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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
(PUBLIC UTILITY)
Tuesday, October 7, 2014
Chicago, Illinois
Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.
PRESENT:
DOUGLAS P. SCOTT, Chairman
JOHN T. COLGAN, Commissioner
ANN MCCABE, Commissioner
SHERINA E. MAYE, Commissioner (telephonically)
MIGUEL DEL VALLE, Commissioner
SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170

1

2 CHAIRMAN SCOTT: Is everything ready in
3 Springfield?

4 COMMISSIONER COLGAN: Yes, I believe we are ready
5 here.

6 CHAIRMAN SCOTT: You don't sound so sure, John.

7 COMMISSIONER COLGAN: I was looking at different
8 faces here to see if there were any concerns about
9 that request. There's nothing. We are good to go.

10 CHAIRMAN SCOTT: All right. Very good.

11 Pursuant to the provisions of the
12 Open Meetings Act, I now convene a Regular Open
13 Meeting of the Illinois Commerce Commission. With
14 us in Chicago are Commissioner McCabe and
15 Commissioner del Valle. With us in Springfield is
16 Commissioner Colgan. I am Chairman Scott. We have
17 a quorum. We should also have Commissioner Maye
18 available on the phone.

19 Are you there, Commissioner?

20 COMMISSIONER MAYE: Good morning. I am here.

21 CHAIRMAN SCOTT: Good morning.

22 Under the Commission's rules, we'll

1 have to vote to allow Commissioner Maye to
2 participate by phone. I move to allow Commissioner
3 Maye's participation by phone. Is there a second?

4 COMMISSIONER McCABE: Second.

5 CHAIRMAN SCOTT: It's been moved and seconded by
6 Commissioner McCabe.

7 All in favor, say aye.

8 (Chorus of ayes.)

9 Any opposed?

10 (No response.)

11 The vote is 4 to nothing and
12 Commissioner Maye may participate in today's meeting
13 by phone.

14 Before moving into the agenda,
15 according to Section 1700.10 of Title 2 of the
16 Administrative Code, this is the time we allow
17 members of the public to address the Commission.
18 Members of the public wishing to address the
19 Commission must notify the Chief Clerk's office at
20 least 24 hours prior to Commission meetings.
21 According to the Chief Clerk's office, we have no
22 requests to speak at today's meeting.

1 I wanted to start today's meeting by
2 welcoming Bill Peters to the Commission. Bill will
3 be joining Commissioner Ann McCabe's office as a
4 policy advisor.

5 Commissioner McCabe, did you want to
6 share a few words?

7 COMMISSIONER McCABE: Sure. I want to welcome
8 Bill Peters, our new policy advisor. Bill brings
9 12 years' experience as an economist and regulatory
10 analyst with three state commissions, Hawaii,
11 Vermont and Missouri. He spent eight years with the
12 Hawaii Commission where he worked on rate cases,
13 power purchase agreements, fuel contracts,
14 telecommunications and other matters at the Mai
15 Hawaii Electric Company. He has a BS and MS in
16 economics from Illinois State University and grew up
17 in the Chicago suburbs.

18 So welcome, Bill.

19 CHAIRMAN SCOTT: Welcome, Bill. Welcome. And
20 you will have to explain to everybody why you left
21 Hawaii to come to Illinois, but we are very glad you
22 are here. Thanks very much for joining the

1 Commission and welcome.

2 The first item of business on today's
3 agenda is the approval of minutes from our
4 September 18th Regular Open Meeting. I understand
5 amendments to the closed meeting minutes have been
6 forwarded. Is there a motion to amend?

7 COMMISSIONER McCABE: So move.

8 CHAIRMAN SCOTT: Is there a second?

9 COMMISSIONER del VALLE: Second.

10 CHAIRMAN SCOTT: It has been moved by
11 Commissioner McCabe and seconded by Commissioner del
12 Valle.

13 All in favor of the amendment, say
14 aye.

15 (Chorus of ayes.)

