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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES REGULAR OPEN MEETING
Thursday, November 10, 2022
Springfield, Illinois

Met pursuant to notice via videoconference at
11:30 AM, at 527 East Capitol Avenue, Springfield,
Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairwoman (via Chicago office)
- D. ETHAN KIMBREL, Commissioner (via Springfield office)
- MICHAEL T. CARRIGAN, Commissioner (via Springfield office)
- ANN MCCABE, Commissioner (via Chicago office)

BRIDGES COURT REPORTING
BY: Quinn Dean
Notary Public

1 CHAIR ZALEWSKI: Under the Open Meetings Act, I
2 call the November 10th, 2022, Regular Open Meeting to
3 order. Commissioners Kimbrel and Carrigan are in
4 Springfield. Commissioner McCabe and I are in Chicago.
5 We have a quorum. We have no requests to speak.

6 Moving on to our Public Utilities
7 Agenda, there are edits to the October 6th and October
8 13th, 2022, Regular Open Meeting minutes. There are
9 also edits to the October 13th, 2022, policy session
10 minutes.

11 Are there any objections to approving
12 the minutes as edited?

13 (No verbal response.)

14 Hearing none, the minutes are approved.

15 Item E-1 concerns initiation of Ameren,
16 ComEd, Nicor, North Shore Gas's and Peoples Gas's
17 reconciliation proceeding under their respective coal
18 tar riders for the calendar year of 2022. The order
19 commences the annual reconciliation proceedings.

20 Are there any objections to approving
21 the order?

22 (No verbal response.)

1 Hearing none, the order is approved.

2 Item E-2 concerns the approval of Mt.
3 Carmel's reconciliation of revenues under fuel
4 adjustment charges. The order approves the
5 reconciliation as set in the appendix to the order,
6 finding that the costs during the reconciliation period
7 were prudently incurred.

8 Are there any objections to approving
9 the order?

10 (No verbal response.)

11 Hearing none, the order is approved.

12 Item E-3 concerns MidAmerican Energy
13 Company's certified petition for reconciliation of
14 revenues collected under electric rider tax expense
15 revision mechanism. The order approves the
16 reconciliation as set in the appendix to the order,
17 finding that the costs during the reconciliation period
18 were prudently incurred.

19 Are there any objections to approving
20 the order?

21 (No verbal response.)

22 Hearing none, the order is approved.

1 Items E-4 through E-9 concern
2 applications for authority to install distributed
3 generation facilities in Illinois. The orders grant
4 the certificates, finding that the applicants meet the
5 requirements.

6 Are there any objections to considering
7 these items together and approving the orders?

8 (No verbal response.)

9 Hearing none, the orders are approved.

10 Item E-10 concerns Docket 22-0063,
11 which is Ameren's petition for approval of performance
12 and tracking metrics. Joint Solar Parties, the
13 Environmental Law and Policy Center, and Vote Solar
14 filed a joint motion for clarification of the final
15 order in this docket, which approved Ameren's metrics.
16 The motion seeks clarification whether distributed
17 energy resources such as battery energy storage and
18 solar-plus-storage may be used to achieve the targets
19 of the peak load reduction metric.

20 The mandatory order clarifies that to
21 achieve the peak load reduction targets established
22 under Performance Metric 2, Ameren may implement demand

1 response programs which both result in measurable peak
2 load reductions and offset Ameren's resource adequacy
3 needs. This includes both existing demand-response
4 programs and future programs which may incorporate new
5 technologies, including, but not limited to battery
6 energy storage and solar plus storage.

7 Are there any objections to granting
8 the motion for clarification?

9 (No verbal response.)

10 Hearing none, the motion is granted.

11 Are there any objections to approving
12 the amendatory order?

13 (No verbal response.)

14 Hearing none, the amendatory order is
15 approved.

16 Item E-11 concerns a citation against
17 Alpha Gas and Electric for failure to comply with ARES
18 net metering requirements. The order directs the
19 company to pay within 30 days of the order a penalty of
20 \$30000 and to file a compliance filing indicating proof
21 of payment.

22 Are there any objections to approving

1 the order?

2 (No verbal response.)

3 Hearing none, the order is approved.

4 Items E-12 and E-13 concern applications for
5 certifications to install, maintain or repair electric
6 vehicle charging station facilities under the Public
7 Utilities Act. The orders grant the certificates,
8 finding that the applicants meet the requirements.

9 Are there any objections to considering
10 these items together and approving the orders?

11 (No verbal response.)

12 Hearing none, the orders are approved.

13 Item E-14 concerns ComEd's petition for
14 approval of their beneficial electrification plan. On
15 September 2nd, 2022, Commission Staff filed a combined
16 motion to dismiss and motion for interim order.
17 Staff's motion addresses three issues within ComEd's
18 proposed plan.

