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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

PUBLIC UTILITY REGULAR OPEN SESSION

Chicago, Illinois  
October 26, 2010

Met, pursuant to notice, at 10:30 a.m.

BEFORE:

MR. MANUEL FLORES, Acting Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MR. SHERMAN J. ELLIOTT, Commissioner

MR. JOHN T. COLGAN, Acting Commissioner

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1           ACTING CHAIRMAN FLORES: Good morning. Is  
2 everything ready in Springfield?

3           MR. WALLACE: Yes, it is, Mr. Chairman.

4           ACTING CHAIRMAN FLORES: Pursuant to the  
5 provisions of the Illinois Open Meetings Act, I now  
6 convene a regular open meeting of the Illinois  
7 Commerce Commission. With me in Chicago are  
8 Commissioners Ford, O'Connell-Diaz, Elliot and  
9 Colgan. I am Acting Chairman Flores.

10                           We have a quorum.

11                           Before moving into the agenda  
12 according to Part 1700.10 of the Illinois  
13 Administrative Code, this is the time that we allow  
14 for members of the public to address the Commission.  
15 Members of the public wishing to address the  
16 Commission must notify the Chief Clerk's Office at  
17 least 24 hours prior to the Commission meeting.  
18 According to the Chief Clerk's Office, we have no  
19 requests to speak at today's Regular Open Meeting.

20                           Moving into today's agenda, Item 1 is  
21 Docket No. 09-0306 through 09-0311. This is the rate  
22 case for the Ameren Illinois Utilities. This case

1 has been on Rehearing since June, and before us today  
2 is an Order on Rehearing. The deadline for  
3 Commission action is November 11. We are planning to  
4 hold this until our Bench session on November 4th, so  
5 there will be no vote on the Order of Rehearing  
6 today. But the ALJs are available should the  
7 Commissioners have any questions.

8 Are there any questions for Judge  
9 Albers and Judge Yoder?

10 (No response.)

11 Very well.

12 Item 2 on today's agenda is Docket  
13 No. 09-0592. This item concerns revisions to  
14 Parts 412 and 453 of Title 83 of the Illinois  
15 Administrative Code. Before us today is a Motion to  
16 Withdraw the current draft of the proposed rules and  
17 ALJ Benn recommends entry of an Interim Order  
18 granting this Motion to Withdraw.

19 I will make a motion to enter the  
20 Interim Order.

21 Is there a second?

22 ACTING COMMISSIONER COLGAN: Second.

1 CHAIRMAN FLORES: Thank you.

2 Its been moved and seconded.

3 All in favor say "aye."

4 (Chorus of ayes.)

5 Any opposed?

6 (No response.)

7 The vote is 5-0, the Interim Order of  
8 Withdrawal is entered. We will use this 5-0 vote for  
9 the remainder of the Regular Open Meeting unless  
10 otherwise noted.

11 Item 3 is Docket No. 10-0164. This  
12 concerns Champion Energy's Petition to protect  
13 against disclosure of confidential and/or proprietary  
14 information in its ARES Compliance Report. ALJ Jones  
15 recommends entry of an Order granting the requested  
16 relief for three years with respect to letters of  
17 credit and for two years with respect to the  
18 company's income statement.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 Hearing none, the Order is entered.

1                   Item 4 the Docket No. 10-0262. This  
2 item will be held for disposition at a future  
3 meeting.

4                   Items 5 and 6 can be taken together.  
5 These items concern customer complaints filed by  
6 Michael Rokhkind and Jay Sanders against ComEd. In  
7 each case the ALJ recommends dismissing the Complaint  
8 without prejudice for want of prosecution.

9                   Is there any discussion?

10                   (No response.)

11                   Any objections?

12                   (No response.)

13                   Hearing none, these dockets are  
14 dismissed.

15                   Item 7 is Docket No. 10-0500. This  
16 concerns a complaint as to billing and/or charges  
17 brought by Linda Penaloza against ComEd. In this  
18 case the parties have apparently resolved their  
19 differences and brought a Joint Motion to Dismiss  
20 which ALJ Gilbert recommends we grant.

21                   Is there any discussions?

22                   (No response.)

1 Any objections?

2 (No response.)

3 Hearing none, the Joint Motion to  
4 Dismiss is granted.

5 Item 8 is Docket No 10-0540. This is  
6 a Petition by Constellation NewEnergy for the  
7 amendment of a Certificate of Service Authority to  
8 operate as an alternative retail electric supplier in  
9 Illinois. The amended Certificate would allow the  
10 Company to offer the sale of power and electricity to  
11 all eligible retail customers in ComEd's subservice  
12 territory. ALJ Yoder recommends the Commission enter  
13 an Order granting the requested certificate.

14 Is there any discussion?

15 (No response.)

16 Any objections?

17 (No response.)

18 Hearing none, the Order is entered and  
19 the Certificate is granted.

20 Item 9 is Docket No. 10-0428. This  
21 concerns a Petition for Confidential Treatment filed  
22 by Just Energy. The Company now moves for withdrawal

1 and ALJ Gilbert recommends entry of an Order  
2 approving the withdrawal of the Company's Petition.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the Order is entered and  
8 the Petition is withdrawn.

9 Item 10 is Docket No. 10-0110. This  
10 is the Whispering Hills Water Company's rate case.  
11 ALJ Riley recommends the entry of an Order approving  
12 a rate case that would grant \$352,515 in additional  
13 revenues for the Company with that number coming  
14 after acceptance in the Order of a number of  
15 adjustments proposed by Staff.

16 Is there any discussion?

17 (No response.)

18 Any objections?

19 (No response.)

20 Hearing none, the Order is entered and  
21 the new rates are approved.

22 Item 11 is Docket Nos. 09-0548 and

1 09-0549. These dockets are rate cases for Apple  
2 Canyon Utility Company and Lake Wildwood Utilities  
3 Corporation. Before us today are Petitions for  
4 Rehearing filed by the Attorney General's Office, the  
5 Apple Canyon Lake Property Owner's Association, and  
6 the Lake Wildwood Association and the two companies.  
7 Judge Kimbrel recommends that the Commission enter an  
8 Order denying all party's request for rehearing.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Order is entered and  
14 the request for rehearings are denied.

15 Item 12 on our agenda today concerns a  
16 rate case filed by ComEd in 2007. It's Docket  
17 No. 07-0566 and its status on appeal. Because this  
18 matter concerns pending litigation, the Commission  
19 may consider this matter in closed session.