16 Any opposed?

17 (No response.)

18 The vote is 5 to nothing. The
19 amendment is adopted.

20 Is there now a motion to approve the
21 minutes as amended?

22 COMMISSIONER del VALLE: So move.

1 CHAIRMAN SCOTT: Is there a second?

2 COMMISSIONER McCABE: Second.

3 CHAIRMAN SCOTT: Moved by Commissioner del Valle
4 and seconded by Commissioner McCabe.

5 All in favor, say aye.

6 (Chorus of ayes.)

7 Any opposed?

8 (No response.)

9 The vote is 5 to nothing and the
10 September 18th Regular Open Meeting minutes as
11 amended are approved.

12 Moving onto Item 2, this concerns
13 MidAmerican's filing to rectify an inconsistency in
14 Rider TDB, Daily Balancing of Customer Owned
15 Volumes, concerning Daily Balancing Services. With
16 these changes MidAmerican's tariff will be
17 consistent regarding how daily balancing charges
18 will be handled, thereby reducing potential
19 confusion. Staff recommends that we approve the
20 changes by not suspending the filing.

21 Is there a motion to not suspend the
22 filing?

1 COMMISSIONER McCABE: So move.

2 CHAIRMAN SCOTT: Is there a second?

3 COMMISSIONER del VALLE: Second.

4 CHAIRMAN SCOTT: Moved by Commissioner McCabe and
5 seconded by Commissioner del Valle.

6 Any discussion?

7 (No response.)

8 All in favor, say aye.

9 (Chorus of ayes.)

10 Any opposed?

11 (No response.)

12 The vote is 5 to nothing and the
13 filing is not suspended.

14 We will use this 5 to nothing vote for
15 the remainder of today's Regular Open Meeting agenda
16 unless otherwise noted.

17 Item 3 is Docket No. 13-0531. This is
18 Sherman and Lisa Imler's complaint against Ameren as
19 to a deposit requirement. ALJ Yoder recommends
20 entry of an Order denying the complaint.

21 Commissioner Colgan, I believe you had
22 some questions for --

1 COMMISSIONER COLGAN: Thank you.

2 CHAIRMAN SCOTT: -- ALJ Yoder.

3 COMMISSIONER COLGAN: Yes, I do. Thank you, and
4 good morning, Judge Yoder. This case has caught my
5 attention and I just wanted to ask you a couple of
6 questions about it.

7 JUDGE YODER: Sure.

8 COMMISSIONER COLGAN: With respect to the \$1500
9 deposit that Ameren was requiring to re-establish
10 the connections for this party, does Ameren provide
11 for the record any payment history on the Imlers?
12 Is there any past problems with this customer?

13 JUDGE YODER: They did not set out a detailed
14 list of what the Imler's payment history was. There
15 was indication at the hearing that there was still
16 an arrearage on the bill, the average month bill
17 that is set up by Mrs. Imler.

18 COMMISSIONER COLGAN: The average was 700-some
19 dollars a month --

20 JUDGE YODER: Yes.

21 COMMISSIONER COLGAN: -- which really strikes me
22 as an extremely high average bill.

1 JUDGE YODER: Well, their home is set up by
2 Mrs. Imler is actually an old school. She estimates
3 it is about 20,000 square feet that they had bought,
4 and I think, as I recall, she said they would have
5 payment by the end of June, so it's far bigger than
6 an average home. She had indicated the average
7 winter bill she said was about \$1500 a month
8 combined gas and electric.

