

1 PROCEEDINGS

2 CHAIRMAN SCOTT: Before moving into
3 the agenda, according to Section 1700.10 of Title
4 2 of the Administrative Code, this is the time we
5 allow members of the public to address the
6 Commission. Members of the public wishing to
7 address the Commission must notify the Chief
8 Clerk's office at least 24 hours prior to
9 Commission meetings.

10 According to the Chief Clerk's
11 office, we have four requests to speak at
12 today's Bench Session. We will take the requests
13 in the order that they were received. Each
14 speaker will be allotted three minutes. And, as
15 a reminder just to the speakers -- because it
16 comes across a little strange -- but the
17 Commissioners are not to provide responses to any
18 of the statements made. So if we don't say
19 anything, that's why.

20 First, we have Ms. Stephanie Payne,
21 who I believe is here. Ms. Payne, if you'd like
22 to come up to the table and to one of the
23 microphones there.

24 MS. PAYNE: Thank you.

1 CHAIRMAN SCOTT: Thank you. Start
2 when you're ready, and you'll have three minutes.
3 Thank you.

4 MS. PAYNE: My name is Stephanie
5 Payne S-t-e-p-h-a-n-i-e P-a-y-n-e. I come from a
6 farm in DeKalb County where the proposed Grand
7 Prairie Gateway Project transmission line would
8 go very close to the farmstead where I live and
9 work.

10 I am speaking on my own behalf
11 regarding reasons I hope this is voted no and
12 reasons why it could or should be voted no.

13 My own background is 12 years of
14 doing tax accounting and bookkeeping work and,
15 more recently, ten years of farm-related work.

16 An engineer friend of mine told me
17 it's really bad luck to have this transmission
18 line thing happen to me, to have this come so
19 close to me. I could see his engineer brain
20 visualizing how close this will -- would impact
21 me even better than I can visualize it, and then
22 he went ahead and told me all the ways I would be
23 impacted in case I didn't already know it. Plus
24 it goes through a half mile of our field. It is

1 a really good farm, and it takes more than a
2 lifetime of work to pay for a farm.

3 And yet ComEd is adamant, even
4 forceful, in saying this doesn't affect property
5 values. Beyond property values, they have never
6 even found out what a willing seller, so to
7 speak, would require in order to have this
8 constructed on their farm and near their home.
9 That would be even different than property
10 values. So that is the reason I feel very
11 strongly that this should be voted no -- because
12 of what ComEd says about the property values.

13 Furthermore, they would need to find
14 the willing seller price of everyone involved so
15 that a true cost basis of the project can be
16 presented, which would make this an even more
17 marginal project. I find no indication that this
18 has been done.

19 Furthermore, I'm not understanding
20 how ComEd meets the burden of proof required for
21 this docket, and I have spent a lot of time on
22 the docket. I also don't see how a monopoly can
23 be effectively competitive, and I'm so fearful
24 the competitive edge on this project comes not --

1 comes from not recognizing the value and lifetime
2 of work that goes into a farm and how this
3 impacts an otherwise good parcel.

4 In addition, I don't know why
5 ComEd -- I don't know why they would even present
6 this project considering what it writes about on
7 the Rock Island Clean Line, especially when they
8 themselves state many reasons over on that
9 docket.

10 I went to four open houses and was
11 told by representatives that I get the award for
12 asking the most questions but not a lot of
13 answers. Nothing really made sense even -- even
14 back then for me.

15 So I'm asking you to please vote it
16 down. I feel it would be the right answer, and
17 denying this project would bring so much relief
18 to the many people along the route.

19 Thank you for the opportunity to
20 speak today.

21 CHAIRMAN SCOTT: Thank you,
22 Ms. Payne.

23 Next we have Mr. John Cash, who I
24 believe is in Chicago. Mr. Cash, if you're

1 there, you want to go up to one of the
2 microphones at the table, and the camera is
3 focused on you there so we can see you. And just
4 make sure your microphone is on. Hit the little
5 button down on the base there.

6 MR. CASH: Looks like it's on. Can
7 you hear me?

8 CHAIRMAN SCOTT: It is. We're good.
9 Go right ahead whenever you're ready, sir.

10 MR. CASH: Thank you. Appreciate the
11 time here. I'm John Cash, and I am a spokesman
12 for a group of farm owners who own properties on
13 Plato Road in Kane County; and, you know, like
14 the last person who was just on so eloquently
15 stated their concerns, we're concerned about the
16 project as well. And, obviously, the question is
17 whether the project should even be approved
18 because Exelon, the parent company, has said in
19 times in the past that they're going to shut
20 Byron down because it's not competitive with
21 fracking now -- the cheap cost of natural gas now
22 and also other innovations and energy savings and
23 smart grid technology. So that's really not the
24 reason I'm here today, though -- to talk about

1 whether or not it should be approved -- but if
2 the project is approved, our group is concerned
3 about a deviation off the Canadian National
4 railroad track that occurs near Plato Center.

5 So effectively the group that I'm a
6 spokesman for is my sister Mary Lewis; Arlene
7 Waterman; the Muirhead family, Wayne and Dean and
8 Dennis Muirhead; Lynn and Betty Landmeier.

9 But essentially -- I don't know if
10 you can see my exhibit from that perspective of
11 the camera. Essentially the original route is --

12 COURT REPORTER: I can't hear him.

13 CHAIRMAN SCOTT: Now we can't hear
14 you; so --

15 CHICAGO: They can't hear you.

16 CHAIRMAN SCOTT: We can't hear you,
17 sir.

18 There you go.

19 MR. CASH: I'm sorry. I'm not too
20 good with technology.

21 CHAIRMAN SCOTT: No. That's okay.

22 MR. CASH: Trying to get a picture in
23 here. It's like Skyping my kids at school.

24 So, anyway, I'm trying to get you to

1 see this. The original route that ComEd proposed
2 in June of 2013 showed the transmission lines
3 following the Canadian railroad freight train
4 track, which I guess makes sense: have the heavy
5 infrastructure with the heavy infrastructure. It
6 went all the way out to -- from the Wayne
7 substation to Burlington following the tracks.

