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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
(PUBLIC UTILITIES)
October 10th, 2018
Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M.,
at 160 North LaSalle Street, Chicago, Illinois.

- PRESENT:
- BRIEN J. SHEAHAN, Chairman
 - SADZI M. OLIVA, Commissioner
 - ANASTASIA PALIVOS, Acting Commissioner
 - JOHN R. ROSALES, Commissioner
 - D. ETHAN KIMBREL, Commissioner

1 CHAIRMAN SHEAHAN: Good morning. Are we ready
2 to proceed in Springfield?

3 COMMISSIONER KIMBREL: We are.

4 CHAIRMAN SHEAHAN: Pursuant to the Open
5 Meetings Act, I call the October 10th, 2018 Regular
6 Open Meeting to order. Commissioners Rosales, Oliva,
7 and Acting Commissioner Palivos are with me in
8 Chicago. Commissioner Kimbrel is in Springfield. We
9 have a quorum.

10 We have five requests to speak this
11 morning. As a reminder, you'll have 3 minutes for
12 your public comments. We'll let you know when you
13 have 2 minutes left, 1 minute left, and when your
14 time has expired. Please be aware that while the
15 Commission affords the public the opportunity to
16 comment we will not respond directly to your
17 comments. Your comments will be made part of the
18 record; however, we cannot rely on them to resolve
19 disputed issues of fact in contested cases.

20 Our first public commenter is Tom
21 Ogle. Mr. Ogle?

22 MR. TOM OGLE: Good morning. My name is Tom

1 Ogle. I'm a lifelong resident of Paris, IL, Edgar
2 County. I received my first notice of the Illinois
3 Rivers Project when I received a certified letter
4 from Ameren on September 10, 2013. Ameren's letter
5 began, "Dear Property Owner, Ameren Transmission
6 Company has received authorization from the Illinois
7 Commerce Commission to construct a new 345,000 volt
8 electric transmission line through portions of
9 Illinois.

10 Later, on Page 4, I read, "If the
11 company isn't able to reach an agreement with the
12 landowner to acquire the property interest necessary
13 to complete the proposed project, the company will
14 file a condemnation lawsuit in the Circuit Court
15 where the property is located in order to obtain the
16 property interest that the project requires. That's
17 when I started crying.

18 I come from a poor family of 10
19 children. I started working at a grocery store when
20 I turned 16 years old. I worked straight through to
21 better jobs right up to the day I retired. I never
22 drew unemployment in my life. I always saved for my

1 lifelong dream of having a cattle ranch. I had our
2 new house built in 2008. This 345,000 project would
3 traverse a few hundred feet smack dab in front of our
4 new front porch. I thought there must be some kind
5 of mistake; and there was. This approved route was
6 submitted by intervenors from Clark County, south of
7 our Edgar County.

8 The more I learned about this new
9 expedited provision of the Illinois Utilities Act the
10 more I was determined to right the wrong that was
11 done to us. I refused to allow surveyors on my
12 affected property near my wife Donna and near my new
13 home. Ameren filed a lawsuit against me and was
14 granted only a soft survey, of which they abused.

15 On Page 115 of the Commission's record
16 under Community Acceptance it states, "In fact, it
17 continues no one has intervened along the unique
18 section of Stop Coalition Route 2 -- that's us --
19 while ATXI witness Murphy could not explain the
20 reason for this happenstance." It goes on to say,
21 "This lack of objection indicates an acceptance of
22 the project." I'll tell ya' it's kind of hard to

1 object if you're notified it's being moved several
2 miles north of Ameren's proposed route.

3 On Page 119 of the Commission's record
4 it states, "The number of occupied homes in each
5 route is a topic on which the Commission wishes it
6 had more information. The record lacks a count of
7 occupied homes near Stop Coalitions Route 2" --
8 that's us. It goes on to say, "ATXI's claim that one
9 or more homes along Stop Coalition Route 2 -- that's
10 us -- "may need to be raised is not taken lightly by
11 the Commission."