20 I make a motion to go into closed  
21 session.

22 Is there a second?



1           ACTING COMMISSIONER COLGAN:    Second.

2           ACTING CHAIRMAN FLORES:    Its been moved and  
3   seconded.

4                   All in favor say "aye."

5                   (Chorus of ayes.)

6                   Any opposed?

7                   (No response.)

8                   The vote is 5-0 and the Commission  
9   will now go into closed session to discuss this  
10   pending litigation matter.

11                   Springfield, would you please advise  
12   me when everyone has cleared the room, please.

13                                   (Whereupon, at this point the  
14                                   following pages 10 - 46 of the  
15                                   proceedings are contained in a  
16                                   separate closed transcript.)

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(Whereupon at this point pages  
47 - 93 of the proceedings are  
contained in this open  
transcript.)

MR WALLACE: We're ready.

ACTING CHAIRMAN FLORES: Very well. To recap  
in closed session the Commission discussed issues  
related to pending litigation over the appeal of the  
Commission's Order to Docket No. 07-0566, Com Ed's  
2007 rate case.

We have one last item for  
consideration today, Item 13. This item concerns  
Illinois Statewide Smart Grid Collaborative Report.  
Enernex is here today to provide a briefing on the  
Report for the Commission.

Enernex -- who do we have from the  
Enernex team, please? If you could identify yourself  
for the record.

MR. RICK WORNAT: Rick Wornat with Enernex.

MR. ERIC GUNTHER: Eric Gunther with Enernex.

MR. MARTIN COHEN: Martin Cohen with Enernex.

1           ACTING CHAIRMAN FLORES: You may proceed.

2           MR. RICK WORNAT: Do the Commissioners have  
3 hard copies?

4           COMMISSIONER FORD: Yes.

5           MR. ERIC GUNTHER: I guess we'll go ahead and  
6 start.

7           MR. WALLACE: We're not hearing anything in  
8 Springfield.

9           ACTING CHAIRMAN FLORES: Can you please make  
10 sure that the light is on.

11          MR. ERIC GUNTHER: The light needs to be on.  
12 Okay.

13          ACTING CHAIRMAN FLORES: Thank you.

14          MR. ERIC GUNTHER: Thank you for having us here  
15 to provide you a briefing on the Collaborative.  
16 We've delivered the Collaborative Report on October 1  
17 of this year culminating a 21-month effort to provide  
18 the Commission with a broad range of recommendations  
19 on policies related to future smart grid investments.  
20 We've been pleased and honored to have the  
21 opportunity to work on this effort for this 21-month  
22 period of time. It's been an interesting adventure

1 to stay the least. We've learned a lot and I think  
2 everyone in the Collaborative has learned a lot,  
3 which, of course, has been the point.

4 The recommendations in the Report are  
5 focused on four key areas, consumer policy, overall  
6 technical requirements, the cost benefit framework,  
7 and in filing requirements. So that's how the  
8 overall report is laid out.

9 The Report reflects substantial areas  
10 of consensus among the stakeholders for which there  
11 was a significant amount of consensus was achieved.  
12 However, it wasn't achieved in several important  
13 areas. So the Report goes into some detail on both  
14 of those areas where we had consensus and we where  
15 did not. So what I'd like to do now is have my  
16 colleague Rick Wornat go into some detail on the  
17 areas of consensus and give you that overview.

18 MR. RICK WORNAT: So we're going to spend a  
19 little time with the key areas of consensus and then  
20 we'll probably try to and spend most of our time on  
21 those areas where we were not able to achieve  
22 consensus on the outstanding issues.

1                   But first, where we did have consensus  
2                   and -- first of all in identifying for the catalog of  
3                   Smart Grid applications. What are all the things  
4                   that Smart Grid can do, and what are the potential  
5                   costs and benefits associated with those investments.  
6                   Also on the technical side of things, we identified a  
7                   very broad set of both applications specific  
8                   technical requirements and some general design  
9                   requirements that should apply to all Smart Grid  
10                  investments.

11                  Those technical requirements are there  
12                  to help insure that any investments that are made in  
13                  Smart Grid would help achieve interoperability,  
14                  security from cyber attack, longevity and scalability  
15                  of the investment, compatibility with national  
16                  standards, and to provided support for various  
17                  consumer protections, things like data privacy as  
18                  well as supporting other customer benefits,  
19                  interconnectivity now with the Smart Grid and the  
20                  overall interactivity and responsiveness to Smart  
21                  Grid applications.

22                  Another big area of consensus was

1 around a cost benefit framework for Smart Grid  
2 investments. And what we were able to develop here  
3 was a methodology for dealing with cost benefit  
4 analysis of Smart Grid investments. The focus here  
5 was really on trying to provide or to create a  
6 framework that would provide the Commission with  
7 multiple views or perspectives on investments. Now,  
8 one of the unique things about the Smart Grid is that  
9 there are potentially many beneficiaries, not just  
10 necessarily the electric customer and ratepayers. So  
11 it's important to look at adjustments from multiple  
12 viewpoints. So we identify several tests that can be  
13 applied to give the Commission the advantage of those  
14 different views and perspectives.

15 Now, with the cost benefit framework  
16 that was outlined in the Report specifies that the  
17 cost benefit analysis should be very inclusive of all  
18 costs benefits as long as those costs benefits are  
19 significant, quantifiable -- and quantifiable in a  
20 transparent way -- and would be relevant to the  
21 analysis. So that the cost benefit framework calls  
22 for looking at impacts on reliability, impacts on the

1 environment, our changes in load shape and attempting  
2 to quantify and monetize this.

3                   The cost benefit framework also  
4 specifies that the sensitivity analysis should be  
5 performed on these investments. There are changes in  
6 estimates of values could impact the overall results  
7 of the cost benefit analysis. So as part of helping  
8 the Commission understand how that test results might  
9 vary and would change some of those variables that  
10 were indicated in the recommendation.

11                   Also requiring comparative analyses of  
12 Smart Grid investments. Potentially there may be  
13 other investment that the utility could undertake  
14 that would achieve similar benefits to Smart Grid  
15 investments. So where those opportunities might  
16 exist, there would be a requirement to present those.

17                   COMMISSIONER ELLIOTT: Quick question with  
18 regard to this. I know you suggest this is a key  
19 area of consensus. Was there a discussion of the  
20 upstream value associated with ancillary services in  
21 the RTO markets? Was this part of this and is it  
22 anticipated that it's going to be part of this

1 structure you're talking about load shape and impacts  
2 on reliability requirement? You didn't specifically  
3 look at just the LSE's control area, but encompassing  
4 further up stream in terms of reasonable benefits?