8 Well, apparently, there were some
9 discussions last fall with -- discussions last
10 fall with the forest preserve, and the forest
11 preserve expressed concerns about it going
12 through the train tracks through the forest
13 preserve.

14 So ComEd then diverted it around the
15 forest preserve, the Kane County Forest Preserve,
16 Muirhead Springs Forest Preserve, and what it did
17 was it added an additional three quarter miles,
18 and it added about nine additional towers, and it
19 caged in the forest preserve. The forest
20 preserve later looked at that and said, "You know
21 what? That's worse than having it go straight
22 through."

23 So they went back to ComEd and said,
24 "You know what? We've changed our minds. We'd

1 like to keep it on the tracks. That's better for
2 the forest preserve. That's better for the
3 surrounding community. It's less disruptive."

4 And you can see this picture here
5 kind of shows -- you know, the shortest distance
6 between two points is a straight line. Well, it
7 was originally a straight line -- I don't know if
8 you can see that -- and then they diverted it an
9 extra three quarters of a mile, adding nine
10 towers crossing 800 acres of farms, eight
11 different farms. And it's going to look
12 ridiculous with this turn in the middle of a
13 cornfield. All the sudden there's a right angle
14 turn in the middle of the cornfield, and the
15 towers -- excuse me. The towers, you know, are
16 straight along the tracks, which makes the most
17 sense, versus this crazy, you know, turn --
18 bizarre turn out in the cornfield.

19 So I think what the -- I'll sit back
20 down again. The folks at the Kane County Forest
21 Preserve, Monica Meyers, has testified twice that
22 they would like to see it return to the original
23 route, a straight line following the tracks.

24 So, accordingly, you know, we think

1 it would obviously save a lot of money too for
2 the ratepayers -- having less mileage and less
3 towers.

4 So, accordingly, you know, it's like
5 we learned in elementary school: The straightest
6 distance between -- the shortest distance between
7 two points is a straight line. So we're
8 advocates -- if this does indeed happen, if it is
9 indeed approved, we're advocates for the original
10 route, the straight line following the CN
11 railroad tracks.

12 Thank you.

13 CHAIRMAN SCOTT: Thank you, Mr. Cash.

14 MR. CASH: Hope you can see those
15 exhibits. I can leave these here.

16 CHAIRMAN SCOTT: Yeah, that's fine.
17 Thank you.

18 And also, I believe, in Chicago is
19 Ms. Linda Schramm.

20 MR. CASH: Linda's the next door
21 neighbor.

22 CHAIRMAN SCOTT: Okay.

23 MS. SCHRAMM: Yes. Thank you for
24 allowing me to speak this morning. My name is

1 Linda Schramm. I'm representing a multitude of
2 people that live on Plato Road that are in the
3 way of the primary route and also my family farm.

4 And the least expensive route for
5 ComEd to go and the least amount of impact to
6 Plato Center for ComEd would be to go down the
7 easement property that they already own along the
8 railroad tracks by Plato Center and out past 47.
9 ComEd already owns easement land there and would
10 be wise to utilize that.

11 Also, the distance around the
12 Muirhead Springs Forest Preserve where the towers
13 could run is only a distance of a half a mile,
14 and ComEd has proposed to go the primary route
15 through over 800 acres of beautiful, productive
16 farmland owned by over eight families, which
17 would be approximately two-and-a-half miles.
18 This would cost millions of dollars more.

19 And ComEd knew that there were no
20 restrictions on the southern part of Muirhead
21 Springs Forest Preserve south of Rohrsen Road
22 because their representative, Sylvia Rogowski,
23 was at the Kane County Forest Preserve meetings
24 and the county board meetings and heard Monica

1 Meyers on the Kane County Forest Preserve staff
2 talk about this. And at public meetings the
3 representative, Sylvia Rogowski, had also
4 expressed their preference -- being ComEd -- to
5 run their route on the lines along the railroad
6 tracks and support the many landowners who did
7 not want the high voltage lines to go on their
8 productive land.

9 In all of the Kane County Forest
10 Preserve and Kane County board meetings, everyone
11 present that is a member and public attending
12 wanted the power lines to go along the railroad
13 tracks south of Rohrsen Road.

14 There's a lot of open space there. I've been by
15 there many, many times, taken a lot of pictures,
16 showed them at these meetings.

17 I also talked to Michael Great, the
18 project manager, and he told me that ComEd wanted
19 to go along the railroad tracks by Plato Center
20 south of Rohrsen Road, but the Kane County Forest
21 Preserve thought at that time there were
22 restrictions on the Muirhead Springs Forest
23 Preserve.

24 But at the next meeting, Monica

1 Meyers, who is on the staff of the forest
2 preserve, said at a public meeting there were no
3 restrictions on the southern portion of the
4 Muirhead Springs Forest Preserve. So that left
5 clear sailing for ComEd to go on the southern
6 route of the railroad tracks, and she said that
7 everything had been sent to ComEd that they asked
8 for to show that they could put lines on this
9 area.

10 And in the last meetings and
11 statements, ComEd is contrary to this
12 information, and they wanted to continue with the
13 primary route going along the forest preserve and
14 actually enclosing it on three different sides.

15 So, in summary, I'd just like to say
16 that if it's deemed -- you know, of course,
17 nobody wants it, but if it's deemed necessary, we
18 just think it's the wisest thing for them to go
19 the half a mile across the entrance of the
20 Muirhead Springs, which actually is not a forest
21 preserve. It's only cornfield, and it looks like
22 every other field out there. I can testify to
23 that. And so we really don't want it to go
24 through our family farms.

1 And I also represent, like I say,
2 everyone on the -- on Plato Road, which is Dean
3 and Wayne and Dennis Muirhead, and also
4 Schurings, and John Cash. And it's Delores
5 Schuring and another household is Norm and Bev
6 Schuring, and also another household is Jane
7 Schuring and Betty and Lynn Landmeier. All these
8 people are against it, and they were happy that I
9 could be here to represent them as well.