19 First, Staff moves to dismiss portions
20 of ComEd's BE plan that Staff claims are not allowed
21 under the relevant statutes, arguing that the Electric
22 Vehicle Act does not authorize non-transportation

1 spending under the BE plan.

2 Second, Staff moves to dismiss parts of
3 the BE plan that propose certain rebates, arguing that
4 the Commission is not authorized to approve the rebates
5 for passenger EVs or for installation and maintenance
6 of charging stations that were specifically entrusted
7 to the IEPA to administer.

8 Third, Staff ask that the Commission
9 enter an interim order to provide clarity on the
10 statutory retail rate impact cap, which states, quote,
11 "The retail rate impact from the development of
12 electric vehicle infrastructure shall not exceed 1
13 percent per year of the total annual revenue
14 requirement for the utility," end quote. In
15 particular, Staff asserts that the Commission should
16 decide now whether the 1 percent rate impact applies to
17 the BE plan as a whole or just to specific programs.

18 The interim order grants Staff's motion
19 in part, finding that, first, the EV Act language is
20 broader than Staff's interpretation and is not limited
21 to only transportation spending. Second, the rebate
22 programs identified and contested by Staff are not

1 within the authority of the Commission to approve and
2 should be removed from the BE plan. Third, the plain
3 language of the statute clearly states that the retail
4 rate cap applies for the development of EV
5 infrastructure only.

6 Are there any comments from
7 Commissioners?

8 COMMISSIONER MCCABE: I support the PIO and will
9 be filing concurring opinion on rebate authority.

10 CHAIR ZALEWSKI: Thank you.

11 Any other comments?

12 (No verbal response.)

13 Are there any objections to approving
14 the interim order?

15 (No verbal response.)

16 Hearing none, the interim order is
17 approved. Items E-15 and E-16 concern ComEd and
18 Ameren's proposed new Rider Coal to Solar or Rider CTS.
19 The riders will allow to collect payments for purchase
20 of renewable energy credits under the Illinois power
21 agency act.

22 On July 21 of 2022, the Commission

1 entered the suspension orders under both dockets which
2 suspended the filings through including November 26th
3 of 2022. However the Commission's investigation in
4 these dockets has not yet completed. Therefore, the
5 orders extend the suspension period to and including
6 December 1st of 2022.

7 Are there any objections to considering
8 these items together and approving the orders?

9 (No verbal response.)

10 Hearing none, the orders are approved.

11 Item E-17 concerns the termination of
12 Lincoln Land Energy LLC's abandoned license. On July
13 21st of 2022, the Commission entered a citation order
14 initiating this proceeding against Lincoln Land
15 regarding the termination of its certificate of service
16 authority to operate as an agent, broker, and
17 consultant in Illinois.

18 Staff recommended the Commission
19 terminate Company's certificate unless they appeared in
20 the docket and showed cause such action is not
21 appropriate. The Staff noted that the Company is not
22 in compliance with the Public Utilities Act and

1 Commission's rules.

2 The Company appeared at the hearing and
3 presented evidence that they are now in compliance with
4 the Public Utilities Act and the Commission's rules and
5 requesting to dismiss the docket. Staff, however,
6 insists on suspending the license due to the previous
7 violations. The order notes that despite the Company's
8 subsequent compliance, the docket cannot be dismissed
9 and suspends the license for 6 months due to the
10 Company's past violations.

11 Are there any objections to approving
12 the order?

13 (No verbal response.)

14 Hearing none, the order is approved.

15 Item E-18 is Ameren Illinois Company's
16 analysis and report on the benefits and costs of
17 continued participation in the MISO Regional
18 Transmission Organization, or RTO. The initiating
19 order states that because Ameren shall ultimately have
20 responsibility for conducting and presenting the study,
21 Ameren should be entitled to maintain a level of
22 independence and control of the study.

1 In its motion, Staff states that
2 neither the Staff report nor initiating order calls for
3 or contemplates any party but Ameren and Staff to have
4 any involvement in the proceeding. There are no
5 disputed issues of fact or law to be resolved. The
6 order simply directs Ameren to prepare and submit a
7 report in consultation with Staff.

8 The Commission agrees with Staff that
9 the initiating order directs only Staff and Ameren to
10 confer about the analysis in the report. The order
11 thus terminates the proceeding. Ameren must file its
12 report no later than July 21st of 2023, upon which a
13 new docketed proceeding will commence allowing
14 stakeholders to intervene and comment on the report
15 within 30 days of its submission.

16 Are there any objections to approving
17 the order?

18 (No verbal response.)

19 Hearing none, the order is approved.

20 Item E-19 concerns Ameren and Adams
21 Electric Cooperative's joint petition for approval of
22 two residential customer releases. There are no

1 disputes between the parties as to the customer
2 release. The order grants petition.