5 MR. RICK WORNAT: That's absolutely within the  
6 purview. I guess one thing to mention there related  
7 to changes in load shape, there are potential impacts  
8 to Illinois ratepayers and there are potential  
9 impacts to ratepayers outside of Illinois. So the  
10 cost benefit framework is careful to insure that any  
11 benefits that would accrue outside of the Illinois  
12 ratepayer population could be identified, but they  
13 would be identified only as a societal benefit and  
14 that would be captured in a societal test rather than  
15 in the other test.

16 COMMISSIONER ELLIOTT: Thanks.

17 MR. RICK WORNAT. And then also on the cost  
18 benefit framework, the stakeholders felt it was  
19 important to have this cost benefit framework. It  
20 would be an important tool for the Commission to  
21 inform its decision-making, but it should not  
22 necessarily be a determinative standard. Now, there



1 are other considerations besides just cost benefit  
2 that obviously the Commission needs to consider.  
3 Finally cost benefit framework includes some  
4 recommendations for the ongoing monitoring and  
5 verification of investments after the fact, so we can  
6 monitor what's estimated versus the actual cost.

7 In the area of consumer policy there  
8 were a number of areas to cover here that we were  
9 able to achieve consensus on recommendations on data  
10 privacy and data access. First, the customers must  
11 have ready access to energy usage and cost data,  
12 whether that be in a realtime basis or on a  
13 historical basis for something like that.

14 Also there was an emphasis on the need  
15 for informed customer authorizations for the release  
16 of data to third parties and that there needed to be  
17 full disclosure to customers on the scope, duration,  
18 and purposes for the updated release to third  
19 parties. And then protections against the  
20 unauthorized release of customer new data.

21 On the subject of consumer education,  
22 there was a clear consensus around the importance on

1 that and the importance on customers understanding  
2 the goals, the costs, the benefits, and the  
3 availability of tools and resources that could help  
4 them manage their energy consumption. I guess I  
5 should add that there was no consensus -- there are  
6 no specific planned outlined reports about who should  
7 do that communication, but everyone acknowledged that  
8 it was important.

9 On the subject of --

10 ACTING COMMISSIONER COLGAN: Was it discussed  
11 who should do it or was there a discussion about that  
12 or is that an area of nonagreement?

13 MR. RICK WORNAT: Yes, there was. And I think  
14 it was the feeling of most stakeholders that there  
15 needed to be a multi-party effort. It would not be  
16 sufficient, for example, for the utilities to be the  
17 only source of information about Smart Grid  
18 investments. So there's probably a role for many  
19 players in that, including the Commission.

20 COMMISSIONER O'CONNELL-DIAZ: Was there a  
21 discussion with regard to cost for this education  
22 because this to me is the \$64,000 question.

1     Everybody talks about it, we all sit and look at each  
2     other, who's going to do it, it's this and that, and  
3     to just say everybody should do it, well that's  
4     great, fine, well, and good. But there are costs  
5     associated with actually doing -- for lack of a  
6     better word -- marketing program or educational  
7     program. Did you get into the details compared to  
8     that?

9             MR. RICK WORNAT: Only that the cost of the  
10     education needed to be part of the overall cost  
11     benefit analysis. That needed -- the cost of  
12     educating customers needed to be understood to be an  
13     integral part of the overall investment. That the  
14     investments wouldn't necessarily work without having  
15     an informed new customer base. But we didn't get  
16     into trying to estimate what the cost of that might  
17     be, only that it was of critical importance and it  
18     need to be captured in the overall cost benefit  
19     analysis.

20             COMMISSIONER O'CONNELL-DIAZ: And when you say  
21     "consensus," was this a wide consensus on this issue  
22     or do you have people sitting in the back of the room

1 not saying anything that are important players in  
2 this?

3 MR. RICK WORNAT: That's a very good question.  
4 What does consensus mean because we refer to it both  
5 here today and in the Report. We define it in the  
6 Report the best that we can. If the consensus sort  
7 of represented the absence amongst stakeholders of a  
8 stated contrary point of view. I think it's also  
9 important to understand that every stakeholder  
10 couldn't participate in every court session. So, you  
11 know, therefore perhaps not all views were heard.

12 But to a degree possible that was part  
13 of our overall task as facilitators to make sure that  
14 those voices were heard and discussed and, again, to  
15 represent a consensus where it existed or consensus  
16 actively and where that was not possible to make sure  
17 the opposing views that couldn't be resolved were  
18 expressed in the Report.

19 MR. ERIC GUNTHER: We also made it important to  
20 find out that we didn't take votes. We didn't  
21 attempt to establish whether there was an  
22 overwhelming group on one side versus the minority

1 group on the other side. You won't find that in the  
2 Report to try to characterize that because there's no  
3 way to effectively do it. And when there are  
4 contrary views expressed upon any issues, they are  
5 given equal weight in the Report and not  
6 characterized otherwise.

7 COMMISSIONER O'CONNELL-DIAZ: We've been down  
8 this road before on other issues. To have all the  
9 this work on this important subject matter to move  
10 our state forward on so many fronts, to not have that  
11 really bound-up group of folks that are going to move  
12 the ball forward to me is -- I don't know how we  
13 insure that we do that, but it's really critical  
14 because we can't be doing what we did before when we  
15 had workshops in the post 2006 thing. I mean, I  
16 don't know how much work went into that and people  
17 sat on their hands and didn't have anything to offer  
18 and then, you know, threw a wrench into all of this  
19 work.

20 And now -- that was very serious, but  
21 this is really serious because it has so many fronts  
22 on it that are important for our state. And I think

1 we all need to be on the same train. That's all I'm  
2 saying. So for us to sit around and talk about this  
3 and to try to move ourselves forward and then to have  
4 it hijacked by a certain interest groups, to me, we  
5 need to be really careful. We need to band together  
6 and make sure that that doesn't happen.

7 MR. RICK WORNAT: That's a fair point. And,  
8 again, I think where we have represented consensus, it  
9 was the best that we can determine. Parties are  
10 certainly always able to change their minds.  
11 Consensus today may not necessarily mean consensus  
12 tomorrow. But in my sense from working through the  
13 process over the last 21 months is that when we got  
14 to a consensus position, it truly was consensus for  
15 those that were participating.

16 COMMISSIONER O'CONNELL-DIAZ: I guess I would  
17 have taken attendance and counted heads on each one  
18 for a trust factor. That's all.

19 MR. ERIC GUNTHER: I'm sorry?

20 COMMISSIONER O'CONNELL-DIAZ: I would have  
21 counted hands and taken names. This is where we're  
22 going to be going in our future and we all need to

1 move together. We have a message to take to our  
2 consumers. We all need to be part of the message.