10 And so since that was on the original
11 map back when ComEd was doing the public
12 houses -- the meetings, that that's the route
13 that they wanted to go on, that's what they had
14 on their original map, and now all the sudden
15 they're contrary to that.

16 So we would like them to stay with
17 their original plan and stay on the area along
18 the railroad tracks south of Rohrsen Road.

19 Thank you.

20 CHAIRMAN SCOTT: Thank you,
21 Ms. Schramm.

22 MS. SCHRAMM: Also, I do have some
23 papers I'm going to leave here that shows anyone
24 that would like to see it that this is the

1 railroad tracks and, as John Cash had stated,
2 that it's a straight route. This is what is on
3 the primary route. It's absolutely going to ruin
4 the town of Plato Center. There will not be -- I
5 lived there all my life. Okay? And so it's
6 going to completely ruin it for any further
7 development. It will never, ever -- it's going
8 to turn into a ghost town if this goes through.
9 Nobody's going to ever want to do anything with
10 that town.

11 So they're proposed to go all the way
12 to the -- to the -- from the east on the south
13 and then on the north and then -- and then go
14 straight west, which is going to cost a lot more
15 money, and it's not a wise thing at all to do.

16 So I'd appreciate it, if people --
17 whoever needs to, would look into this and have
18 them just go along the railroad tracks the whole
19 way.

20 Thank you.

21 CHAIRMAN SCOTT: Thank you,
22 Ms. Schramm.

23 And, finally, I believe, here in
24 Springfield we have Ms. Susan Payne.

1 MS. PAYNE: My name is Susan Payne,
2 and I appreciate the opportunity to speak to the
3 Commerce Commission today.

4 CHAIRMAN SCOTT: Could you please
5 pull the microphone a little closer to you?
6 Sorry. There you go.

7 MS. PAYNE: This is kind of new to
8 me.

9 We've come to express some of our
10 thoughts about the proposed Grand Prairie Gateway
11 Project. The DeKalb-Ogle area of this proposed
12 project contains more than half of its length and
13 is comprised of real people with real homes and
14 real concerns and hopes for their futures.

15 We feel that ComEd should not be able
16 to drown out the concerns of the people living
17 along the proposed route for this overhead
18 project. There is certainly a credible other
19 side of the story. ComEd's insistence and
20 persistence in steadfastly refusing to
21 acknowledge that there are health and property
22 concerns is difficult to accept.

23 While saving money on electric bills
24 is a desirable goal, those savings should not be

1 viewed in isolation. The savings are spread over
2 a number of years and 3.8 million customers. So
3 it's a relatively small amount per customer per
4 month.

5 On the other hand, the cost to every
6 individual property owner along the route is
7 substantial, is immediate, and is permanent.
8 ComEd discredits the concerns about the
9 aesthetics of the areas around people's homes and
10 property; yet for many the impact to property
11 represents a lifetime of saving and sacrificing.
12 Might not be a big deal to ComEd, but it's a
13 permanent, huge deal to the people affected by
14 the project.

15 For us the project would cut through
16 our farm near our farmstead and our home. It
17 would be a huge negative impact on our farming
18 operation, our property value, and be a constant
19 reminder of possible health concerns.

20 If this project is approved, we feel
21 it should not be so intrusive on the lives and
22 livelihoods of the people who happen to be
23 located along the route. We feel that ComEd
24 should actively pursue other possibilities,

1 including the possibility of burying their
2 transmission lines.

3 We ask that the Commission please
4 hold ComEd to their burden of proof, and we hope
5 that the project is denied.

6 Thank you.

7 CHAIRMAN SCOTT: Thank you,
8 Ms. Payne.

9 We'll now move to the public utility
10 agenda, and we'll begin with the transcript from
11 our September 23rd 111(d) Policy Session. I
12 understand amendments have been forwarded.

13 Is there a motion to amend the
14 transcript?

15 COMMISSIONER MCCABE: So moved.

16 CHAIRMAN SCOTT: Is there a second?

17 COMMISSIONER COLGAN: Second.

18 CHAIRMAN SCOTT: Moved by
19 Commissioner McCabe. Second by Commissioner
20 Colgan.

21 All in favor say "Aye."

22 ("Ayes" heard.)

23 CHAIRMAN SCOTT: Any opposed?

24 (No response.)

1 CHAIRMAN SCOTT: Vote is 5-0, and the
2 amendments are adopted.

3 Is there now a motion to approve the
4 transcript as amended?

5 COMMISSIONER COLGAN: So moved.

6 CHAIRMAN SCOTT: Is there a second?

7 COMMISSIONER MAYE: Second.

8 CHAIRMAN SCOTT: Moved by
9 Commissioner Colgan. Second by Commissioner
10 Maye.

11 All in favor say "Aye."

12 ("Ayes" heard.)

13 CHAIRMAN SCOTT: Any opposed?

14 (No response.)

15 CHAIRMAN SCOTT: The vote is 5-0, and
16 the transcript from our September 23rd 111(d)
17 Policy Session as amended is approved.

18 Next we have the minutes from our
19 September 26th Special Open Meeting.

20 Is there a motion to approve the
21 minutes?

22 COMMISSIONER MCCABE: So moved.

23 CHAIRMAN SCOTT: Is there a second?

24 COMMISSIONER DEL VALLE: Second.

1 CHAIRMAN SCOTT: Moved by
2 Commissioner McCabe. Second by Commissioner del
3 Valle.

4 All in favor say "Aye."

5 ("Ayes" heard.)

6 CHAIRMAN SCOTT: Any opposed?

7 (No response.)

8 CHAIRMAN SCOTT: The vote is 5-0, and
9 the minutes from our September 26th Special Open
10 Meeting are approved.

11 Also on today's agenda are the
12 minutes from our September 30th Regular Open
13 Meeting and October 7th Regular Open Meeting. I
14 understand amendments have been forwarded.

15 Is there a motion to amend those sets
16 of minutes?

17 COMMISSIONER COLGAN: So moved.

18 CHAIRMAN SCOTT: Is there a second?

19 COMMISSIONER MAYE: Second.

20 CHAIRMAN SCOTT: Moved by
21 Commissioner Colgan. Second by Commissioner
22 Maye.

23 All in favor say "Aye."

24 ("Ayes" heard.)

