR-4 concerns approval of Nicor's

15 Energy Efficiency Plan.

16 Is there a motion to grant the

17 Application for Rehearing?

18 COMMISSIONER ROSALES: So moved.

19 COMMISSIONER SHEAHAN: So moved.

20 COMMISSIONER EDWARDS: Thank you.

21 Is there a second?

22 ACTING COMMISSIONER OLIVA: Second.

23 COMMISSIONER EDWARDS: Any discussion?

24 (No response)

1 COMMISSIONER EDWARDS: All those in
2 favor of granting the Application for Rehearing,
3 say aye.

4 (Chorus of ayes)

5 COMMISSIONER EDWARDS: Opposed, say
6 nay.

7 (No response)

8 COMMISSIONER EDWARDS: The ayes have it
9 and the Application is granted.

10 We do have two items under Other
11 Business.

12 The first item is a report from the
13 Illinois Utilities Business Diversity Council.

14 This item will be rescheduled for a
15 later date.

16 The second item in Other Business is
17 the 2016 Annual Report on Electricity, Gas, Water
18 and Sewer Utilities.

19 Are there any objections to approving
20 the Annual Report?

21 (No response)

22 COMMISSIONER EDWARDS: Hearing none,
23 the Annual Report is approved.

24 Judge Kimbrel, do we have any other

1 matters to come before the Commission today?

2 JUDGE KIMBREL: There's nothing
3 further, Commissioner.

4 COMMISSIONER EDWARDS: Thank you,
5 Judge.

6 Do any of the Commissioners have any
7 other business to discuss?

8 Hearing none and without objection --

9 COMMISSIONER del VALLE: One --

10 COMMISSIONER EDWARDS: Oh, excuse me.

11 COMMISSIONER del VALLE: One thing,
12 please.

13 COMMISSIONER EDWARDS: I apologize.
14 Yes.

15 COMMISSIONER del VALLE: Can you hear
16 me?

17 COMMISSIONER EDWARDS: Yes, I can hear
18 you.

19 COMMISSIONER del VALLE: Okay. Thank
20 you.

21 I want to thank Ann McCabe for her five
22 years of service here at the Commission. I have a
23 lot of respect for Ann McCabe. I think she was one
24 of the most knowledgeable members of the

1 Commission, a hard worker who always conducted
2 herself with a tremendous amount of integrity. And
3 so I want to thank her and certainly wish her well
4 in her future endeavors.

5 COMMISSIONER EDWARDS: Absolutely. And
6 we do join those sentiments.

7 Thank you, Commissioner del Valle.

8 Any other business from any other
9 Commissioner?

10 (No response)

11 COMMISSIONER EDWARDS: Well, hearing
12 none and without objection, this meeting does stand
13 adjourned. Thank you very much.

14 (The meeting was then adjourned.)

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