9 COMMISSIONER COLGAN: So the \$700 was just for
10 the electric bill?

11 JUDGE YODER: She indicated a one year average on
12 their combined gas and electric --

13 COMMISSIONER COLGAN: Okay.

14 JUDGE YODER: -- on average over a 12-month
15 period.

16 COMMISSIONER COLGAN: Was Ameren already holding
17 a deposit on this customer?

18 JUDGE YODER: I do not believe so.

19 COMMISSIONER COLGAN: You don't believe so?

20 When Mrs. Imler answered the automated
21 phone call from Ameren, did you have a script or did
22 Ameren provide a script? There was a robo call I

1 think that she got, and I guess my question comes to
2 the point she did make an on-line payment that was
3 going to be effective a couple weeks after the date
4 we're talking about here, but in that call does it
5 say that she had to arrange this with a live person
6 in Ameren?

7 JUDGE YODER: No. That became part of the bone
8 of contention in this. She acknowledged receiving a
9 call. The call indicates the last date of payment
10 to avoid disconnection and the system it knows that
11 there is a live body that answers. I'm sorry. The
12 system knows that she did answer the phone, and she
13 acknowledged that, and she went on-line to set up a
14 payment which was after that date set forth by
15 Ameren. She indicates that she had previously set
16 up deferred payment arrangements and basically
17 thought that's what she doing at that time, not
18 realizing that you couldn't do that without speaking
19 also to a live person.

20 COMMISSIONER COLGAN: That's what I figured out.
21 Seems like she made a good-faith effort on her part
22 to do what she thought she needed to do, and so she

1 got an automated call from Ameren, but, yet, Ameren
2 required her to actually talk to a person and
3 wouldn't allow her to schedule the payment
4 on-line.

5 JUDGE YODER: She couldn't set it up on-line, but
6 she could have set up the payment date after that
7 date of disconnection.

8 COMMISSIONER COLGAN: Okay. Are the Imlers
9 currently receiving electric service? I know they
10 were reconnected.

11 JUDGE YODER: Yes. They were at the time of the
12 hearing. I do not know since then.

13 COMMISSIONER COLGAN: Okay. And do you know if
14 Ameren has recently engaged in any settlement
15 discussions with the Imlers?

16 CHAIRMAN YODER: I have not had any contact with
17 either party since the hearing, other than the
18 filings that they have made.

19 COMMISSIONER COLGAN: Well, this case just caught
20 my attention because it seemed like a really high
21 deposit, especially for a LIHEAP customer. I'm not
22 sure how a LIHEAP customer can come up with that.

1 It seemed like the customer tried to I thought -- it
2 looked like they made a good faith effort to get
3 their bills squared away so that they could move
4 forward, especially considering they had a person in
5 the home with a health issue and it was the middle
6 of August when this happened.

7 I'm really surprised that this
8 actually made it all the way to here, that it didn't
9 get figured out and taken care of before then, but I
10 thank you for your work on this and I thank you for
11 your answers.

12 That's all the questions I have,
13 Chairman.

14 CHAIRMAN SCOTT: Thank you, Commissioner.

15 Anyone have questions for Judge Yoder?

16 (No response.)

17 Thank you, Judge. This item will be
18 held for disposition at a future Commission
19 proceeding.

20 Item 4 is Docket No. 13-0657. This is
21 Commonwealth Edison Company's Application for a
22 Certificate of Public Convenience and Necessity,

1 pursuant to Section 8-406.1 of the Illinois Public
2 Utilities Act, and an Order pursuant to Section
3 8-503 of the Illinois Public Utilities Act, to
4 Construct, Operate and Maintain a new 345 kilovolt
5 transmission line in Ogle, DeKalb, Kane and DuPage
6 Counties. This item has been withdrawn from today's
7 agenda.

8 Item 5 is Docket No. 14-0443. This is
9 Ameren's petition for approval of Rider CCA, Clean
10 Coal Adjustment. ALJ Albers recommends entry of an
11 Order granting the requested relief.

12 Is there any discussion?

13 (No response.)

14 Is there any objection?

15 (No response.)

16 Hearing none, the Order is entered.

17 Item 6 is Docket No. 14-0462. This is
18 Customer Acquisition Specialists of America's
19 Application for Licensure of Agents, Brokers and
20 Consultants under Section 16-115C of the Public
21 Utilities Act. ALJ Kimbrel recommends entry of an
22 Order granting the requested certificate.