1 CHAIRMAN SCOTT: Any opposed?

2 (No response.)

3 CHAIRMAN SCOTT: The vote is 5-0, and
4 the amendments are adopted.

5 Is there now a motion to approve the
6 minutes as amended?

7 COMMISSIONER MAYE: So moved.

8 CHAIRMAN SCOTT: Is there a second?

9 COMMISSIONER MCCABE: Second.

10 CHAIRMAN SCOTT: Moved by
11 Commissioner Maye. Second by Commissioner
12 McCabe.

13 All in favor say "Aye."

14 ("Ayes" heard.)

15 CHAIRMAN SCOTT: Any opposed?

16 (No response.)

17 CHAIRMAN SCOTT: Vote is 5-0, and the
18 minutes from our September 30th Regular Open
19 Meeting and October 7th Regular Open Meeting as
20 amended are approved.

21 Turning first to the electric portion
22 of today's agenda, Item E-1 is Docket No.
23 14-0066. This is MidAmerican Energy Company's
24 proposed general rate increase for electric

1 service.

2 MidAmerican requested oral argument,
3 which the Commission has granted pursuant to
4 Section 9-201(c) of the Public Utilities Act.
5 Notice concerning the date and scope of the
6 argument will be served on the parties shortly.

7 Additionally, ALJ Jorgenson
8 recommends entry of an Order approving the new
9 rates.

10 This item will be held for
11 disposition at a future Commission proceeding.

12 JUDGE JORGENSEN: Mr. Chairman, I
13 just want to make you aware that there are a lot
14 of public comments that have been filed in this
15 docket.

16 CHAIRMAN SCOTT: Thank you, Judge.
17 Appreciate that.

18 COURT REPORTER: Who is that?

19 CHAIRMAN SCOTT: That was Judge
20 Jorgenson.

21 Item E-2 is Docket No. 13-0498. This
22 is Ameren Illinois' approval of its Energy
23 Efficiency and Demand Response Plan pursuant to
24 220 ILCS Section 5/8-103 and 220 ILCS Section

1 5/8-104. The Environmental Law and Policy Center
2 filed a Motion for Leave to File Comments on
3 Ameren's Smart Devices Plan, which ALJ Yoder
4 recommends we deny.

5 Commissioner McCabe, I understand you
6 have some comments?

7 COMMISSIONER MCCABE: The Commission
8 approved the Smart Devices Program as a means to
9 enable energy efficiency potential with smart
10 meter deployment. The Commission stated in its
11 Order that it is dedicated to providing consumers
12 with all available tools, which includes
13 leveraging the investments of smart grid that are
14 well underway.

15 Given this objective, the Commission
16 has an interest in determining if the program
17 will meet the goals outlined in the Order.

18 The Commission clearly contemplated a
19 reassessment, and ELPC's motion alleges that
20 further review is necessary. As the parties
21 pointed out, we did not provide sufficient
22 guidance.

23 Therefore, I propose a three-part
24 motion:

1 I move that, one, we deny ELPC's
2 motion.

3 Two, we reopen the record in this
4 case for the limited issue of determining whether
5 AIC's filed Smart Devices Program is consistent
6 with the goals and objectives of the program
7 approved in the January Order.

8 And, three, we direct the ALJ to set
9 a schedule for the parties to file testimony on
10 this issue.

11 CHAIRMAN SCOTT: That's in the form
12 of a motion.

13 Is there a second?

14 COMMISSIONER DEL VALLE: Second.

15 CHAIRMAN SCOTT: Second by
16 Commissioner del Valle.

17 Being moved and seconded, any
18 discussion?

19 (No response.)

20 CHAIRMAN SCOTT: All in favor say
21 "Aye."

22 ("Ayes" heard.)

23 CHAIRMAN SCOTT: Any opposed?

24 (No response.)

1 CHAIRMAN SCOTT: Vote is 5-0. ELPC's
2 motion is denied, the proceeding is reopened with
3 the limited scope described by Commissioner
4 McCabe, and the ALJ is directed to set a schedule
5 for parties to file testimony.

6 This 5-0 vote will be used for the
7 remainder of today's public utility agenda unless
8 otherwise noted.

9 I did have one quick comment on that
10 matter. I just want to say, while I was voting
11 to reopen the proceeding, I would hope that the
12 testimony would be filed in an expedited manner
13 as it appears that Ameren had planned to
14 implement its program beginning in the fourth
15 quarter of this year.

16 And while I don't generally support
17 reopening proceedings that have already been
18 closed, in this case I see a difference in that
19 the Commission clearly directed Ameren to file a
20 report on the formation of this program six
21 months after the Final Order was issued. It's
22 reasonable that the Commission would want
23 additional information on how the program could
24 be further refined, particularly if the

1 stakeholder process that we typically rely on at
2 the SAG was unsuccessful, as it appears it was in
3 this instance.

4 So it's very important that we get
5 the programs related to smart meters right as
6 ratepayers have made a significant investment in
7 technology and should be able to see a benefit as
8 soon as possible.

9 Commissioner Colgan.

10 COMMISSIONER COLGAN: I'm not going
11 to try to elaborate further on your comment, but
12 I want to say that I do support your comments. I
13 think that they're right on the mark.

14 CHAIRMAN SCOTT: Judge Wallace.

15 JUDGE WALLACE: Commissioner McCabe,
16 you wanted testimony as opposed to just a
17 comment?

18 COMMISSIONER MCCABE: Comments would
19 be fine.

20 JUDGE WALLACE: Can we leave that up
21 to the --

22 CHAIRMAN SCOTT: We can leave that up
23 to the judge? Yeah, without objection, that's
24 fine.

1 Thank you, Judge.

2 Anything else on this matter?

3 Item E-3 is Docket No. 13-0657. This
4 is ComEd's Application for a Certificate of
5 Public Convenience and Necessity pursuant to
6 Section 8-406.1 of the Illinois Public Utilities
7 Act and an Order pursuant to Section 8-503 of the
8 Illinois Public Utilities Act to construct,
9 operate, and maintain a new 345kV transmission
10 line in Ogle, DeKalb, Kane, and DuPage Counties.