12 In closing, the record shows that
13 Ameren abused the Expedited Provision by using an old
14 Google Earth program and never a ground level
15 assessment of our homes before the route was
16 approved. Thank you.

17 CHAIRMAN SHEAHAN: Thank you. Our next speaker
18 is Vern See.

19 MR. VERN SEE: Good morning. I am Vern See, a
20 landowner in Edgar County where Ameren seeks right of
21 way for the Illinois Rivers Project. This house is
22 on the property I own. It was built in 1861. My

1 great-grandfather acquired it in 1896 when my
2 grandfather was about 14. My dad was born here. I
3 was raised here. The house has been empty since
4 1993.

5 This the pond built my dad built in
6 1960 when I was 9. It took 11-hour days with a D-6
7 Caterpillar dozer. I remember playing with him and
8 riding with him in the dozer. My older cousin had a
9 Jeep. I would ride with him down the ravine and up
10 over the dam. We love this property and share it
11 with other sport enthusiasts. Over the years many
12 people have fished and hunted here. Several still
13 do. No government money was used to build or stock
14 this pond. There was a small pond up the ravine that
15 had a fish population already established. After the
16 new pond had partially filled he cut the dam on the
17 old pond letting the water and fish in the new pond.
18 Many good times are enjoyed here without a hair
19 raising, hissing 345,000 volt power line overhead.

20 It has taken all of my effort to buy
21 out the heirs and save the family farm. The point
22 being, this is not a property we intend to sell and

1 retire in Florida. We intend to build a new home and
2 retire here. This story is not unique to my
3 property. Many of other have ties to their property
4 that are not affected by money.

5 How have we been treated? We were
6 told by land agents hired by Ameren, "Ameren has
7 eminent domain. You should accept these offers".
8 The offers were sub value with ridiculous demands.

9 I do not know how many days I've
10 missed worked to keep Ameren at bay. They came to
11 survey our property, and we denied them access.
12 Ameren got some type of court order to do a soft
13 survey, and hired protection, and forced their way on
14 our property. We should not be subjected to such
15 harassment.

16 Later they got a court order to an
17 appraisal of our houses and our buildings. Ameren
18 forced their way into my house with police at their
19 side. The police have been at my house. You cannot
20 imagine that experience.

21 I asked our United States
22 representative for help. Guess what? Ameren has

1 inundated him with campaign contributions. Ameren,
2 ComEd, or some utility floods all the U.S. and state
3 congressmen money. I ask this panel to establish a
4 guideline to use existing utility right of way or
5 state highway power lines. The current system of
6 turning left or right when they approach this
7 property owned by those with wealth or power should
8 be abandoned. When buy along a state highway, you
9 know future expansion is a real possibility. We off
10 the beaten path do not expect such expansion to have
11 a huge impact on our lifestyles, incomes, and
12 futures. A standard should exist. Thank you very
13 much.

14 CHAIRMAN SHEAHAN: Thank you, sir.

15 Our next speaker is Phillip E. Wright.

16 MR. PHILLIP E. WRIGHT: First of all, thank you
17 for letting me speak to you today. My name is
18 Phillip Wright. I live in Symmes Township, which is
19 locate Edgar County, Illinois. And I am an adjacent
20 landowner to the proposed Ameren power line.

21 I want to talk to you to about a
22 discrimination and common sense. Edgar County

1 landowners have been discriminated against in the
2 notification process of the proposed Ameren power
3 line. The definition of discriminate, according to
4 Webster's dictionary -- and you can look can it up --
5 is, quote, "To make a difference in treatment or
6 favor on a basis other than individual merit".

7 We, the landowners of Edgar County,
8 were discriminated against my Ameren. We were not
9 given the same treatment as other landowners have
10 been across the state. Other landowners were given
11 noticed of the planned project, and we are not.

12 My question is, why? Why was Edgar
13 County treated differently? Was it that we were the
14 last piece of this misguided puzzle? Was there a
15 time crunch that led to this disregard for protocol?
16 We deserve the same treatment as all the other
17 counties. Ameren failed us. The power line route
18 should be reevaluated.

