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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(REGULAR OPEN MEETING)
Thursday, November 13, 2014
Chicago, Illinois
Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.
PRESENT:
DOUGLAS P. SCOTT, Chairman
JOHN T. COLGAN, Commissioner (by video)
ANN McCABE, Commissioner (by video)
SHERINA E. MAYE, Commissioner
MIGUEL del VALLE, Commissioner
SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170

1 CHAIRMAN SCOTT: Is everything ready in
2 Springfield?

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

5 CHAIRMAN SCOTT: Very good. Pursuant to the
6 provisions of the Open Meetings Act, I now convene a
7 Regular Open Meeting of the Illinois Commerce
8 Commission. With us in Springfield are Commissioner
9 Colgan and Commissioner McCabe. With me in Chicago
10 are Commissioner del Valle and Commissioner Maye. I
11 am Chairman Scott. We have a quorum.

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

21 The first item of business on today's
22 agenda is the transcript from our

1 October 22nd Gas and Electric Policy Session. I
2 understand amendments have been forwarded.

3 Is there a motion to amend the
4 transcript?

5 COMMISSIONER del VALLE: Move.

6 CHAIRMAN SCOTT: Is there a second?

7 COMMISSIONER MAYE: Second.

8 CHAIRMAN SCOTT: It has been moved by
9 Commissioner del Valle and seconded by Commissioner
10 Maye.

11 All in favor, say aye.

12 (Chorus of ayes.)

13 Any opposed?

14 (No response.)

15 The vote is 5 to nothing and the
16 amendments are adopted.

17 Is there now a motion to approve the
18 transcript as amended?

19 COMMISSIONER MAYE: So move.

20 CHAIRMAN SCOTT: Is there a second?

21 COMMISSIONER del VALLE: Second.

22 CHAIRMAN SCOTT: It's been moved by Commissioner

1 Maye and seconded by Commissioner del Valle.

2 All in favor, say aye.

3 (Chorus of ayes.)

4 Any opposed?

5 (No response.)

6 The vote is 5 to nothing and the
7 October 22nd Gas and Electric Policy Session
8 transcript, as amended, is approved.

9 Next we have minutes from our
10 October 22nd Bench Session. I understand amendments
11 have been forwarded.

12 Is there a motion to amend the
13 minutes?

14 COMMISSIONER MAYE: So move.

15 CHAIRMAN SCOTT: Is there a second?

16 COMMISSIONER McCABE: Second.

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

19 All in favor, say aye.

20 (Chorus of ayes.)

21 Any opposed?

22 (No response.)

1 The vote is 5 to nothing and the
2 amendments are adopted.

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

5 COMMISSIONER COLGAN: So move.

6 CHAIRMAN SCOTT: Is there a second?

7 COMMISSIONER MAYE: Second.

8 CHAIRMAN SCOTT: It's been moved by Commissioner
9 Colgan and seconded by Commissioner Maye.

10 All in favor, say aye.

11 (Chorus of ayes.)

12 Any opposed?

13 (No response.)

14 The vote is 5 to nothing and the
15 October 22nd Bench Session minutes, as amended, are
16 approved.

17 Item 3 is Docket No. 11-0703. This is
18 Thomas Chummar, Gurnee Truck Stop, Incorporated's
19 complaint against ComEd as to choice of supplier
20 denied by ComEd and power outages in Gurnee,
21 Illinois. ALJ Sainsot recommends entry of an Order
22 dismissing the Second Amended Complaint with

1 prejudice.

2 Is there a motion to enter the Order?

3 COMMISSIONER MAYE: Move.

4 CHAIRMAN SCOTT: Is there a second?

5 COMMISSIONER McCABE: Second.

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

8 All in favor, say aye.

9 (Chorus of ayes.)

10 Any opposed?

11 (No response.)

12 The vote is 5 to nothing and the Order
13 is entered.

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

17 Items 4 and 5 can be taken together.

18 These items are complaints against ComEd as to
19 billing/charges in Chicago. It appears the parties
20 have settled their differences and in both cases
21 have filed a Stipulation and Joint Motion to
22 Dismiss, which the ALJ in each case recommends we

1 grant.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the motions are granted
7 and the complaints dismissed.

8 Items 6 through 10 can be taken
9 together. These items are petitions for
10 confidential/proprietary treatment of Petitioners'
11 various compliance reports. In each case, ALJ Jones
12 recommends entry of an Order granting the requested
13 relief.