11 ALJ Hilliard and Jorgenson recommend
12 entry of an Order denying the Application.

13 We have several sets of edits that
14 are being proposed today. For clarity's sake, we
15 will take them one at a time.

16 The first set of edits I would
17 propose regarding the alternate route for the
18 Elgin portion of the line. These edits reverse
19 the Order's conclusion that ComEd did not satisfy
20 its requirement to present or be excused from
21 identifying an alternate route for 20 percent of
22 the project.

23 After reviewing the record, including
24 the arguments presented in ComEd and Staff's

1 briefs on exception and reply briefs on
2 exception, it's my position that ComEd has shown
3 good cause for why it should be excused from
4 satisfying this requirement. Cost estimates in
5 the record suggest that undergrounding this
6 portion of the line is extremely cost
7 prohibitive, more than doubling the project's
8 total cost.

9 Further, the Commission is always
10 mindful of cost causation, and in this case all
11 of the ratepayers in the ComEd load zone would
12 bear the burden of the undergrounding cost which
13 would provide benefits to a smaller subset of
14 customers.

15 These edits also incorporate language
16 that addresses the failure of a route utilizing
17 the same rights-of-way, such as with the
18 undergrounding, as the primary route to qualify
19 as an alternative.

20 Consistent with these edits, the lack
21 of an alternative route is no longer cited as
22 cause for denial of the Certificate of Public
23 Convenience and Necessity for the project.

24 I would move the adoption of these

1 edits.

2 Is there a second?

3 COMMISSIONER MCCABE: Second.

4 CHAIRMAN SCOTT: Second by

5 Commissioner McCabe.

6 It's been moved and seconded.

7 Is there any discussion on these

8 edits?

9 Commissioner del Valle.

10 COMMISSIONER DEL VALLE: Mr.

11 Chairman, at what time is it appropriate to ask

12 questions about the route given --

13 CHAIRMAN SCOTT: You can do that now,

14 if you like.

15 COMMISSIONER DEL VALLE: -- the issue

16 regarding the Kane County Forest Preserve?

17 CHAIRMAN SCOTT: You can do that now,

18 or you can leave that for when we discuss the

19 issue as amended. So either way.

20 COMMISSIONER DEL VALLE: I'll wait.

21 CHAIRMAN SCOTT: So the first set of

22 edits has been moved and seconded.

23 Any discussion on that edit?

24 (No response.)

1 CHAIRMAN SCOTT: All in favor say
2 "Aye."

3 ("Ayes" heard.)

4 CHAIRMAN SCOTT: Any opposed?

5 (No response.)

6 CHAIRMAN SCOTT: Vote is 5-0, and the
7 edits are approved.

8 Next we have joint edits from
9 Commissioner del Valle and myself concerning the
10 explanation of ARRs as a justification for the
11 project. These edits can be found on pages 20 to
12 26 of the PEPO and express our dissatisfaction
13 with the record as it regards the function and
14 importance of resolving the infeasibilities
15 associated with Stage 1A ARRs.

16 Additionally, these edits develop the
17 Commission's position on the benefits associated
18 with the project and how we may utilize those
19 benefits in determining whether a project meets
20 the statutory requirements for a Certificate of
21 Public Convenience and Need under the market
22 efficiency test.

23 With that, I will move for the
24 adoption of these edits.

1 Is there a second?

2 COMMISSIONER MCCABE: Second.

3 CHAIRMAN SCOTT: Second by

4 Commissioner McCabe.

5 Any discussion on this set of edits?

6 (No response.)

7 CHAIRMAN SCOTT: All in favor say

8 "Aye."

9 ("Ayes" heard.)

10 CHAIRMAN SCOTT: Any opposed?

11 (No response.)

12 CHAIRMAN SCOTT: The vote is 5-0, and

13 the edits are approved.

14 Appreciate the work with Commissioner

15 del Valle and your office on that set.

16 Final set of edits from myself are

17 joint edits from Commissioner McCabe and my

18 office which reverse the conclusion that the

19 project has not satisfied the least cost

20 requirement. These edits make clear that the

21 Commission's least cost determination is not

22 simply a routing analysis, rather it is a

23 determination of the least cost project for the

24 purported benefits and a determination for how

1 that project is sited.

2 It's our position that the project
3 has undergone sufficient analysis -- including
4 PJM's RTEP process, Staff's cost-benefit test,
5 and application of the 12 criteria the Commission
6 utilizes in determining the appropriateness of
7 the project as designed -- to satisfy the least
8 cost requirement.

9 As such, the edits reflect the
10 position that the project has satisfied the
11 criteria for the issuance of a CPCN, and in
12 conjunction with the edits just approved
13 regarding the Elgin portion of the line, the
14 Commission grants ComEd's application.

15 With that, I will move for adoption
16 of these edits.

17 Is there a second?

18 COMMISSIONER MAYE: Second.

19 CHAIRMAN SCOTT: Second by
20 Commissioner Maye.

21 Any discussion on the amendments?

22 (No response.)

23 CHAIRMAN SCOTT: All in favor say
24 "Aye."

1 ("Ayes" heard.)

2 CHAIRMAN SCOTT: Any opposed?

3 (No response.)

4 CHAIRMAN SCOTT: The vote is 5-0, and
5 the edits are approved.

6 Further discussion?

7 Commissioner Maye first on least
8 cost, and then Commissioner del Valle.

9 COMMISSIONER MAYE: Mr. Chairman,
10 thank you very much for your hard work as well
11 the collaboration with the individual offices. I
12 support your edits and the conclusion that
13 ComEd's Grand Prairie Gateway Project satisfies
14 the least cost requirement under 8-406.1(f)(1).

15 Staff correctly pointed out that
16 Illinois courts have held that what constitutes
17 public convenience and necessity is within the
18 Commission's discretion to determine in each
19 case, thereby permitting consideration of a broad
20 range of factors as applicable to the particular
21 case.