19 I also mentioned common sense. I am
20 not an engineer, and I don't try to be one; but I do
21 know that the shortest distance between two points is
22 a straight line. The proposed route through Edgar

1 County indicates 90-degree turns, randomly changing
2 direction. This type of engineering makes no sense.
3 Straight lines are more economical, easier to
4 maintain, and stronger than the twists and turns
5 proposed. If I build a cattle fence like this route,
6 my neighbors would think I'm actually crazy.

7 So we are arguing about a plan that
8 was never fully revealed to landowners in a timely
9 manner, a plan that makes no economic sense, and plan
10 that will affect the lives of many longtime, longtime
11 residents of Edgar County.

12 All I'm asking you today is for
13 fairness and common sense. Once again, thank you.

14 CHAIRMAN SHEAHAN: Thank you, sir.

15 Our next speaker is Chris Patrick.

16 MR. CHRIS PATRICK: Good morning. My name is
17 Chris Patrick. I live in Edgar County, Illinois; and
18 I am an affected landowner of the Illinois Rivers
19 Project. I live in a house that is only 5-and-a-half
20 years old and on a farm that has been in my family
21 for 5 generations. My daughter, son-in-law, and 4
22 grand-children live in the family house just north of

1 my house that has been passed down for generations.

2 The power line's current path is 50
3 feet nor of my back door and south of my
4 grandchildren's house, with the barns, machine sheds,
5 their 3 ponies, and calves in between. Ameren has
6 cut through the north one-third of the 178-acreage
7 family farm with a 138,000-volt power line years ago.
8 Now Ameren wants to cut, south, one-third of the farm
9 off and pass through two homesteads with a
10 345,000-volt million power line.

11 There will 2,000-foot aircraft runway
12 paralleling the proposed power line. This proposed
13 power line, if built, will dislocate two families,
14 make a horse barn and machine shed unstable, and
15 abandonment of a runway.

16 The legal costs of the affected
17 landowners and invasion of our property rights and
18 personal lives is nothing less than constitutional
19 and definitely unlawful. We are not notified. We
20 were denied our right of intervention. This is not
21 right, not in America. Thank you.

22 CHAIRMAN SHEAHAN: Thank you, sir.

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Our final speaker is Tom Martin.

MR. THOMAS MARTIN: Good morning. My name is Thomas Martin. I own one-third parcels of "ED 074" and "ED 075" along with my two brothers Timothy and Ronald Martin. We obtained "ED 075" in 1980. We obtained "ED 0774" in 2003.

In late November 2013 my brother Ronald received an offer for land lease from contract land staff representing Ameren. In my opinion, Tim and myself should have received the same offer. It never happened. I questioned why. Apparently, Ameren and contract land staff were not sure.

My home is 68 feet by 28 feet; and the metal building 24 by 36 is located near the line. The reason I say Ameren didn't know is because Roy Wimp, Jr., contract land staff, made the statement to Ron, "Looks like your brother just put a house back there." My house was built and finished in late 1997. That statement was made by Mr. Wimp to my brother in the December of 2013. This tells me Ameren made no pre-approved survey of the later

1 approved route. I question if this is typical
2 business by Ameren? I know the exact date Ameren
3 first discovered my home, January 28th, 2014, at
4 11:00 a.m. by a fly-over in a helicopter. I stood in
5 my driveway and watched. I am sure they saw me.

6 January of 2014 I received by notice
7 from Ameren of an approved power line, which did not
8 have any direct address on the envelope. It had
9 Ron's address on it. I questioned, where was my
10 private notice? Ameren did not do the work necessary
11 to have the line approved so quickly. Wimp also
12 stated to Ron, "You might as well sign the lease
13 agreement now because we'll get it one way or
14 another".

15 Another example that Ameren did not do
16 the pre-approval work necessary is, on April 8, 2014,
17 contract land staff employees were in the Edgar
18 County Clerk's office doing ownership investigations.
19 Trey, contractor land staff, asked he County Clerk
20 Office employees for death records of Ron, Tim, and
21 Tom Martin.