14 Is there any discussion?

15 (No response.)

16 Any objections?

17 (No response.)

18 Hearing none, the Orders are entered.

19 Item 11 is Docket No. 14-0480. This
20 is the City of Rochelle and ComEd's verified
21 Petition for Declaratory Ruling finding certain
22 provisions of the Illinois Public Utilities Act,

1 220 ILCS Section 5/1-101, et seq., including
2 approval requirement of 7-102 of the Act and certain
3 election provisions of Article XV11 of the Act, do
4 not apply to arrangements respecting electric
5 service to certain property in unincorporated Lee
6 County to which electric service will be provided by
7 the City of Rochelle. ALJ Sainsot recommends entry
8 of an Order granting the requested relief.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Order is entered.

14 Item 12 is Docket No. 14-0628. This
15 is Corn Belt Energy Corporation and Ameren Illinois'
16 Joint Petition for Approval of Amendment No. 15 to
17 the Service Area Agreements between Ameren Illinois
18 and Corn Belt Energy Corporation. ALJ Jones
19 recommends entry of an Order granting the joint
20 petition.

21 Is there any discussion?

22 (No response.)

1 Any objections?

2 (No response.)

3 Hearing none, the Order is entered.

4 Item 13 is Docket No. 14-0642. This
5 is Ameren Illinois and Adams Electric Cooperative's
6 Joint Petition for Approval of a Commercial Customer
7 Release. ALJ Jones recommends entry of an Order
8 granting the joint petition.

9 Is there any discussion?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Order is entered.

14 Item 14 is Docket No. 12-0560. This
15 is Rock Island Clean Line LLC's petition for an
16 Order granting Rock Island Clean Line a Certificate
17 of Public Convenience and Necessity pursuant to
18 Section 8-406 of the Public Utilities Act as a
19 Transmission Public Utility and to construct,
20 operate and maintain an electric transmission line
21 and authorizing and directing Rock Island pursuant
22 to Section 8-503 of the Public Utilities Act to

1 construct an electric transmission line. ALJ Jones
2 recommends entry of an Order granting the
3 certificate, subject to conditions. This item will
4 be held for disposition at a future Commission
5 meeting.

6 Items 15 through 17 can be taken
7 together. These items are applications for
8 Certification as an installer of Distributed
9 Generation Facilities under Section 16-128A of the
10 Public Utilities Act. In each case, ALJ Baker
11 recommends entry of an Order granting the
12 certificate.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Orders are entered.

18 Item 18 is Docket No. 14-0603. This
19 is Axiom Retail Energy LLC's application for
20 Licensure of Agents, Brokers and Consultants under
21 Section 16-115C of the Public Utilities Act.

22 ALJ Kimbrel recommends entry of an Order granting

1 the certificate.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Order is entered.

7 Item 19 is Docket No. 14-0647. This
8 is American Power Partners LLC's Petition seeking
9 cancellation of its Certificate of Service Authority
10 to Operate as an Alternative Retail Electric
11 Supplier. ALJ Sainsot recommends entry of an Order
12 granting the requested relief.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Order is entered.

18 Item 20 is Docket No. 14-0316. This
19 is ComEd's petition to make housekeeping revisions
20 and a compliance change to its filed Rate Formula.
21 ALJs Haynes and Teague Kingsley recommend entry of
22 an Order defining "formula rate structure" and

1 requiring an updated depreciation study.

2 This item will be held for disposition
3 at a future Commission proceeding.

4 Item 21 is Docket No. 14-0630. This
5 is Ameren Illinois' request pursuant to Section
6 6-102(d) of the Illinois Public Utilities Act to
7 incur indebtedness by undertaking the obligation to
8 pay the principal, interest and redemption premium,
9 if any, on up to \$300,000,000 principal amount of
10 Senior Secured Notes for the purpose of refunding,
11 redeeming and/or refinancing outstanding evidences
12 of indebtedness. ALJ Jones recommends entry of an
13 Order approving the request, subject to conditions
14 recommended by Staff.

15 Is there any discussion?

16 (No response.)

17 Any objections.

18 (No response.)

19 Hearing none, the Order is entered.

20 Item 22 is our citation against the
21 Village of Thebes for an alleged failure to maintain
22 obligations under the Illinois Gas Pipeline Safety

1 Act and for alleged violations of federal rules
2 incorporated by the Illinois Commerce Commission.
3 Staff recommends entry of an Order initiating the
4 citation proceeding.

