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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
PUBLIC UTILITIES REGULAR OPEN MEETING  
Wednesday, January 6, 2021  
Chicago, Illinois

Met pursuant to notice via videoconference at  
11:30 a.m.

PRESENT:

CARRIE ZALEWSKI, Chairwoman  
(via Chicago office)

D. ETHAN KIMBREL, Commissioner  
(via videoconference)

SADZI M. OLIVA, Commissioner  
(via videoconference)

MARIA S. BOCANEGRA, Commissioner  
(via videoconference)

MICHAEL T. CARRIGAN, Commissioner  
(via Springfield office)

BRIDGES COURT REPORTING  
BY: Valerie Calabria, CSR, RPR  
License No. 084-003928

1 CHAIRWOMAN ZALEWSKI: I'm going to first do a  
2 quick sound check with commissioners and the chief  
3 ALJ.

4 Commissioner Bocanegra?

5 COMMISSIONER BOCANEGRA: Good morning, Chair.  
6 I'm here.

7 CHAIRWOMAN ZALEWSKI: Great.

8 Commissioner Carrigan.

9 COMMISSIONER CARRIGAN: Good morning,  
10 Chairman. I can hear you. I'm here.

11 CHAIRWOMAN ZALEWSKI: Great.

12 Commissioner Kimbrel?

13 COMMISSIONER KIMBREL: Good morning, Madam  
14 Chair.

15 CHAIRWOMAN ZALEWSKI: Good morning.

16 And then Commissioner Oliva?

17 COMMISSIONER OLIVA: Good morning.

18 CHAIRWOMAN ZALEWSKI: Good morning.

19 Judge Teague-Kingsley?

20 JUDGE TEAGUE-KINGSLEY: Good morning.

21 CHAIRWOMAN ZALEWSKI: Good morning. Great.

22 Under the Open Meetings Act and in

1 accordance with the governor's executive orders, I  
2 call the January 6th of 2021 Regular Open Meeting  
3 to order. It's the first meeting of the new year,  
4 so happy new year to everyone.

5 Before we proceed, for clarity of the  
6 record, I would ask everyone to state their name  
7 before speaking and to speak slowly and clearly so  
8 that the court reporter can capture everything that  
9 is said.

10 I already checked that all  
11 commissioners are on, and we have a quorum with  
12 five commissioners.

13 We have no requests to speak, so  
14 we're moving right on to our agenda.

15 Moving on to our Public Utilities  
16 Agenda. There are edits to the December 9th, 2020,  
17 special open meeting minutes. Are there any  
18 objections to approving the minutes as edited?

19 (No verbal response.)

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

22 Under our electric items, item E-1

1 concerns ERM 20-154 which is a filing by  
2 MidAmerican to update language in its emergency  
3 relief section of its electric service tariff to  
4 reflect the directions in the Commission's orders  
5 of June 18th of 2020 in Docket No. 20-0309. The  
6 Commission Staff recommends not suspending the  
7 filing.

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

10 (No verbal response.)

11 CHAIRWOMAN ZALEWSKI: Hearing none, the filing  
12 is not suspended.

13 Item E-2 concerns Docket 19-0960  
14 which is a complaint against ComEd regarding  
15 capacity charges under the real time pricing  
16 tariff. Complainant disputes the capacity charges  
17 from 2019 -- of June 2019, rather, through  
18 August 2019 stating that she received no notice of  
19 the capacity charge and no notice of the change  
20 to -- in the capacity charge. The order finds that  
21 ComEd's methodology for calculating complainant's  
22 capacity charge is consistent with the act and

1 ComEd's tariff. The order further finds that the  
2 complainant failed to show that ComEd violated  
3 Public Utilities Act, Commission rules or approved  
4 tariffs and therefore dismisses the complaint with  
5 prejudice.

6 Are there any objections to approving  
7 the order?

8 (No verbal response.)

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

11 Items E-3 through E-5 concerns  
12 citations for failure to comply with Section 454 of  
13 the Commission's rules. The Commission Staff  
14 motioned to dismiss these matters with prejudice  
15 because either the respondents have already  
16 relinquished their licenses or are now in  
17 compliance with the Commission rules.

18 Are there any objections to  
19 considering these items together and granting the  
20 motions to dismiss?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 motions are granted.

2           Item E-6 concerns ComEd's request to  
3 reconcile revenues under its power procurement  
4 riders for the period of June 1st, 2018, through  
5 May 31st of 2019. The order approves the  
6 reconciliation as set in the appendix to the order,  
7 finding that the costs during the reconciliation  
8 period were prudently incurred.

9           Are there any objections to approving  
10 the order?

11                           (No verbal response.)

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

14           Item E-7 concerns MidAmerican's  
15 request to reconcile revenues under its purchase  
16 Power Zero Emission Resource Recovery Adjustment,  
17 or Rider PZE, for the period of June 1st of 2019  
18 through May 31st of 2020. The order approves the  
19 reconciliation as set in the appendix to the order,  
20 finding that the costs during the reconciliation  
21 period were prudently incurred.