22 I question why a line drawn up by two

1 housewives is better than an alignment drawn up by
2 Ameren engineers? Thank you.

3 CHAIRMAN SHEAHAN: Thank you. That concludes
4 our public comments. We'll now move into our Public
5 Utilities Agenda.

6 There are edits to the September 5th
7 Supplier Diversity Policy Session and September 12th
8 Regular Open Meeting minutes. There are no edits to
9 the September 14th Special Open Meeting minutes.

10 Are there any objections to approving
11 the minutes?

12 (No response.)

13 CHAIRMAN SHEAHAN: Hearing none, the minutes
14 are approved.

15 Item E-1 concerns Ameren's filing to
16 implement measures against payment of a avoidance by
17 location for both its electric and gas customers.

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

20 (No response.)

21 CHAIRMAN SHEAHAN: Hearing none, the filings is
22 not suspended.

1 Items E-2 and 3 concern amendments to
2 Administrative Code Part 421, 451, and 455. Are
3 there any objections to considering these items
4 together and approving the proposed Orders initiating
5 rulemaking proceedings and authorizing the first
6 notice periods?

7 (No response.)

8 CHAIRMAN SHEAHAN: Hearing none, the Orders are
9 approved.

10 Item E-4 concerns Ameren's
11 Reconciliation of Revenues Collected Under Its
12 Electric Uncollectible Adjustment and Gas
13 Uncollectible Adjustment Riders.

14 Are there any objections to approving
15 the proposed Order approving the reconciliation?

16 (No response.)

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

19 Items E-5 through 7 concern Ameren's
20 reconciliation of revenues collected under its Coal
21 Tar Riders.

22 Are there any objections to

1 considering these items together and approving the
2 proposed Orders?

3 (No response.)

4 CHAIRMAN SHEAHAN: Hearing none, the Orders are
5 approved.

6 Item E-8 concerns a consumer complaint
7 against ComEd. Are there any objections to approving
8 the proposed Order dismissing the complaint?

9 (No response.)

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

12 Item E-9 concerns Ameren's Petition to
13 Construct, Operate, and Maintain a New High-Voltage
14 Service Line in McLean County.

15 Are any objections to approving the
16 proposed Order granting the petition?

17 (No response.)

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

20 Item E-10 concerns ComEd's rate --
21 formulate rate update. Are there any objections to
22 denying their Petition for Interlocutory Review?

1 (No response.)

2 CHAIRMAN SHEAHAN: Hearing none, the petition
3 is denied, and the ALJ's decision is affirmed.

4 Item E-11 concerns American Power &
5 Gas's petition seeking confidential treatment of its
6 annual report.

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

9 (No response.)

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

12 Items E-12 and 13 concerns
13 Applications for Authority to Install Distribution
14 Generation Facilities.

15 Any objections to considering these
16 items together and approving the proposed Orders?

17 (No response.)

18 CHAIRMAN SHEAHAN: Hearing none, the Orders are
19 approved.

20 Item E-14 concern ComEd's Petition for
21 Special Permission to file revise tariffs that aid
22 the efficient interconnection of distributed energy

1 resources.

2 Are there any objections to granting
3 the special permission?

4 (No response.)

5 CHAIRMAN SHEAHAN: Hearing none, the special
6 permission is granted.

7 Item E-15 through 48 concern
8 applications for authority to install energy
9 efficiency measures.

10 Are there any objections to
11 considering these items together and approving the
12 proposed Orders?

13 (No response.)

14 CHAIRMAN SHEAHAN: Hearing none, the Orders are
15 approved.

16 Item G-1 one concerns Consumer Gas's
17 reconciliation of revenues collected under its gas
18 adjustment charges.

19 Are there objections to approving the
20 proposed Order approving the reconciliation?

21 (No response.)

22 CHAIRMAN SHEAHAN: Hearing none, the Orders is

1 approved.

2 Items G-2 and 3 concern North Shore
3 Gas and Peoples reconciliation of revenues collected
4 under its Coal Tar Rider respectively.