3 MR. ERIC GUNTHER: Frankly, in these kind of  
4 scenarios, folks doing that and knowing they were  
5 going to be on the record, we wouldn't have gotten  
6 them in the room.

7 COMMISSIONER O'CONNELL-DIAZ: That's called  
8 being honest brokers; right?

9 MR. ERIC GUNTHER: We had 290 participants in  
10 the Collaborative representing not quite that many,  
11 but certainly over a hundred different organizations  
12 and interest groups with different perspectives.  
13 Then we had different work groups who did the primary  
14 work. So it became -- determining, you know, the  
15 extent of support for a particular position and then  
16 quantifying it some way. First of all, the  
17 collaborators didn't want to do that and it was also  
18 too much of an impossible task to try to gauge the  
19 levels of support from the position. So we tried to  
20 describe the different positions, and at some point  
21 it may be up to you.

22 COMMISSIONER O'CONNELL-DIAZ: We always have --

1           COMMISSIONER ELLIOTT:  A quick question on the  
2           areas of both consensus and nonconsensus.  This has  
3           been a two-year process and obviously we're  
4           considering policies on it moving forward.  On one of  
5           the issues I think there will be a concern in there  
6           is what's the time and layout on the policy docket.  
7           Given that this has been a two-year process and  
8           open -- I'm assuming that no one is coming into this  
9           without extensive knowledge of what the issues are on  
10          both technical and policy perspective.  And it seems  
11          to me -- I would look to you as -- we don't need to  
12          plow a whole lot of new ground here.  It's just a  
13          matter of getting people off their hands and onto the  
14          paper.  And I would just ask if that is a fair  
15          assessment of where we are at this particular stay.

16          MR. RICK WORNAT:  I think that's a fair  
17          characterization.  We'll admit we're going to talk  
18          about what would seem to be the value of the  
19          Collaborative and one of those is sort of educating  
20          that group of stakeholders, getting everybody to sort  
21          of the same level of understanding, not only with the  
22          technology, but of the issues.  There's also been



1 narrowing of those issues. Where do we agree? Where  
2 can we agree? And where are the real points of  
3 contention and what are the arguments on the two  
4 different sides?

5           ACTING COMMISSIONER COLGAN: I was kind of  
6 assuming that some of the stakeholders came to the  
7 table without much of a good technical understanding  
8 of what was on the table. And I would hope that  
9 through the process there was a lot of learning that  
10 took place. Was it your observation? And, I mean on  
11 the national level it seems -- my observation anyway  
12 has been that the position of the so-called consumer  
13 advocates has evolved over time to the point where  
14 they seem to have a better understanding of proposals  
15 and start to understand where to take positions  
16 whereas when the process started some were just  
17 saying no because they didn't have their positions  
18 develop. Did you observe that happening in this  
19 process?

20           MR. RICK WORNAT: I would agree with your  
21 characterization that everyone learned through this  
22 process. I think from a technical standpoint, I

1 think we sort of raised that level of understanding;  
2 but also on some of the consumer policy issues. I  
3 think there is a greater appreciation on all sides  
4 now for what those concerns are; the ones that seem  
5 to be able to be resolved amicably and also a  
6 clarification on those issues that seem to be more  
7 attractable.

8 MR. ERIC GUNTHER: The overall level of  
9 knowledge on all these areas, technical, policy  
10 issues definitely Illinois is now unique, I think  
11 among most states rare of any exception having that  
12 overall level being much higher than it ever has  
13 before. There are other states that focused a lot on  
14 just tech. So there's a lot of people who just  
15 understand the technology, vender-driven business  
16 sides, so just elements there. And what we've been  
17 able to accomplish here is the merging of policy,  
18 business aspects, and technical aspects. I think  
19 Illinois is now in a unique position. That ground  
20 has been plowed. You've got a good foundation for  
21 moving forward. There is still a lot of work to do  
22 to get people off their hands and moving forward.

1           COMMISSIONER O'CONNELL-DIAZ: I think your  
2 point is really excellent. Thank you very much.  
3 Because as I go out and talk about this to folks, I  
4 suggest that we're building a house and we're really  
5 doing the excavation and we didn't know what we were  
6 going to hit. Because I can remember sitting in the  
7 kickoff meetings and there were people there, myself  
8 included, I didn't know this and it's foundation.  
9 And without that foundation, I don't know how you  
10 could get to the second level. This is just the  
11 basement.

12           MR. RICK WORNAT: Just to give you an example,  
13 Texas, for example, has been moving full speed ahead  
14 mainly focused on the technology. Right now they're  
15 in the process of trying to get some additional  
16 assistance in thinking on the larger picture. And I  
17 know they've been looking with great interest -- as a  
18 few other states that I'll mention in my closing --  
19 on this report and what's been done here. So other  
20 states are interested in what's been going on.

21           MR. ERIC GUNTHER: And we'll talk more about  
22 this when he talk about the value of the Report which

1 we intend to talk about at the end. But this process  
2 involved a whole range of stakeholder groups who  
3 normally don't participate in Commission proceedings  
4 that we don't see around here, and they participated  
5 fully and learned a lot. All of the stakeholders, we  
6 certainly have a lot of gratitude for the seriousness  
7 for which they took this and for the amount of time  
8 they put in. People who don't participate usually in  
9 any litigation -- but, you know, those who do put in  
10 as much time or more time than they would on any rate  
11 case or other type of proceeding. So we were pleased  
12 by the seriousness and purpose and the way that  
13 people really dug in and stayed in and stayed with it  
14 and I think that everybody learned a lot.

15 MR. RICK WORNAT: Okay. Just a couple more  
16 points of consensus and then we'll move on to the  
17 more divisive issues. In terms of utility rates in  
18 Smart Grid environment, and perhaps it's a stretch to  
19 say that there was consensus here, but there was  
20 agreement here that there should be customer choice.  
21 You'll see here in another slide or two that it was  
22 not necessarily consensus about what those choices

1 should be or what the defaults of the positions  
2 should be, but I think there was agreement on mostly  
3 all parties that customer should have a choice about  
4 what kind of rate structure they are operating on.

5                   And then finally just to mention  
6 customer prepayment for electric service. This  
7 application there were a lot of stakeholder concerns  
8 around it, but I think we can say that there was  
9 agreement amongst the stakeholders on the need for  
10 careful scrutiny of any proposed programs to ensure  
11 that should we go down this path in Illinois that  
12 there are adequate consumer protections in place for  
13 customer prepayment. And then with that I will turn  
14 it over to Marty Cohen who's going to talk about some  
15 of the unresolved issues.