22 While the proposed edits state that
23 Stage 1 ARRs in this instance are not a reason in
24 and of themselves to approve the Grand Prairie

1 Gateway Project, the record consists of numerous
2 other benefits and evidence of efficiencies to
3 the market the project will bring. The
4 Commission, in its discretion, took the totality
5 of these benefits into consideration, coupled
6 with Staff's benefit-to-cost analysis, and
7 believes that Grand Prairie Gateway should be
8 approved.

9 Many thanks to you, Mr. Chairman, and
10 the team for preparing these edits.

11 CHAIRMAN SCOTT: Thank you,
12 Commissioner.

13 Commissioner del Valle, questions for
14 Judges Hilliard and Jorgenson?

15 COMMISSIONER DEL VALLE: Yes.

16 Regarding the route in this portion
17 that -- the primary route -- and correct me if
18 I'm wrong -- it was indicated that there were no
19 restrictions on the southern portion of the
20 forest preserve and that we heard from folks that
21 that was their preference.

22 Can you shed some light on that?

23 JUDGE HILLIARD: There is sort of a
24 conflict in the evidence. The forest preserve

1 witness testified that the accommodation that the
2 people that came here today spoke about was --
3 could be accomplished; but, in fact, the forest
4 preserve didn't agree to the -- to the changes
5 that were suggested. And they demanded
6 concessions from ComEd that -- and negotiations
7 didn't get anywhere, and it just -- so the -- it
8 was -- the change in the route that these people
9 requested was never finalized by the forest
10 preserve.

11 That's kind of the sum total of it.

12 COMMISSIONER DEL VALLE: So there was
13 no formal action taken by the forest preserve?

14 JUDGE HILLIARD: That's correct.

15 COMMISSIONER DEL VALLE: Even though
16 it was stated here earlier that -- that an
17 official from the forest preserve had indicated
18 at a public meeting --

19 JUDGE HILLIARD: That was -- that was
20 her testimony, but the forest preserve as a body
21 didn't act upon that -- that statement.

22 COMMISSIONER DEL VALLE: So do we or
23 don't we know whether or not that body supported
24 the route -- the straight line route through the

1 tracks?

2 JUDGE HILLIARD: They did not agree
3 to the concession, the change in the route that
4 had been suggested here today.

5 COMMISSIONER DEL VALLE: Okay. Thank
6 you.

7 CHAIRMAN SCOTT: Further questions or
8 discussion?

9 (No response.)

10 CHAIRMAN SCOTT: Is there now a
11 motion to enter the Order as amended?

12 COMMISSIONER MAYE: So moved.

13 CHAIRMAN SCOTT: Is there a second?

14 COMMISSIONER MCCABE: Second.

15 CHAIRMAN SCOTT: Moved by
16 Commissioner Maye. Second by Commissioner
17 McCabe.

18 Is there any discussion on the Order
19 as amended?

20 (No response.)

21 CHAIRMAN SCOTT: All in favor say
22 "Aye."

23 ("Ayes" heard.)

24 CHAIRMAN SCOTT: Any opposed?

1 (No response.)

2 CHAIRMAN SCOTT: The vote is 5-0, and
3 the Order approving the application as amended is
4 entered.

5 Item E-4 is Docket No. 13 --

6 Yes. I'm sorry.

7 JUDGE JORGENSEN: We also need to let
8 you know that --

9 CHAIRMAN SCOTT: Oh, of course.
10 Thank you.

11 JUDGE JORGENSEN: -- there are 316
12 public comments that were filed in the
13 transmission line docket.

14 CHAIRMAN SCOTT: I'm sorry. I was
15 talking over you. I apologize. 316?

16 JUDGE JORGENSEN: Yes, 316 comments
17 filed on the e-Docket.

18 CHAIRMAN SCOTT: Thank you, Judge.
19 Anything more on E-3 then? No?

20 (No response.)

21 CHAIRMAN SCOTT: E-4 is Docket
22 No. 13-0502. This is Cafe Fourteen's Complaint
23 against ComEd as to billing and/or charges in
24 Palatine.

1 It appears the parties have settled
2 their differences and have filed a Stipulation
3 and Joint Motion to Dismiss which ALJ Hilliard
4 recommends we grant.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the
10 Motion is granted and the Complaint is dismissed.

11 Item E-5 is Docket No. 14-0374. This
12 is Charles Johnson's Complaint against ComEd as
13 to billing and/or charges in Bourbonnais.

14 ALJ Riley recommends entry of an
15 Order dismissing the Complaint for want of
16 prosecution.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the
22 Order is entered and the Complaint is dismissed.

23 Items E-6 and E-7 can be taken
24 together. These items are our reconciliation of

1 revenues collected under Ameren's Rider EDR,
2 Rider GER, and Hazardous Materials Adjustment
3 Clause Rider with actual and prudent associated
4 costs.

5 The ALJ in each case recommends entry
6 of an Order approving the reconciliation.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the
12 Orders are entered.

13 Item E-8 is Docket No. 14-0579. This
14 is Valor Energy's Application for Licensure of
15 Agents, Brokers, and Consultants under Section
16 16-115(c) of the Public Utilities Act.

17 ALJ Kimbrel recommends entry of an
18 Order granting the requested Certificate.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

23 CHAIRMAN SCOTT: Hearing none, the
24 Order is entered.

1 Items E-9 and E-10 can be taken
2 together. These items are Applications for
3 Certification as an Installer of Distributed
4 Generation Facilities under Section 16-128(a) of
5 the Public Utilities Act.

6 In each case, ALJ Baker recommends
7 entry of an Order granting the requested
8 Certificate.

9 Is there any discussion?

10 (No response.)

11 CHAIRMAN SCOTT: Any objections?

12 (No response.)

13 CHAIRMAN SCOTT: Hearing none, the
14 Orders are entered.

15 Item E-11 is Docket No. 14-0551.
16 This is Ameren Transmission Company of Illinois'
17 Petition for an Order pursuant to Section 8-509
18 of the Public Utilities Act Authorizing the Use
19 of Eminent Domain Power.

20 Consistent with the Commission's
21 recent decision in Docket No. 14-0522, ALJ Albers
22 recommends entry of an Order denying the
23 requested relief.