3 Are there any objections to approving
4 the order?

5 (No verbal response.)

6 Hearing none, the order is approved.

7 Item E-20 concerns MidAmerican's request for an order
8 authorizing the issuance and sale of \$104,975,000
9 aggregate principal amount of long term debt. The
10 order grants the request, finding that the proposed
11 issuance is not subject to the provisions of Section
12 6-102(b) of the Act, and it's approved in accordance
13 with Section 6-102(d) of the Act. The order also
14 directs the Company to comply with part 240 reporting
15 requirements.

16 Are there any objections to approving
17 the order?

18 (No verbal response.)

19 Hearing none, the order is approved.

20 Items E-21 through E-23 involve
21 applications for certification to install energy
22 efficiency measures in Illinois. The orders grant the

1 certificates, finding that the applicants meet the
2 requirements.

3 Are there any objections to considering
4 these items together and approving the orders?

5 (No verbal response.)

6 Hearing none, the orders are approved.

7 Moving on to our gas items, Items G-1
8 and G-2 concern MidAmerican's and Mt. Carmel's
9 purchased gas adjustment reconciliations for 2021. The
10 orders approve the reconciliations, finding that
11 companies expenditures during reconciliation period
12 were prudent and reasonable.

13 Are there any objections to considering
14 these items together and approving the orders?

15 (No verbal response.)

16 Hearing none, the orders are approved.

17 Item G-3 concerns MidAmerican's
18 reconciliation under the Tax Expense Revision Mechanism
19 recovery adjustment, or Rider TERM. The order approves
20 the reconciliation finding that the Company's schedules
21 appropriately reconcile the revenues returned with the
22 total reconciled tax adjustment amount and reflect the

1 reconciliation in the transparent format.

2 Are there any objections to approving
3 the order?

4 (No verbal response.)

5 Hearing none, the order is approved.

6 Item G-4 concerns Peoples Gas'
7 application for a waiver of a requirement to motorize
8 one of its transmission pipelines, the Elwood 2
9 Pipeline. The waiver requires additional monitoring,
10 testing, and reporting to ensure safety. Neither Staff
11 nor PHMSA object to the waiver. The order grants the
12 waiverr finding that it is reasonable and not
13 inconsistent with the pipeline safety.

14 Are there any objections to approving
15 the order?

16 (No verbal response.)

17 Hearing none, the order is approved.

18 Item G-5 concerns Nicor Gas' petition
19 to permit automatic enrollment in paperless billing.
20 This would require a permanent exemption from the
21 requirement that customers affirmatively elect to
22 receive delivery of their bills electronically. The

1 order grants the petition, finding that it is
2 technically sound and will not compromise the Company's
3 service and will not result in net harm to consumers
4 because Nicor will provide a means by which customers
5 can opt out of enrollment initially or at any later
6 time.

7 Are there any objections to approving
8 the order?

9 (No verbal response.)

10 Hearing none, the order is approved.

11 Moving on to our telecommunications
12 items, Item T-1 concerns an order revoking Tip Systems
13 LLC's certificate of service authority. On September 15th
14 of 2021, the Commission initiated a citation proceeding
15 against the Company for failure to maintain managerial
16 resources and abilities as required under the law. The
17 Company filed to correct the deficiencies identified by
18 the ALJ, including to maintain an authorization to
19 transact business in Illinois and failed to appear at
20 the hearing.

21 The order revokes the certificate of
22 service authority, finding that the Company failed to

1 maintain managerial resources and abilities as required
2 by the law.

3 Are there any objections to approving
4 the order?

5 (No verbal response.)

6 Hearing none, the order is approved.

7 Item T-2 through T-4 concern petitions
8 to cancel certificates of service authority to provide
9 telecommunication services in Illinois. The orders
10 grant the petitions, finding that no customers will be
11 impacted by the cancellations, the public can seek
12 these services from other providers, and doing so is
13 not otherwise contrary to public interest.

14 Are there any objections to considering
15 these items together and approving the orders?

16 (No verbal response.)

17 Hearing none, the orders are approved.

18 Item T-5 concerns Universal Telephone
19 Assistant Corporation's petition to determine the
20 amount and form of assistance LECs must provide to
21 eligible subscribers under the Universal Telephone
22 Service Assistant Program, or UTSAP, and the UTSAP's

1 broadband internet access service program.

2 The Company also seeks -- excuse me,
3 the Company also asks for authorization to distribute
4 up to an additional \$250,000 of UTSAP funds to the
5 charitable organization PCs for the People, which
6 distributes refurbished computers to qualified
7 low-income consumers.

8 The order grants petition and sets the
9 amount and form of the assistance to the eligible
10 subscribers. The order also finds that the Company's
11 program with the PCs for People is consistent with the
12 Commission authority and authorizes the additional
13 funding to the nonprofit, provided it satisfies certain
14 requirements.