16                   MR. MARTIN COHEN: I'll spend a few minutes  
17 going through issues that we spent many, many, many  
18 hours on which were thoroughly discussed in the  
19 Report itself. But I want to just point you to the  
20 areas that we did not reach consensus and describe a  
21 little bit about what those disagreements were.

22                   These are in no particular order, but

1 the first one that we should point out has to do with  
2 the remote disconnection and connection opportunities  
3 for AMI Smart Grid. We're talking about now the  
4 disagreement about remote disconnection for  
5 nonpayment. There was broad agreement that were  
6 benefits from remote service switch for customers  
7 getting new service, for people were moving, people  
8 who were leaving, that they would be able to  
9 disconnect and connect remotely has certain  
10 advantages. But when it comes to a disconnection for  
11 nonpayment, then there was significant disagreement  
12 as to whether that should be allowed to occur under  
13 any environment. People were just basically able  
14 because of remote service institute to be  
15 accomplished.

16 So you see the arguments here for and  
17 against as to whether there ought to be remote  
18 disconnection for nonpayment. There was disagreement  
19 about -- I should say as reflected in the Report --  
20 about what the current practices are and how the  
21 current rules would apply even today with AMI in  
22 place as to how disconnections are accomplished. But

1 the arguments are in favor that obviously the cost  
2 saving from remote disconnection as well as the  
3 opportunity for applying the rules, whatever they may  
4 be, consistently so that people are disconnected in  
5 sort of the same time frame for example --

6 COMMISSIONER ELLIOTT: Is there any kind of  
7 discussion of transitional mechanisms, you know, sort  
8 of belts, suspenders approaches for certain periods  
9 or until such time? Was there any discussion of that  
10 at all.

11 MR. MARTIN COHEN: There may have been  
12 discussion. I don't think there's anything reflected  
13 in the Report about transition mechanisms. Now,  
14 there was certainly a long discussion --

15 COMMISSIONER ELLIOTT: And this is just not  
16 limited to this particular issue, but rate design and  
17 a number of different other things. Was there any  
18 discussion of sort of a hand-holding approach for  
19 some period of time, customer education combined with  
20 transitional mechanisms, that type of thing? Was it  
21 discussed at all?

22 MR. RICK WORNAT: I think there was some

1 discussion around transition in terms of rate  
2 structure. I don't believe that ever got formalized  
3 and documented in the Report per say. There were  
4 discussions that -- I guess I would point out -- I  
5 believe the State of California on this issue said  
6 that for a period of 12 months after Smart Grid or I  
7 guess in this case, AMI was implemented, that there  
8 would not be a remote disconnect without a site  
9 visit. After that, I think, they would require site  
10 visit 48 hours prior to the actual disconnect; but  
11 otherwise I think their previous rules and procedures  
12 related to disconnect for nonpayment would largely  
13 stay as they were prior to the introduction of the  
14 new technology.

15 MR. MARTIN COHEN: So there was general  
16 disagreement on a whole range of issues regarding  
17 remote disconnection for nonpayment including certain  
18 factual issues of whether it would be more prone to  
19 error, for example. Some people in the Collaborative  
20 thought that remote disconnection would more likely  
21 to be in error; others said, no, it's more likely to  
22 be more accurate. We don't really have a way to



1 gauge that on a factual basis nor present any  
2 evidence to try to measure that. But there are just  
3 different viewpoints as to what is likely to happen  
4 in this sort of new world of remote disconnect for  
5 nonpayment.

6 COMMISSIONER ELLIOTT: It seems like a  
7 transitional mechanisms to oversee the accuracy into  
8 that for some period of time.

9 MR. RICK WORNAT: Certainly. That just makes a  
10 lot of since for a number of these things.  
11 Transitional mechanisms for -- I've even heard other  
12 states talk about transitional mechanisms for rate.  
13 Opting to go under a rate, calculating both, and  
14 seeing how you do transitional mechanisms for the  
15 disconnect process. A lot of folks are talking about  
16 it, but like I said, I think more than anything else  
17 there was an assumption that it would probably be  
18 necessary for steps moving forward; but no more  
19 discussion than that.

20 MR. MARTIN COHEN: Others would argue that a  
21 site visit is necessary to see the premises, to see  
22 if there's a condition on the premises that might

1     affect safety or health to the point the customer  
2     should not be disconnected. The utility doesn't know  
3     that there's a medical condition that would warrant  
4     keeping the service on, that sort of thing. That's  
5     why we need to have a site visit and also for social  
6     reasons. But, of course, others argue well then lost  
7     are all these benefits of cost savings by requiring a  
8     site visit prior to disconnection. We no longer need  
9     to physically.

10                     And as I said, disagreement of what  
11     today's rules mean -- is there are a knock on the  
12     door or not under today's rules, that sort of thing.  
13     Those are unresolved by the group as to what it all  
14     means. And I think that would finish on the  
15     arguments against remote disconnection policy. Some  
16     people think it will be a greater number of people  
17     disconnected and that is objectionable under any  
18     circumstance by some stakeholders.

19                     ACTING CHAIRMAN FLORES: Let me ask this  
20     question, you've raised this already so, there is --  
21     are you suggesting that there's already a question or  
22     confusion as to what the current rules are before the

1 ICC concerning disconnection policies?

2 MR. MARTIN COHEN: I think that's fair to  
3 state.

4 ACTING CHAIRMAN FLORES: It seems to me that  
5 that is an issue that frankly is outside the scope of  
6 what you're doing, but one that is obviously  
7 extremely important and one that we should probably  
8 have to evaluate ourselves to bring about some  
9 clarity so that there is no confusion on what those  
10 rules are.

11 COMMISSIONER O'CONNELL-DIAZ: There's a  
12 rulemaking going on Part 280 for the last two years.

13 MR. MARTIN COHEN: There is a Part 280  
14 rulemaking that's been underway.

15 ACTING CHAIRMAN FLORES: My point is that we  
16 have to underscore that because I don't want to hear  
17 that there is confusion among the parties about what  
18 the rules of engagement are for disconnection of  
19 service. So I would -- you know, I think it's  
20 something that obviously all of us should take a  
21 really hard look at and see how it is and if that  
22 issue can be resolved if it appears that we are in

1 the process of doing that now. But I want to  
2 underscore how important that is so that there is no  
3 confusion.

4 MR. MARTIN COHEN: Right. And there may not be  
5 confusion, but there is a lack of common  
6 understanding as to what today's rules require.