24 Is there any discussion?

1 (No response.)

2 CHAIRMAN SCOTT: Any --

3 COMMISSIONER MCCABE: Yes.

4 CHAIRMAN SCOTT: Oh, I'm sorry.

5 Commissioner McCabe.

6 COMMISSIONER MCCABE: I have a few
7 questions for Judge Albers.

8 CHAIRMAN SCOTT: Okay. I'm sorry.

9 Good morning, Judge.

10 JUDGE ALBERS: Good morning.

11 COMMISSIONER MCCABE: ATXI claims
12 that they already obtained a voluntary easement
13 from two of the four landowners on the modified
14 route and are in negotiations with the others.

15 I just wonder if there's any updates
16 on the status of those negotiations.

17 JUDGE ALBERS: I don't believe that
18 anything's changed in that respect.

19 COMMISSIONER MCCABE: Okay. And what
20 is the process for the company to come to the
21 Commission for approval of a modification to
22 their route, and how long would that take?

23 JUDGE ALBERS: Well, depending on
24 whether they come under 8-406 or 8-406.1, that

1 makes a difference. I would suspect it would be
2 easier for them to come under 8-406.

3 I'd have to make some assumptions on
4 how long it would take, but if everything went
5 smoothly, I would say late January -- if they
6 filed, like, November 1st, for example, late
7 January, early, mid-February get an order before
8 you.

9 COMMISSIONER MCCABE: Okay. And to
10 date nothing's been filed.

11 JUDGE ALBERS: Not that I know of,
12 no.

13 COMMISSIONER MCCABE: Okay. Thank
14 you.

15 CHAIRMAN SCOTT: Thank you, Judge.

16 Is there any objections to the Order
17 as proposed?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the
20 Order is entered.

21 Turning now to natural gas, Items G-1
22 and G-2 can be taken together. These items are
23 reconciliations of revenues collected under Rider
24 30 for Nicor Gas and Rider EOA for Peoples and

1 North Shore Gas with the actual costs associated
2 with energy efficiency and on-bill financing
3 programs.

4 In both cases Staff recommends entry
5 of an Order commencing the reconciliation
6 proceeding.

7 Is there any discussion?

8 (No response.)

9 CHAIRMAN SCOTT: Any objections?

10 (No response.)

11 CHAIRMAN SCOTT: Hearing none, the
12 Orders are entered.

13 Item G-3 is our Motion to Amend 83
14 Illinois Administrative Code Section 590, Minimum
15 Safety Standards for Transportation of Gas and
16 for Gas Pipeline Facilities.

17 Staff recommends entry of an Order
18 initiating a rulemaking proceeding and
19 authorizing the first notice period.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Any objections?

23 (No response.)

24 CHAIRMAN SCOTT: Hearing none, the

1 Order is entered.

2 Item G-4 is Docket No. 14-0412. This
3 is Dominic's Villa Rosa Pizzeria's Complaint
4 against Nordic Energy Services as to contract
5 agreement in Schaumburg.

6 ALJ Riley recommends entry of an
7 Order granting Respondent's Motion to Dismiss and
8 dismissing the Complaint with prejudice.

9 This item will be held for
10 disposition at a future Commission proceeding.

11 Item G-5 is Docket No. 14-0492. This
12 is Nicor's Application pursuant to Section 7-101
13 of the Public Utilities Act for consent to and
14 approval of an agreement between Nicor and
15 Horizon Pipeline Company.

16 ALJ Teague-Kingsley recommends entry
17 of an Order granting the requested relief.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

22 CHAIRMAN SCOTT: Hearing none, the
23 Order is entered.

24 On to telecommunications, Item T-1 is

1 Docket No. 14-0521. This is Barr Tell USA's
2 Application for a Certificate of Local and
3 Interexchange Authority to Operate as a Reseller
4 and Facilities-Based Carrier of Telecommunication
5 Services throughout the State pursuant to
6 Sections 13-403, 13-404, and 13-405 of the Public
7 Utilities Act.

8 ALJ Riley recommends entry of an
9 Order granting the requested Certificates.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the
15 Order is entered.

16 Items T-2 and T-3 can be taken
17 together. These items are New Talk's Petitions
18 to Withdraw its Certificates of Local Exchange
19 and Interexchange Service Authority and to Cancel
20 its Tariffs and to Relinquish its Designation as
21 an Eligible Telecommunications Carrier in the
22 State of Illinois.

23 In each case ALJ Riley recommends
24 entry of an Order granting the requested relief.

1 Is there any discussion?

2 (No response.)

3 CHAIRMAN SCOTT: Any objections?

4 (No response.)

5 CHAIRMAN SCOTT: Hearing none, the
6 Orders are entered.

7 Item T-4 is Docket No. 14-0576. This
8 is Line Systems' Petition to Withdraw its
9 Certificate of Interexchange Service Authority
10 and to Cancel its Tariff.

11 ALJ Riley recommends entry of an
12 Order granting the requested relief.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Any objections?

16 (No response.)

17 CHAIRMAN SCOTT: Hearing none, the
18 Order is entered.

19 Items T-5 and T-6 can be taken
20 together. These items are Petitions for
21 Modifications of Existing 9-1-1 Emergency
22 Telephone Number Systems in Park Ridge and Des
23 Plaines.

24 In each case, ALJ Haynes recommends

1 entry of an Order granting the requested relief.

2 Is there any discussion?

3 (No response.)

4 CHAIRMAN SCOTT: Any objections?

5 (No response.)

6 CHAIRMAN SCOTT: Hearing none, the
7 Orders are entered.

8 Items T-7 and T-8 can be taken
9 together. These items are Joint Petitions for
10 Approval of an Amendment to an Interconnection
11 Agreement pursuant to 47 USC Section 252.

12 In each case, the ALJ recommends
13 entry of an Order approving the Amendment to the
14 Agreement.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the
20 Orders are entered.

21 We have one miscellaneous item on
22 today's agenda. Item M-1 is Docket No. 06-0703.
23 This item concerns our Motion to Revise 83
24 Illinois Administrative Code Section 280 -- Part

1 280.