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

8 (No response.)

9 CHAIRMAN SHEAHAN: Hearing none, the Orders are
10 approved.

11 Item G-4 concerns Nicor Gas's
12 Reconciliation of Revenues Collected Under Its
13 Qualified Infrastructure Plan Rider.

14 Are there any objections to approving
15 the proposed Order approving the reconciliation?

16 (No response.)

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

19 Item G-5 concerns Ameren's Petition to
20 Construct Natural Gas Facility in Tazwell County.

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

1 (No response.)

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

4 Item G-6 concerns Bolt Energy's
5 Application for Authority to Operate as an
6 Alternative Gas Supplier.

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

9 (No response.)

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

12 Item T-1 concerns Altaworks's
13 application for authority to operate as a reseller of
14 telecommunications services.

15 Are there any objections to approving
16 the proposed Order approving the application?

17 (No response.)

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

20 Items T-2 and 4 concern applications
21 for authority to provide resold commercial mobile
22 radio service.

1 Are there any objections to
2 considering these items together and approving the
3 proposed Orders?

4 (No response.)

5 CHAIRMAN SHEAHAN: Hearing none, the Orders are
6 approved.

7 Item T-3 concerns Etrali North
8 America's Petition for Voluntary Decertification

9 Are there any objections to approving the
10 proposed Order granting the petition?

11 (No response.)

12 CHAIRMAN SHEAHAN: Hearing none, the Order is
13 approved.

14 Item W-1 concerns Aqua's filing
15 regarding the Department of Health's rules on fire
16 service connections.

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

19 (No response.)

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

22 Item W-2 concerns Aqua's petition to

1 purchase and operate a wastewater system in Kane
2 County.

3 Are there any objections to approving
4 the Interim Order approving the engagement agreement
5 with an appraiser?

6 (No response.)

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

9 Item W-3 concerns Aqua's petition to
10 construct, operate, maintain a wastewater system
11 Kankakee County.

12 Any objections to approving the
13 Interim Order approving the engage agreement with an
14 appraiser?

15 (No response.)

16 CHAIRMAN SHEAHAN: Hearing none, the Interim
17 Order is approved.

18 Item M-1 concerns the 2019 Illinois
19 Statewide Technical Reference Manual for Energy
20 Efficiency. Are there any objections to approving
21 the proposed Order initiating the proceeding?

22

1 (No response.)

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

4 Item M-2 concerns an Amendment to
5 Administrative Code Part 200. Are there any
6 objections to approving the proposed Order initiating
7 a rulemaking proceeding and authorizing the first
8 notice period?

9 (No response.)

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

12 Item M-3 concerns ENCOA's petition to
13 seek confidential treatment of portions of its annual
14 report.

15 Are there any objections to approving
16 the proposed Order approving the petition?

17 (No response.)

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

20 All right. Under Other Business, Item
21 0-1 concerns October 2018's Solicitation of Bids to
22 Sell Renewable Energy Credits from New Utility-Scale

1 Wind Projects to Ameren, ComEd, and MidAmerican.

2 Are there any objection to approving
3 the Procurement Administrator's recommendations on
4 the selection of winning bids?

5 (No response.)

6 CHAIRMAN SHEAHAN: Hearing none, Procurement
7 Administrator's recommendations are approved.

8 Item 0-2 concerns the 2019 Commission
9 calendar. Are any objections to approving the
10 calendar?

11 (No response.)

12 CHAIRMAN SHEAHAN: Hearing none, the calendar
13 is approved.

14 Judge Teague-Kingsley, do we have any
15 other matters to come before the Commission this
16 morning?

17 JUDGE TEAGUE-KINGSLEY: No, Mr. Chairman.

18 CHAIRMAN SHEAHAN: Commissioners, do any of you
19 have any other business you would like to discuss?

20 (No response.)

21 CHAIRMAN SHEAHAN: Hearing none and without
22 objection, the meeting is adjourned. Thank you.

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(Whereupon, the above-entitled
matter was adjourned.)