7 ACTING CHAIRMAN FLORES: Sounds like that's  
8 confusion to me. I don't mean to be, you know -- it  
9 sounds like to me -- I don't want to, you know --  
10 that concerns obviously all of us here.

11 MR. MARTIN COHEN: That lack of an agreement is  
12 addressed in the Report and will be addressed.

13 ACTING CHAIRMAN FLORES: Let me ask this, I  
14 just haven't had a chance to read the entire report  
15 yet, it's very long report. We will get to it, but  
16 do you provide specifics in terms of where some of  
17 the things that are -- the specifics in terms of  
18 points of disagreement in the Report with regards to  
19 this policy, the disconnection policy?

20 MR. MARTIN COHEN: Yes, we do quote the current  
21 rule and discuss briefly the fact that there is a  
22 disagreement about what that means.

1           ACTING CHAIRMAN FLORES: About what the parties  
2 think it means to the extent that they've raised  
3 these issues in the Collaborative?

4           MR. MARTIN COHEN: Yes, there was a long  
5 discussion. It does go into great detail about the  
6 current status of the rule and how it's interpreted  
7 in today's technology. It's mentioned.

8           ACTING CHAIRMAN FLORES: Right. I'd be more  
9 curious to know what the parties think what it means.  
10 Did you include that in the Report?

11          MR. MARTIN COHEN: We don't have specific  
12 different views on what the rule means today. It  
13 simply quotes the rule and discusses the fact that  
14 there is a lack of agreement as to what is required.

15          ACTING CHAIRMAN FLORES: Very well. Fair  
16 enough.

17          MR. MARTIN COHEN: Moving on to the next  
18 unresolved issue which would be the rate issue. If  
19 we have Smart Grid -- basically if we have AMI in  
20 place, what would be the appropriate default rate?  
21 There is no agreement about that. Keeping in mind  
22 that we are talking about the default rate, that is

1 the rate that a customer would pay under if they  
2 don't make a choice. There was agreement that  
3 customers should have choices and a variety of  
4 choices and it goes into some detail of the sorts of  
5 choices that customers should have and there was  
6 general agreement that choice should include a flat  
7 rate option. But there was not agreement as to what  
8 is the default. What do you have if you don't  
9 choose? What do you start with for a rate structure?  
10 Would it be time variant or would it be the flat rate  
11 that we have today?

12 COMMISSIONER ELLIOTT: Given these  
13 discussions -- was there a discussion about the IPA  
14 and the implication of any of this with regard to the  
15 three-year forward procurement process and what that  
16 implies and how -- whether, again transitional  
17 mechanisms discussed about how to tie this particular  
18 perspective into that process?

19 MR. ERIC GUNTHER: There was discussion about  
20 how this would effect the IPA, that is the  
21 procurement that we have to accommodate new choices  
22 and the load shape, but transition mechanisms are not

1 included in the Report. What the group of folks have  
2 done is the idea of choices for customers choices  
3 from the utility company of different rates where --  
4 some people call different programs that they could  
5 participate in. But the default rate, that is what  
6 you begin with before you make your choice is  
7 crucial. They've agreed on that, but there are those  
8 that thought that it should be a time variant rate  
9 and there are those that thought it should be a flat  
10 rate. We had long discussions on the differences in  
11 those opinions and why. They are briefly discussed  
12 in this sheet, but I think we all understand those  
13 issues and back and forth on the appropriate default  
14 rate whether it be a time variant or flat but there  
15 was a significant disagreement about that issue.  
16 That's one of those tough ones the Commission will  
17 have to resolve.

18 I do think it's important to note that  
19 there was a consensus that there be choice and that  
20 nobody would be required to take a particular rate.  
21 There was discussion in the group -- we had a long  
22 discussion about this and initially there were

1 parties who said, you know, we should have mandatory  
2 realtime. Those views however, after a long  
3 discussion back and forth really were not consensus  
4 views. The consensus that developed was the customer  
5 should have a choice and that choice should include  
6 traditional flat rate at a minimum. There are those  
7 who say it should be flat rate as a default and there  
8 are those who say it should not. But there was more  
9 consensus on this issue than one might think. Some  
10 of the options given did not have a lot of support.

11 COMMISSIONER ELLIOTT: Considering that -- at  
12 least my reading of the legislation and statute  
13 before us is that there must be a flat rate option.  
14 Did anybody talk about potential legislative changes  
15 necessary to implement any of these changes or did  
16 they believe that there was sufficient latitude in  
17 the current statutes that would allow for a wide  
18 range of rates?

19 MR. MARTIN COHEN: We didn't do a legal  
20 analysis of what may or may not be available under  
21 current law. At the outset it sort of broadly  
22 focuses -- we call it blue sky where we would think



1 of what might be optimal of those ideas and whether  
2 or not they would require legislative or rule changes  
3 and there are different places in the Report where  
4 these sorts of potential changes are discussed or  
5 eluded to. But I don't think under the rates policy  
6 section there is anything there about statutory  
7 changes.

8                   Moving on from there I guess the next  
9 issue unresolved and we're all familiar with this one  
10 has to do with cost recovery. We don't need to spend  
11 a lot of time on this today. I think you may have  
12 already been talking about this today one way or  
13 another. But it's a significant issue obviously and  
14 there is a good long section discussing it in the  
15 Report. Obviously we're talking about the --  
16 generally speaking would you recover cost are Smart  
17 Grid and some alternative way through a Rider or some  
18 other mechanism or whether you do it through  
19 traditional based-pay cost of service mechanisms.

20                   And I think that the discussion in the  
21 Report on this issue is thorough and deep and gives  
22 great description of both sides -- or there's more

1 than two -- multiple sides. It also goes into  
2 options that might be available. What we ended up  
3 with because there was so little disagreement about  
4 what should be done, I think what we have is a series  
5 of questions about the -- were raised for your  
6 consideration and for everyone's consideration  
7 about -- what you have to think about is what are the  
8 key issues and how do you determine what's  
9 appropriate. And we didn't concern ourselves in the  
10 Collaborative with the law -- with trying to  
11 interpret the law or fight about what we think is  
12 correct with the law. We simply looked at it from  
13 the regulatory perspective and what would be ideal in  
14 the long run for consumers for moving forward and for  
15 showing that this is the right cost recovery and the  
16 right time frame and how do we to that.

17 So there's a whole series of questions  
18 on cost recovery that are in the Report. And there's  
19 also a discussion -- a very informative discussion of  
20 the different sides of that issue. Issues that we've  
21 already been addressing for many years and continue  
22 to, so those won't go away. I think it was important

1 that stakeholders on all sides of issue wanted to see  
2 it addressed in the Report.