5 Is there any discussion?

6 (No response.)

7 Any objections?

8 (No response.)

9 Hearing none, the Order is entered.

10 Item 23 is Docket No. 13-0119. This
11 is North Shore Gas Company's informational statement
12 pursuant to Section 6-102(d) of the Public Utilities
13 Act in connection with the proposed issuance and
14 sale of up to \$55 million aggregate principal amount
15 of bonds or notes, or a combination thereof, in one
16 or more series. An order granting the Petition was
17 initially entered by the Commission on March 6,
18 2013, however, North Shore now requests that the
19 Commission reopen the matter to address a change in
20 the purpose of the authorized debt issuance. ALJ
21 Hilliard recommends we reopen the proceeding and
22 enter an Order on Reopening granting the requested

1 relief. Is there any discussion?

2 (No response.)

3 Any objections?

4 (No response.)

5 Hearing none, the Docket is reopened

6 and the Order on Reopening is entered.

7 Items 24 and 25 can be taken together.

8 These items are North Shore Gas and Peoples Gas,

9 Light and Coke Company's petitions pursuant to Rider

10 VBA of Schedule of Rates for Gas Service to initiate

11 a proceeding to determine the accuracy of the Rider

12 VBA reconciliation statement. In both cases,

13 ALJ Sainsot recommends entry of an Order accepting

14 the reconciliation adjustments.

15 Is there any discussion?

16 (No response.)

17 Any objections?

18 (No response.)

19 Hearing none, the Orders are entered.

20 Item 26 is Docket No. 14-0444. This

21 is April Hudson's complaint against Nicor as to a

22 deposit request in Homewood. ALJ Jorgenson

1 recommends entry of an Order dismissing the
2 complaint for want of prosecution.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the Order is entered and
8 the complaint is dismissed.

9 Items 27 through 29 can be taken
10 together. These items are complaints against
11 Peoples Gas as to billing/charges in Chicago. It
12 appears the parties have settled their differences
13 and in each case have filed a joint motion to
14 dismiss, which the ALJ in each case recommends we
15 grant.

16 Is there any discussion?

17 (No response.)

18 Any objections?

19 (No response.)

20 Hearing none, the motions to dismiss
21 are granted.

22 Items 30 though 32 can be taken

1 together. These items are applications for
2 certificates to provide telecommunications services
3 in the State of Illinois. The ALJ in each case
4 recommends entry of an Order granting the
5 application.

6 Is there any discussion?

7 (No response.)

8 Any objections.

9 (No response.)

10 Hearing none, the Order is entered.

11 Item 33 is Docket No. 13-0696. This
12 is our proceeding to amend 83 Ill. Adm. Code Section
13 200 to make the agency's rules on appearances by
14 out-of-state attorneys consistent with the Illinois
15 Supreme Court's rules on that subject, which were
16 amended in 2013, as well as the amended Section
17 10-101 of the Public Utilities Act. ALJ Wallace
18 recommends entry of an Order adopting the proposed
19 amendment.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the Order is entered.

3 Item 34 is Docket No. 14-0551. This
4 is Ameren Transmission Company of Illinois'
5 Application for Rehearing of the Commission's
6 decision on its Petition for an Order pursuant to
7 Section 8-509 of the Public Utilities Act
8 Authorizing Use of Eminent Domain Power. ALJ Albers
9 recommends that we grant the Application for
10 Rehearing and enter an Order on Rehearing consistent
11 with the outcome reflected in the September 26, 2014
12 Proposed Order in Docket No. 14-0522.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Application for
18 Rehearing and the Order on Rehearing are entered.

19 Item 35 is Docket No. 14-0066. This
20 is MidAmerican Energy Company's proposed general
21 rate increase for electric service. The Final Order
22 issued in this Docket on November 6, 2014 contained

1 certain incorrect numerical amounts which did not
2 reflect the Commission's rejection of Staff's
3 proposed adjustment to current and deferred taxes.
4 Accordingly, ALJ Jorgenson recommends entry of an
5 Amendatory Order adopting the necessary revisions.

6 Is there any discussion?

7 (No response.)

8 Any objections?

9 (No response.)

10 Hearing none, the Amendatory Order is
11 entered.

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

14 (No response.)

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

16 CHAIRMAN SCOTT: Thank you, sir.

17 Hearing none, this meeting stands
18 adjourned. Thank you, everyone.

19 (Whereupon, the above matter
20 was adjourned.)

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22