1	BEFORE THE
2	ILLINOIS COMMERCE COMMISSION
3	REGULAR OPEN MEETING
4	(PUBLIC UTILITIES)
5	Chicago, Illinois
6	Tuesday, November 26, 2013
7	
8	
9	Met, pursuant to notice, at 10:30 a.m. at
10	160 North LaSalle Street, 8th Floor, Chicago, Illinois
11	
12	PRESENT:
13	MR. DOUGLAS P. SCOTT, Chairman
14	MR. JOHN T. COLGAN, Commissioner (by videoconference)
15	MS. ANN MCCABE, Commissioner
16	MR. MIGUEL DEL VALLE, Commissioner
17	MS. SHERINA E. MAYE, Commissioner
18	
19	
20	
21	
22	Ryan McGrath
23	IL CSR #084-004564
2.4	Reporting for Midwest Litigation Services

- 1 CHAIRMAN SCOTT: Pursuant to the provisions of the
- Open Meetings Act, I'll now convene a Regular Open
- 3 Meeting of the Illinois Commerce Commission. With us in
- 4 Springfield is Commissioner Colgan. With me in Chicago
- 5 are Commissioner McCabe, Commissioner del Valle, and
- 6 Commissioner Maye. I'm Chairman Scott. We have a
- 7 quorum.
- 8 Before moving into the agenda according to
- 9 Section 1700.10 of Title 2 of the Administrative Code
- 10 this is the time that I'll allow members of the public
- 11 to address the Commission. Members of the public
- 12 wishing to address the Commission must notify the Chief
- 13 Clerk's office at least 24 hours prior to Commission
- 14 meetings. According to the Chief Clerk's office, we
- 15 have no requests to speak at today's meeting.
- 16 First item of business on today's agenda is
- 17 the approval of minutes from our November 6th Gas Policy
- 18 meeting. I understand the amendments have been
- 19 forwarded. Is there a motion to amend the minutes?
- 20 COMMISSIONER MCCABE: So moved.
- 21 CHAIRMAN SCOTT: Moved by Commissioner McCabe. Is
- there a second?
- 23 COMMISSIONER MAYE: Second.
- 24 CHAIRMAN SCOTT: Second by Commissioner Maye. It's

- 1 been moved and seconded. All in favor say aye.
- 2 (Ayes heard.)
- 3 CHAIRMAN SCOTT: Any opposed?
- 4 (No response.)
- 5 CHAIRMAN SCOTT: Vote is five to nothing and the
- 6 amendments are adopted. Is there now a motion to
- 7 approve the minutes as amended?
- 8 COMMISSIONER MAYE: So moved.
- 9 CHAIRMAN SCOTT: Moved by Commissioner Maye.
- 10 Seconded by?
- 11 COMMISSIONER MCCABE: Second.
- 12 CHAIRMAN SCOTT: Commissioner McCabe. All in favor
- 13 say eye.
- 14 (Ayes heard.)
- 15 CHAIRMAN SCOTT: Any opposed?
- 16 (No response.)
- 17 CHAIRMAN SCOTT: Vote is five to nothing and the
- 18 November 6th Gas Policy meeting minutes as amended are
- 19 approved.
- 20 Next up is the approval of the minutes from
- 21 our November 7th Electric Policy meeting. I understand
- the amendments have been forwarded. Is there a motion
- 23 to amend the minutes?
- 24 COMMISSIONER MCCABE: So moved.

- 1 CHAIRMAN SCOTT: Moved by Commissioner McCabe. Is
- 2 there a second?
- 3 COMMISSIONER MAYE: Second.
- 4 CHAIRMAN SCOTT: Seconded by Commissioner Maye.
- 5 It's been moved and second. All in favor say aye.
- 6 (Ayes heard.)
- 7 CHAIRMAN SCOTT: Any opposed?
- 8 (No response.)
- 9 CHAIRMAN SCOTT: Vote is five to nothing and the
- 10 amendments are adopted. Is there now a motion to
- 11 approve the minutes as amended?
- 12 COMMISSIONER MAYE: So moved.
- 13 CHAIRMAN SCOTT: Moved by Commissioner Maye. Is
- 14 there a second?
- 15 COMMISSIONER MCCABE: Second.
- 16 CHAIRMAN SCOTT: Seconded by Commissioner McCabe.
- 17 It's been moved and seconded. All in favor say aye.
- 18 (Ayes heard.)
- 19 CHAIRMAN SCOTT: Any opposed?
- 20 (No response.)
- 21 CHAIRMAN SCOTT: The vote is five to nothing, and
- 22 the November 7th Electric Policy meeting minutes as
- amended are approved.
- Moving on to item 3, it's docket No. 13-0145.