1 Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Order is entered.

6 Items 7 through 9 can be taken
7 together. These items are Applications for
8 Certification as an Installer of Distributed
9 Generation Facilities under Section 16-128A of the
10 Public Utilities Act. In each case ALJ Baker
11 recommends entry of an Order granting the requested
12 relief.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Orders are entered.

18 Item 10 is Docket No. 14-0545.
19 This is ComEd's Petition pursuant to Section 7-101
20 of the Public Utilities Act for consent to enter
21 into a credit agreement to which affiliated
22 interests are parties. ALJ Jorgenson recommends

1 entry of an Order granting the petition.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Order is entered.

7 Item 11 is Docket No. 14-0522. This
8 is Ameren Transmission Company's Petition for an
9 Order pursuant to Section 8-509 of the Public
10 Utilities Act Authorizing Use of Eminent Domain
11 Power. ALJ Albers recommends entry of an Order
12 granting the requested relief with regard to the
13 eminent domain authority. My office in conjunction
14 with Commissioner del Valle's office, with
15 assistance from Commissioner McCabe, have some joint
16 proposed edits to this Order.

17 These edits change the conclusion in
18 the Order which previously granted ATXI eminent
19 domain authority for all the parcels at issue. It
20 is my opinion that it would be improper to grant
21 eminent domain authority for any parcel of land on
22 the Pana-Mt. Zion segment of the line as ATXI

1 independently modified that segment without
2 Commission authorization (and without going through
3 the proper notification to the two new affected
4 landowners). ATXI will need to come back to get
5 approval of their modification and until they do we
6 cannot know what the final Pana-Mt. Zion segment
7 will look like, or whether ATXI will still need the
8 eminent domain authority they seek for property on
9 that portion of the line.

10 I should also note, to the extent
11 there are other open eminent domain proceedings that
12 concern property on the Pana-Mt. Zion segment of the
13 line, those proceedings should be suspended until
14 ATXI acquires the necessary Commission approval for
15 the modification. The edits still grant ATXI
16 eminent domain authority for the 1 parcel along the
17 Quincy-Meredosia segment of the line.

18 Is there any discussion?

19 (No response.)

20 With that, I would move to accept
21 these edits.

22 Is there a second?

1 COMMISSIONER del VALLE: Second.

2 CHAIRMAN SCOTT: It's been moved and seconded by
3 Commissioner del Valle.

4 Discussion on the edits?

5 (No response.)

6 All in favor, say aye.

7 (Chorus of ayes.)

8 Any opposed?

9 (No response.)

10 The vote is 5 to nothing and the edits
11 are accepted.

12 Is there now a motion to enter the
13 Order as amended?

14 COMMISSIONER del VALLE: Move.

15 CHAIRMAN SCOTT: Is there a second?

16 COMMISSIONER McCABE: Second.

17 CHAIRMAN SCOTT: It's been moved by
18 Commissioner del Valle and seconded by Commissioner
19 McCabe.

20 Any discussion?

21 (No response.)

22 All in favor, say aye.

1 (Chorus of ayes.)

2 Any opposed?

3 (No response.)

4 The vote is 5 to nothing and the
5 Order, as amended, is entered.

6 Item 12 is Docket No. 14-0453. This
7 is Ameren's Petition for Approval of an Increase in
8 Funding for the On-Bill Financing Program pursuant
9 to 220 ILCS 5/16-111.7 and 220 ILCS 5/19-140.
10 ALJ Yoder recommends entry of an Order granting
11 Ameren Illinois' request to increase funding for its
12 On-Bill Financing Program by \$10 million.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Order is entered.