22           Are there any objections to approving

1 the order?

2 (No verbal response.)

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

5 Item E-8 concerns Docket 20-0310  
6 which is the moratorium on in-person marketing of  
7 services by alternative retail electric suppliers.  
8 On July 2nd of 2020, NRG, Reliant, and Green  
9 Mountain Energy, joint movants, motioned to modify  
10 the order in this docket to allow them to resume  
11 in-store marketing and enrollment.

12 The interim order finds that the  
13 motion is in the public interest, will help put  
14 many sales agents back in the workforce, and is  
15 reasonable. The interim order adopts Staff's  
16 exceptions and allows joint movants to resume  
17 in-store solicitations under the restrictions  
18 indicated in the order. The interim order  
19 requires, among other things, that first the joint  
20 movants shall comply with not only the requirements  
21 of the Illinois Department of Public Health and the  
22 Illinois Department of Commerce Economic

1 Opportunity, but also with the requirements of  
2 their retail partners and their own safety  
3 requirements as well as those of any municipality  
4 or county in which they conduct in-person  
5 solicitation. Joint movants will not be held  
6 harmless for failure to comply with all such  
7 requirements by the Commission's granting of the  
8 motion.

9           Second, joint movants shall monitor  
10 the actions of their sales agents and third-party  
11 vendors to make sure that all requirements,  
12 including Commission's requirements in 83 Illinois  
13 Administrative Code 412, are being met.

14           Third, the relief granted by this  
15 order only applies to joint movants and not other  
16 ARES and is limited to allowing the joint movants  
17 to resume in-store marketing with their retail  
18 partners.

19           Fourth, the relief granted by this  
20 order only applies to those areas of the state that  
21 remain in Phase 4 status. And if the state as a  
22 whole or any area reverts to Phase 3 or lower or



1 any municipality determines that Phase 4 or similar  
2 retail guidelines cannot be maintained consistent  
3 with public safety, the joint movants must  
4 immediately cease in-store solicitations.

5 Are there any objections to approving  
6 the interim order?

7 (No verbal response.)

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

10 Item E-9 concerns Electrical Resource  
11 Management's motion to withdraw its application for  
12 a license to act a retail electricity supply agent,  
13 broker, or consultant in Illinois. The applicant  
14 decided not to proceed with this application and  
15 motion to withdraw is without prejudice.

16 Are there any objections to granting  
17 the motion to withdraw?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the motion  
20 is granted.

21 Item E-10 concerns Just One Energy's  
22 petition to cancel its certificate of service

1 authority to act as a retail electricity supply  
2 broker, agent, or consultant. The petitioner  
3 decided to cease doing business in Illinois. The  
4 order grants the petition to cancel the certificate  
5 and directs petitioner to file a Section 454 report  
6 for calendar years 2019 and 2020 within 14 calendar  
7 days of this order.

8 Are there any objections to approving  
9 the order?

10 (No verbal response.)

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

13 Item E-11 concerns an application for  
14 a certificate of service authority to act as a  
15 retail electricity supply agent, broker, and  
16 consultant in Illinois. The order grants the  
17 certificate, finding that the applicant meets the  
18 requirements.

19 Are there any objections to approving  
20 the order?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the order

1 is approved.

2 Item E-12 concerns Ameren's filing to  
3 create Rider Optional Electric Vehicle Charging  
4 Program, or Rider EVCP. This rider will implement  
5 and administer optional charging programs available  
6 to customers who adopt electric transportation  
7 technology in the Ameren service territory.

8 The Staff of the Commission has not  
9 yet completed its investigation of the filing. The  
10 order thus resuspends the filing for an additional  
11 six months.

12 Are there any objections to approving  
13 the order?

14 (No verbal response.)

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

17 Items E-13 through E-17 concern  
18 applications for certifications to install  
19 distributed generation facilities in Illinois. The  
20 orders grant the certificates, finding that the  
21 applicants meet the requirements.

22 Are there any objections to

1 considering these items together and approving the  
2 orders?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the orders  
5 are approved.

6 Item E-18 concerns a request for  
7 confidential treatment of some portions of the  
8 petitioner's environmental disclosure statements.  
9 The petitioner now motions to withdraw its request.  
10 The Staff does not object.

11 Are there objections to granting the  
12 motion to withdraw?

13 (No verbal response.)

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

16 Item E-19 concerns application for a  
17 certificate of service authority to install energy  
18 efficiency measures. The order denies the  
19 application because the applicant failed to meet  
20 the requirements and failed to correct a deficiency  
21 in its application.

22 Are there any objections to approving

1 the order?

2 (No verbal response.)

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

5 Item E-20 concerns Comfort Measure's  
6 petition to cancel its certificate of service  
7 authority to install energy efficiency measures.  
8 The order grants the petition and cancels the  
9 certificate.

10 Are there any objections to approving  
11 the order?

12 (No verbal response.)

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

15 Items E-21 through E-24 concern  
16 applications for certifications to install energy  
17 efficiency measures in Illinois. The orders grant  
18 the certificates, finding that the applicants meet  
19 the requirements.