3 MR. RICK WORNAT: I just want to point out that  
4 cost recovery was not one the foundational policies  
5 that the owner asked the Collaborative to address.  
6 This is really one that the stakeholders put on the  
7 table and was important for them to discuss. And so  
8 therefore we didn't spend quite a bit of time  
9 discussing it. Unfortunately we can't deliver you  
10 the perfect answer today, but I think there is some  
11 valuable discussion in the Report around what the  
12 issues are, the kinds of questions that you will need  
13 to wrestle with and hopefully it will be fun.

14 COMMISSIONER O'CONNELL-DIAZ: Wouldn't you say  
15 that the issue is prudence, whether it's a Rider,  
16 whether it's in a cost recovery mechanism in a rate  
17 case, so it's a timing issue. It's a prudence issue  
18 as to whether the Commission finds that those  
19 investments that are before them have been prudently  
20 made either in hindsight or if it's a rate case. It  
21 could be a future test year. So you're kind of  
22 guesstimating what those costs are. It's not a

1 question of, you know, just say no to all of it.

2 It's a question of timing and when that recovery is  
3 made. Would that be a fair assessment of the  
4 discussions that you've had?

5 MR. MARTIN COHEN: Yes, very much so. And that  
6 is deeply discussed in the Report. And really what  
7 this issue comes down to, it's legal, it's  
8 regulatory, it's also philosophical and it's very  
9 broad. The question is, are Smart Grid investments  
10 different somehow from other investments a utility  
11 company makes, and, if so, how are they? And then,  
12 if so, does that mean that they should be treated  
13 differently for regulatory purposes? We approached  
14 this very broadly starting with those sorts of  
15 questions. I think there's a good discussion on  
16 those, the ways in which Smart Grid investments are  
17 seen by some stakeholders to be fundamentally  
18 different than other investments, the ways in which  
19 they are seen to be fundamentally the same as other  
20 investments by some other stakeholders. These are  
21 issues we're quite familiar with. They're not easy  
22 issues. One way or another they'll get resolved and

1 they're going to have to be resolved in order to move  
2 forward. We haven't resolved them. I think it's a  
3 very valuable section for anybody interested in the  
4 issue to study up on.

5           The final set of unresolved issues,  
6 the final requirements -- we did put together a list  
7 of what the utility should be filing if they are  
8 seeking nontraditional recovery, so it's tied into  
9 cost recovery issues. If the utility is not seeking  
10 additional recovery, it's part of the rate case, then  
11 you file everything in the rate case as you do for  
12 any other investment. But in the case of some  
13 different treatment, some alternative treatment, then  
14 we worked on a list that what was agreed to on all  
15 sorts of information that ought to be -- the company  
16 filed for Smart Grid cost recovery. But this  
17 agreement became how would those requirements -- are  
18 they really requirements, really? That's the  
19 agreement. Are these guidelines or are they, in  
20 fact, legal requirements?

21           If they were legal requirements, then  
22 the utility would seek a waiver from certain of them

1 if they believe they were not appropriate for this  
2 filing. But it also -- would some lack of complete  
3 compliance with every requirement mean a case could  
4 be dismissed based on not filing everything on the  
5 list? That was a question that we didn't resolve,  
6 but was a concern to some stakeholders.

7                   So the question of how you treat or  
8 whether you have a specific voluminous or detailed  
9 list of the prior requirements or would it be  
10 guidelines that don't quite carry the same legal  
11 weight as requirements? That's the area of  
12 disagreement. But the specifics of the information  
13 which should be made available was not subject of  
14 great dispute. Subject to great discussion in  
15 assembling the list, but there was general consensus  
16 about the items on the list.

17                   MR. ERIC GUNTHER: Okay. So just to wrap it  
18 all up, overall in general in authorizing this  
19 Collaborative, the Commission has chosen what we  
20 certainly think will be thoughtful and considered  
21 approach to Smart Grid planning. And really no  
22 other -- as I mentioned earlier, no other state has

1 really attempted a Collaborative at this scope and  
2 scale. But there are some now that are very much  
3 looking at what's been done here. I'm getting lots  
4 of inquiries on some insights behind the Report. I  
5 can't tell you how many e-mails I've received asking  
6 for the URLs from the Report from a number of states,  
7 specifically most recently Missouri, Colorado and  
8 Texas, but others are looking at us.

9           So I think we've set a good example on  
10 the need for getting this baseline, this framework in  
11 place and, again, mixing in one discussion the  
12 regulatory policy aspects, the technical aspects, and  
13 the business aspects. That's been very important.  
14 So the result of this, I think is quite a bit more  
15 value than I think any of us all realized would come  
16 out of it. We certainly increased this calm and  
17 understanding across all the stakeholders. There's a  
18 lot of information that has been learned directly and  
19 indirectly and documented in the Report. These key  
20 issues have been identified and identified some the  
21 issues that different stakeholder groups have  
22 gravitated towards. Some of which we certainly knew

1 different stakeholders would gravitate to, some we  
2 were surprised about and the Report covers a lot of  
3 those.

4                   We've got the consensus  
5 recommendations on many issues that we've summarized  
6 here as well as those that no so much consensus. We  
7 think that especially we've been able to with this  
8 work narrow the defined issues much, much better than  
9 we were before. And that's really come along with  
10 the common language that's been established here. We  
11 at the very beginning of this terminology and how we  
12 talked about certain things was a real problem. The  
13 technical folks and understanding the technology, the  
14 venter community, we had to learn a lot about some of  
15 the policy and business sides of things and the other  
16 way around. So I think it's been very useful from  
17 that point of view.

18                   We think that successful Smart Grid  
19 implementation in Illinois is going to require  
20 continued mutual understanding and cooperation by all  
21 the stakeholders for quite some time to come. And,  
22 of course, that's not unique. I think everywhere in



1 the country has that same kind of issue. Since  
2 this -- before we put this report to bed, one of  
3 our -- sort of the national effort going on with  
4 Smart Grid, the Smart Grid interoperability panel  
5 activity has recently shifted gears dramatically.  
6 Certainly my activity as the administrator for the  
7 ISSGC is to focus on regulatory issues.

8 We're planning, for example, in that  
9 activity to have a significant presence at the NARUC  
10 meeting coming up in November. A special session on  
11 Sunday, for example, to discuss some of the elements  
12 that are in this report. So all of a sudden shifting  
13 into high gear on a national scale, other states are  
14 going to be looking at this very visibly. So the  
15 national conversation, if you will, in that entity is  
16 shifting towards a state policy approach. So I  
17 encourage everyone in this community to take a look  
18 at what's going on there on the national scene. It's  
19 going to become more relevant for all the states.