2 ALJ Hilliard recommends entry of an
3 Order adopting the proposed rule.

4 Commissioner Colgan has recused
5 himself from this docket; so he will not be
6 voting on this matter.

7 COMMISSIONER COLGAN: This is
8 correct.

9 CHAIRMAN SCOTT: Okay.

10 Is there any discussion?

11 Commissioner McCabe, and then
12 Commissioner del Valle.

13 COMMISSIONER MCCABE: Okay. I just
14 want to recognize this is a culmination of about
15 eight years of work and probably a huge relief to
16 ALJ Hilliard.

17 So I just want to acknowledge all the
18 parties' efforts on a long-time effort.

19 CHAIRMAN SCOTT: Commissioner del
20 Valle.

21 COMMISSIONER DEL VALLE: I just
22 wanted to say we should have a party.

23 That's all I want to say.

24 COMMISSIONER MCCABE: Judge Hilliard

1 may want to say something

2 JUDGE HILLIARD: I'm back.

3 COMMISSIONER MCCABE: Just saying
4 congratulations.

5 JUDGE HILLIARD: Thank you.

6 CHAIRMAN SCOTT: Anything with an 06
7 number on it is a good thing to move off the
8 docket.

9 Is there a motion to enter the Order?

10 JUDGE HILLIARD: Oh, I'm supposed to
11 tell you that there were two comments filed
12 regarding the Proposed Order.

13 CHAIRMAN SCOTT: Okay. Thank you,
14 Judge.

15 Is there a motion to enter the Order?

16 COMMISSIONER MAYE: So moved.

17 CHAIRMAN SCOTT: Is there a second?

18 COMMISSIONER DEL VALLE: Second.

19 CHAIRMAN SCOTT: Moved by
20 Commissioner Maye. Second by Commissioner del
21 Valle.

22 Any further discussion?

23 (No response.)

24 CHAIRMAN SCOTT: All in favor say

1 "Aye."

2 ("Ayes" heard.)

3 CHAIRMAN SCOTT: Any of opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is 4-0, and
6 the Order is entered.

7 We have one item of other business
8 today which a FERC matter concerning pending
9 litigation. So we'll go into Closed Session to
10 address it.

11 Is there a motion to go into Closed
12 Session?

13 COMMISSIONER MCCABE: So moved.

14 CHAIRMAN SCOTT: Is there a second?

15 COMMISSIONER MAYE: Second.

16 CHAIRMAN SCOTT: Moved by
17 Commissioner McCabe. Second by Commissioner
18 Maye.

19 All in favor say "Aye."

20 ("Ayes" heard.)

21 CHAIRMAN SCOTT: Any opposed?

22 (No response.)

23 CHAIRMAN SCOTT: The vote is 5-0, and
24 the Commission will now go into Closed Session.

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Please let me know when the room is
ready in Chicago.

(Whereupon pages 52 through 59
are contained in a separate
transcript for Closed Session.)

1 CHICAGO: We're ready, Chairman.

2 CHAIRMAN SCOTT: In Closed Session,
3 Bill VanderLaan of the Commission Staff briefed
4 us on FERC Docket No. ER14-2940 concerning the
5 ICC's Motion to File Comments Out of Time and
6 Comments of the ICC on PJM's Triennial Review of
7 the RPM Variable Resource Requirements Curve.

8 Is there a motion to file the
9 comments with FERC?

10 COMMISSIONER MCCABE: So moved.

11 CHAIRMAN SCOTT: Is there a second?

12 COMMISSIONER COLGAN: Second.

13 CHAIRMAN SCOTT: Moved by
14 Commissioner McCabe. Second by Commissioner
15 Colgan.

16 All in favor say "Aye."

17 ("Ayes" heard.)

18 CHAIRMAN SCOTT: Any opposed?

19 (No response.)

20 CHAIRMAN SCOTT: Vote is 5-0, and the
21 filing will be made with FERC.

22 Thank you, Bill.

23 I believe Commissioner Maye, before
24 we adjourn, has another matter of other business

1 to bring before us concerning Shower Better
2 Month.

3 COMMISSIONER MAYE: Thank you.

4 CHAIRMAN SCOTT: Okay.

5 COMMISSIONER MAYE: The National
6 Association of Regulatory Utility Commissioners'
7 Committee on Water is pleased to support a
8 federal promotional effort aimed at increasing
9 efficient water use.

10 The EPA's Water Sense Program seeks
11 to make it easy for American consumers and
12 businesses to save water and protect the
13 environment by establishing water efficiency
14 standards. Its newest initiative, Shower Better
15 Month, will help inform consumers about small
16 steps available to improve water efficiency and
17 ultimately save money on their water bills.

18 There are many ways consumers can
19 both save money and water. In fact, not only can
20 being water efficient lower your bills, it can
21 also lower your gas and electricity bills as
22 well.

23 Shower Better Month is a great
24 opportunity for federal, state, and local

1 governments to work together and promote utility
2 efficiency. As a member of the Committee on
3 Water, I definitely support this, and I would ask
4 that my fellow colleagues support this initiative
5 as well and get the word out that October is
6 Shower Better Month.

7 So we'll be looking at your water
8 bill to see if you shower better.

9 Thank you.

10 CHAIRMAN SCOTT: And we could still
11 do that in November too.

12 COMMISSIONER MAYE: Yes.

13 CHAIRMAN SCOTT: Okay. So thank you
14 very much, Commissioner Maye. Appreciate it.

15 COMMISSIONER MCCABE: I'll also note
16 that October is Cyber Security Awareness Month
17 too.

18 CHAIRMAN SCOTT: Hopefully those two
19 things aren't related.

20 COMMISSIONER DEL VALLE: So you
21 wouldn't get hacked while you're showering.

22 CHAIRMAN SCOTT: Judge Wallace, any
23 other matters to come before the Commission
24 today?

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

3 CHAIRMAN SCOTT: Thank you, sir.
4 Hearing none, this meeting stand
5 adjourned.

6 Thank you, everyone.

7 (Whereupon the meeting
8 was adjourned.)

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