15 Are there any objections to approving
16 the order?

17 (No verbal response.)

18 Hearing none, the order is approved.

19 Item E-6 concerns Easy Wireless's
20 application for a certificate of wireless authority to
21 operate as a reseller of telecommunications services.
22 The order grants the certificate. The applicant

1 commits to comply with all applicable laws and
2 regulations.

3 Are there any objections to approving
4 the order?

5 (No verbal response.)

6 Hearing none, the order is approved.

7 Moving on to our water and sewer items,
8 Item W-1 concerns Illinois American Water's
9 reconciliation under the Variable Income Tax rider, or
10 Rider VIT, for 2021. The order approves the
11 reconciliation, finding that the Company has
12 appropriately reconciled its rider and that no
13 adjustment is required for any VIT tariff districts.

14 Are there any objections to approving
15 the order?

16 (No verbal response.)

17 Hearing none, the order is approved.

18 Item W-2 concerns an interim order
19 related to Illinois American Water's application for a
20 certificate of public convenience and necessity to
21 provide water and wastewater service to areas in
22 Champaign County and for approval of the purchase of

1 assets of the Village of Tolono. The interim order
2 approves the engagement agreements for -- excuse me,
3 with the three appraisers who will evaluate the fair
4 market value of the assets, finding the terms
5 reasonable.

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

8 (No verbal response.)

9 Hearing none, the interim order is
10 approved.

11 We're moving now on to our miscellaneous
12 items. Item M-1 concerns rulemaking amending
13 provisions of Parts 412 and 512 of the Commission rules
14 related to the obligations of the alternative electric
15 and gas suppliers. The Joint Committee on Administrative
16 Rules considered proposed Parts 412 and 512
17 amendments at its October 2022 meeting and issued a
18 certificate of no objection. The order now adopts the
19 proposed amendments.

20 Are there any objections to approving
21 the order?

22 (No verbal response.)

1 Hearing none, the order is approved.

2 Under our petitions for hearing, Item
3 PR-1 concerns Docket 22-0063, which is Ameren's
4 petition for approval of its performance and tracking
5 metrics.

6 The Commission entered a final order
7 approving the metrics on September 27th, 2022. On
8 October 22nd -- excuse me, October 27th of 2022,
9 Ameren, NRDC, and the AG filed applications for
10 rehearing. The administrative law judge recommended
11 granting the hearing on the matters that have not been
12 fully litigated.

13 The Commission agrees with some of the
14 ALJs recommendations, and thus, first, denies Ameren's
15 application for rehearing in its entirety; second,
16 grants the NRDC's application for rehearing in its
17 entirety; and third, grants the AG's application for
18 rehearing on Metric 2, and denies the application on
19 the remaining issues.

20 Are there any objections to denying the
21 Ameren application for rehearing and granting NRDC's
22 application for rehearing and granting the AG's

1 application for rehearing in part, with respect to only
2 Metric 2, while denying the rehearing on the remaining
3 matters?

4 (No verbal response.)

5 Hearing none, the rehearing is granted
6 as specified.

7 Item PR-2 concerns Docket 22-0067,
8 which is ComEd's petition for approval of its
9 performance and tracking metrics. The Commission
10 entered a final order approving the metrics on
11 September 27th of 2022. On October 27th of 2022, ComEd
12 filed an application for rehearing. The Administrative
13 Law Judge recommends granting the rehearing on matters
14 that have not been fully litigated.

15 The Commission agrees with some of the
16 recommendation and thus grants the rehearing on the
17 following matters: First, the definition of Major
18 Event Day, or MED in Metric 1; second, specifying
19 peak-load reduction incentive targets in Metric 2; and
20 third, clarifying the construct of intervenor proposed
21 tracking metrics.

22 Are there any objections to granting

1 ComEd's application for rehearing in part with respect
2 to the specified matters only and denying rehearing on
3 the remaining matters?

4 (No verbal response.)

5 Hearing none, the rehearing is granted
6 as specified.

7 Moving on to our other business items,
8 Item O-1 concerns approval of batches, contracts, and
9 confirmations under the Illinois Adjustable Block
10 Program.

11 Are there any objections to approving
12 the program administrator's submissions?

13 (No verbal response.)

14 Hearing none, the submissions are
15 approved.

16 This concludes our Public Utilities
17 Agenda.

18 Judge Teague Kingsley, do we have other
19 matters to come before the Commission today?

20 JUDGE TEAGUE KINGSLEY: No, Madam Chair.

21 CHAIR ZALEWSKI: Do the Commissioners have any
22 other business to discuss?

1 (No verbal response.)

2 Hearing none, and without objection,
3 the meeting is adjourned. Thanks.

4 (WHEREUPON the above-entitled matter
5 was adjourned at 11:55 AM.)

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