20 COMMISSIONER ELLIOTT: Speaking of that, I know  
21 that with the SEC's statement about developing policy  
22 for Smart Grid that there's been significant interest

1 in the public versus private network, but I didn't  
2 see any discussion of that in your report. I'm  
3 assuming that there's was no consensus reached on  
4 that issue. I would also assume there was some  
5 discussion of it. Was it -- is it also laid out in  
6 the Report to some degree?

7 MR. RICK WORNAT: In the technical  
8 characteristics and requirement session of the  
9 Report, there is some discussion of that issue  
10 private versus public networks. And as I recall, the  
11 consensus recommendation in the Report is that that  
12 decision needs to be transparent and discussed as  
13 part of the informational filing requirements that  
14 will accompany filing. There is no sort of  
15 predefined this is the way to go, that's the way to  
16 go. It's just that is an important decision and  
17 whatever the utilities design choice is or  
18 procurement choice needs to be clear and transparent  
19 and supported in what they --

20 COMMISSIONER ELLIOTT: But is it a fundamental  
21 policy issue as to whether one approach --

22 MR. ERIC GUNTHER: Well, one of the things we

1 definitely find the national conversation I think  
2 came out in this discussion -- that one size doesn't  
3 fit all, certainly in this area. And in general  
4 we're discovering in the national side through the  
5 various part of the action plans we have going on is  
6 that that is very much a local issue. Even within  
7 one utility entity that you may have. The  
8 requirements, technical requirements, the business  
9 requirements, the policy requirements all have to  
10 come together to make those decisions. So that's  
11 certainly what we've been discovering.

12 ACTING CHAIRMAN FLORES: Thank you for your  
13 work. I know this was a very exhaustive thing and  
14 very thorough and complete. In terms of your -- and  
15 we were aware of what's going to be taking place in  
16 NARUC. And I think, again, just as a testament of  
17 the good work that has been done, we've actually been  
18 invited to participate. But we obviously have to be  
19 very careful given that we are about to engage in a  
20 docketed proceeding regarding this matter.

21 That being said, I would also  
22 encourage though that you speak to the other members

1 of the Collaborative to keep them engaged on what is  
2 taking place in other jurisdictions and what is also  
3 the ongoing national conversation, in particular as  
4 it speaks to issues of interoperability. The various  
5 issues that we've been working on because I think  
6 everyone is trying to develop at least some broader  
7 consensus on Smart Grid. And as we all know, Smart  
8 Grid is also not just the Advanced Meter  
9 Infrastructure. There are many aspects of Smart  
10 Grid. And frankly one concern I have is that people  
11 perceive Smart Grid to be only the AMI, and we know  
12 that it's much more complex than that.

13 COMMISSIONER ELLIOTT: And that it's only  
14 limited to electricity.

15 ACTING CHAIRMAN FLORES: Yes. So I think that  
16 it's important that we continue to urge these various  
17 stakeholders to continue their level of participation  
18 and to remain informed because obviously this is not  
19 going away and there's going to be an ongoing policy.  
20 So, again, thank you. I don't know if there are any  
21 last comments from the other commissioners.

22 COMMISSIONER O'CONNELL-DIAZ: Thank you very

1 much. This is much talked about across the country.  
2 It's something that Illinois is very proud of despite  
3 what any appellate court may have said about it. But  
4 we really didn't know what we were -- we knew what we  
5 didn't know and you've really set the table for us to  
6 move forward. And while we don't have really a lot  
7 of the answers that we need, we do have a  
8 foundational piece here from this.

9 Thank you very much for your hard  
10 work. It's obvious that this has been a successful  
11 endeavor that the Commission launched everybody on.  
12 And we look forward to the fruition of this  
13 foundational piece as years goes on because this is  
14 going to be a multiyear process. So thank you very  
15 much.

16 COMMISSIONER ELLIOTT: We have more work to do,  
17 but this is certainly laid the ground work and  
18 refined the landscape for us going forward. I  
19 appreciate it.

20 ACTING COMMISSIONER COLGAN: I thank you and I  
21 thank the Commission. I think there was good  
22 foresight on the part of the Commission to set this

1 Collaborative in place. Whenever you move from one  
2 paradigm to another, there's always any certain  
3 number of steps that have to be taken and as has been  
4 witnessed by some states who have tried to rush to  
5 the forefront to do things and all of a sudden it's  
6 like, Wait a minute. We've left out a couple of  
7 steps.

8 We probably will leave out some steps  
9 here as well, but I think there's been great  
10 consideration given. And I thank you guys for your,  
11 I guess maybe call it, refereeing this discussion.  
12 I'm sure there were some pretty heated moments that  
13 you all went through. It's big stuff. It's  
14 certainly important stuff. I think that the whole  
15 national discussion is evolving. I think that there  
16 are -- there's a real need for every involved  
17 stakeholder to be able to weigh in and put their  
18 issues on the table, and I think that that has  
19 happened here. And so, again, thank you and kudos to  
20 you.

21 COMMISSIONER FORD: I certainly thank you  
22 because I'm coming from the education field and when

1     trying to do consensus, it's always very difficult.  
2     And when you said 290 people I said, My God, did you  
3     ever reach a conclusion? But I see it did take  
4     21 months and it is an ongoing process. So I really  
5     appreciate this and we are hearing a lot of dialogue  
6     about the Smart Grid collaborative and I'm mindful of  
7     the fact that it is more than electricity. We had a  
8     presentation from a telephone company and I think  
9     that there is a lot of interoperability that would be  
10    available to all of us. I'm not a gadgetry kind of  
11    person, but I certainly look forward to us finding  
12    some further consensus with the Appellate Court on  
13    this.

14            ACTING CHAIRMAN FLORES: Again, thank you very  
15    much.

16                    Judge Wallace?

17            MR. WALLACE: Yes, Mr. Chairman.

18            ACTING CHAIRMAN FLORES: Are there any other  
19    matters to come before the Commission today?

20            MR. WALLACE: I believe that's it, sir.

21            ACTING CHAIRMAN FLORES: Thank you very much.

22                    Hearing none, the meeting stands

1 adjourned. We will be back with the Gas Policy  
2 Committee meeting later today at 1:30 p.m. chaired by  
3 Commissioner Ford. Thank you.

4 (And those were all the  
5 proceedings had.)

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