18 Item 13 is Docket No. 12-0375. This
19 is Millennium 2000's Application for Designation as
20 a Wireless Eligible Telecommunications Carrier for
21 Purposes of Receiving Federal Universal Service
22 Support pursuant to Section 214(e)(2) of the

1 Telecommunications Act of 1996. ALJ Riley
2 recommends entry of an Order granting Millennium's
3 designation.

4 This item has been withdrawn from
5 today's ROM agenda.

6 Item 14 is Docket No. 14-0076. This
7 is our proceeding to amend 83 Ill. Adm. Code 736,
8 Service Quality and Customer Protection Applicable
9 to Wireless Eligible Telecommunications Carriers.
10 The amendments proposed in the rulemaking are
11 intended to make the service quality requirements
12 for wireless eligible telecommunications carriers
13 (ETCs) comparable to the requirements imposed on
14 wireline ETCs by recent legislation. ALJ Riley
15 recommends entry of an Order adopting the proposed
16 amendments, effective upon filing with the Secretary
17 of State.

18 Is there any discussion?

19 (No response.)

20 Any objections?

21 (No response.)

22 Hearing none, the Order is entered.

1 Item 15 is Docket No. 14-0299. This
2 is the City of Aurora's petition to cancel its
3 Certificate of Interexchange Service Authority,
4 Certificate of Service Authority, and Certificate of
5 Exchange Service Authority. ALJ Riley recommends
6 entry of an Order granting the requested relief and
7 relieving Petitioner of the requirement to file Form
8 AR-13 and Annual Gross Revenue Return reports.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Order is entered.

14 Item 16 is Docket No. 14-0305. This
15 is Ting Inc.'s Application for a Certificate of
16 Service Authority pursuant to Section 13-401 of the
17 Public Utilities Act, to provide Commercial Mobile
18 Radio Service in Illinois. ALJ Riley recommends
19 entry of an Order granting the requested relief.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the Order is entered.

3 Items 17 through 20 can be taken
4 together. These items are joint petitions for
5 approval of local interconnection agreements or
6 amendments to interconnection agreements pursuant to
7 47 U.S.C, Section 252. In each case ALJ Riley
8 recommends entry of an Order approving the agreement
9 or amendment to the agreement.

10 Is there any discussion?

11 (No response.)

12 Any objections?

13 (No response.)

14 Hearing none, the Orders are entered.

15 Items 21 through 23 can be taken
16 together. These items are petitions to modify the
17 9-1-1 system providers in the City of Marion, Union
18 County and Williamson County for the purpose of
19 implementing a next generation 9-1-1 system. In
20 each case ALJ Albers recommends entry of an Order
21 granting the requested relief.

22 Is there any discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the Order is entered.

5 Item 24 is Docket No. 13-0618. This
6 is Utility Services of Illinois and each of the 23
7 Illinois Operating Subsidiaries of Utilities, Inc.'s
8 application for approval of a proposed
9 reorganization and other relief. Judge Benn
10 recommends entry of an Order approving the proposed
11 reorganization.

12 I believe Commissioner McCabe has some
13 non-sub edits. Would you like to move those?

14 COMMISSIONER McCABE: I move to approve the Order
15 of non-sub edits.

16 CHAIRMAN SCOTT: Is there a second?

17 COMMISSIONER del VALLE: Moved.

18 CHAIRMAN SCOTT: It has been moved by
19 Commissioner McCabe to approve the Order
20 with non-sub edits and seconded by Commissioner
21 del Valle.

22 Is there any discussion?

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(No response.)

All in favor, say aye.

(Chorus of ayes.)

Any opposed?

(No response.)

The vote is 5 to nothing and the Order
is approved with the non-sub edits.

Judge Wallace, are there any other
matters to come before the Commission today?

JUDGE WALLACE: No. That's all, Mr. Chairman.

CHAIRMAN SCOTT: Thank you, sir.

Hearing nothing else to come before
the Commission, the meeting stands adjourned. Thank
you, everyone.

(Whereupon, the above matter
was adjourned.)