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

1 (No verbal response.)

2 CHAIRWOMAN ZALEWSKI: Hearing none, the orders  
3 are approved.

4 Under our gas items, item G-1  
5 concerns GRM 20-348 which is a filing by  
6 MidAmerican to update language in its emergency  
7 relief section of its gas service tariff to reflect  
8 the directions in the Commission's order of  
9 June 18, 2020, in Docket No. 20-309. The  
10 Commission Staff recommends not suspending the  
11 filing.

12 Are there any objections to not  
13 suspending the filing?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the filing  
16 is not suspended.

17 Item G-2 concerns Nicor Gas's  
18 petition to reconcile revenues under Rider 26 for  
19 its uncollectible expense adjustments for the  
20 revenue recovery period for June 1st, 2018, to  
21 May 31st of 2019. The order approves the  
22 reconciliation as set forth in appendix to the

1 order, finding that the costs during in the  
2 reconciliation period were prudently incurred.

3 Are there any objections to approving  
4 the order?

5 (No verbal response.)

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

8 Item G-3 concerns Docket 20-0039  
9 which is a complaint against Spark Energy Gas  
10 regarding overbilling. Complainant has failed to  
11 allege a violation of any applicable statute or  
12 Spark Energy's terms of service. In addition, the  
13 evidence in the record shows the complainant was  
14 notified of the rate change. Therefore, the order  
15 grants Spark Energy's motion to dismiss the matter  
16 because the complainant failed to state a cause of  
17 action upon which relief can be granted.

18 Are there any objections to approving  
19 the order?

20 (No verbal response.)

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

1                   Item G-4 concerns Peoples Gas's  
2 application for Commission consent and approval for  
3 a sale of certain real estate located in Chicago to  
4 an unaffiliated third party. The Commission Staff  
5 has reviewed the sale and found no issues. The  
6 order finds that the sale meets the statutory  
7 requirements of Section 7-102 of the Public  
8 Utilities Act and will convenience the public. The  
9 order grants the application.

10                   Are there any objections to approving  
11 the order?

12                   (No verbal response.)

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

15                   Under our telecommunications items,  
16 item T-1 concerns a joint application by Shawnee  
17 Communications, Inc., Moultrie MultiCorp, Inc., and  
18 Moultrie Independent Telephone Company for approval  
19 of a reorganization. Moultrie MultiCorp will be  
20 dissolved and Shawnee Communications, which is  
21 Moultrie's parent company, will take direct  
22 ownership of Moultrie Independent Telephone



1 Company. The Commission Staff has reviewed this  
2 reorganization and recommends approval. The order  
3 approves the reorganization.

4 Are there any objections to approving  
5 the order?

6 (No verbal response.)

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

9 Item T-2 concerns application for a  
10 certificate of authority to operate as a reseller  
11 and facilities-based carrier of telecommunication  
12 services in Illinois. The order grants the  
13 certificate, finding that the applicant meets the  
14 requirements.

15 Are there any objections to approving  
16 the order?

17 (No verbal response.)

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

20 Under our water and sewer items,  
21 item W-1 concerns a filing by Utility Services,  
22 Inc., to implement a time-limited Rider BDE, or bad

1 debt expense rider, to recover water and sewer  
2 incremental bad debt expense that was worsened by  
3 the ongoing COVID-19 pandemic. The riders would  
4 recover from or credit to water or sewer customers,  
5 as appropriate, the amount by which each company's  
6 actual annual bad debt expense in a fiscal year  
7 ending in February exceeds or is less than the bad  
8 debt expense amount included in each company's base  
9 rates in effect for the reporting year. The Rider  
10 BDEs have an effective period of 24 months with the  
11 applicable measurement periods ending February of  
12 2021 and February of 2022. The Commission Staff  
13 has reviewed the filing and recommends not  
14 suspending the filing.

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

17 (No verbal response.)

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

20 Item W-2 concerns Illinois American's  
21 tariff changes to provide service to Concordia  
22 Water Cooperative. Illinois American filed a

1 motion to withdraw the filing to resolve some  
2 issues in the filing that arose during the  
3 proceeding. The Commission Staff does not object  
4 to the motion to withdraw.

5 Are there any objections to granting  
6 the motion to withdraw?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the motion  
9 is granted.

10 There are no miscellaneous items.

11 There are no petitions for rehearing.

12 Under our other business items,  
13 item O-1 concerns approval of badges, contracts,  
14 and confirmations under the Illinois Adjustable  
15 Block Program.

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

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the  
20 submissions are approved.

21 This concludes our Public Utilities  
22 Agenda.

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

3                    JUDGE TEAGUE-KINGSLEY: No, Madam Chairman.

4                    CHAIRWOMAN ZALEWSKI: Do any of the  
5 commissioners have any other business to discuss?

6                    (No verbal response.)

7                    CHAIRWOMAN ZALEWSKI: Hearing none and without  
8 objection, this meeting is adjourned. Thank you.

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