- 1 This is our reconciliation of revenues collected by
- 2 Ameren under the Hazardous Materials Adjustment Clause
- 3 Rider with actual and prudent associated costs. ALJ Von
- 4 Qualen recommends entry of an order approving the
- 5 reconciliation. Is there any discussion?
- 6 (No response.)
- 7 CHAIRMAN SCOTT: Is there a motion to enter the
- 8 order?
- 9 COMMISSIONER DEL VALLE: So moved.
- 10 CHAIRMAN SCOTT: Moved by Commissioner del Valle.
- 11 Is there a second?
- 12 COMMISSIONER MCCABE: Second.
- 13 CHAIRMAN SCOTT: Second by Commissioner McCabe.
- 14 It's been moved and seconded. All in favor say aye.
- 15 (Ayes heard.)
- 16 CHAIRMAN SCOTT: Any opposed?
- 17 (No response.)
- 18 CHAIRMAN SCOTT: Vote is five to nothing and the
- 19 order is entered. We will use this five to nothing vote
- 20 for the remainder of today's Regular Open Meeting agenda
- 21 unless otherwise noted.
- 22 Items 4 through 6 can be taken together.
- 23 These are complaints against ComEd as to billing and/or
- 24 charges. In each case, it appears that the parties have

- 1 settled their differences and have filed a Joint Motion
- 2 to Dismiss which the ALJ in each case recommends we
- 3 grant. Is there any discussion?
- 4 (No response.)
- 5 CHAIRMAN SCOTT: Are there any objections?
- 6 (No response.)
- 7 CHAIRMAN SCOTT: Hearing none, the Joint Motion to
- 8 Dismiss are granted.
- 9 Item 7 is docket No. 13-0600. This is Barbara
- 10 Rudolph's complaint against ComEd as to billing and/or
- 11 charges in Chicago. It appears the parties have settled
- 12 their differences and the complainant has filed a Motion
- 13 to Withdraw which ALJ Riley recommends we grant. Is
- 14 there any discussion?
- 15 (No response.)
- 16 CHAIRMAN SCOTT: Any objections?
- 17 (No response.)
- 18 CHAIRMAN SCOTT: Hearing none, the Motion to
- 19 Withdraw is granted and the proceeding is dismissed.
- 20 Items 8 and 9 can be taken together. These
- 21 items are petitions for cancellations of authority by E1
- 22 and THG Energy Solutions. In both cases, ALJ Baker
- 23 recommends entry of an order granting the petition. Is
- 24 there any discussion?

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1 (No response.)
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- 2 CHAIRMAN SCOTT: Are there any objections?
- 3 (No response.)
- 4 CHAIRMAN SCOTT: Hearing none, the orders are
- 5 entered.
- 6 Item 10 is docket Nos. 13-0501 and 13-0517
- 7 consolidated. This is the People of the State of
- 8 Illinois's complaint against Ameren Illinois to suspend
- 9 tariff charges and to investigate Ameren's rate MAPP
- 10 pursuant to Section 9-201, 9-250, 16-108.5 of the Public
- 11 Utilities Act. ALJs Alberts and Yoder recommend entry
- of an interim order modifying AIC's EIMA template.
- 13 My office in conjunction with Commissioner del
- 14 Valle's office would like to propose edits to this order
- to modify the language to provide a more thorough
- 16 analysis of the AG's position regarding ADIT to
- 17 acknowledge it may have some merit while still coming to
- 18 the same conclusion as in the PEPO.
- 19 We conclude that the meaning of this section
- 20 is unclear and invite the legislature to provide
- 21 additional clarity or parties to provide additional
- 22 argument on this topic in the future as we may revisit
- 23 this issue at a later date.
- I would move the adoption of these edits. Is

- 1 there a second?
- 2 COMMISSIONER DEL VALLE: Second.
- 3 CHAIRMAN SCOTT: Second by Commissioner del Valle.
- 4 Is there any discussion?
- 5 COMMISSIONER MAYE: I have some discussion,
- 6 Chairman.
- 7 CHAIRMAN SCOTT: Commissioner Maye.
- 8 COMMISSIONER MAYE: Based on, you know, the
- 9 analysis -- my analysis of the statute, I think it's --
- 10 there is no clear intent there to exclude ADIT from the
- 11 reconciliation amount. So for those reasons, I am going
- 12 to support the PEPO as drafted.
- 13 CHAIRMAN SCOTT: Okay. Further discussion?
- 14 COMMISSIONER MCCABE: I -- I agree with
- 15 Commissioner Maye.
- 16 CHAIRMAN SCOTT: Commissioner del Valle.
- 17 COMMISSIONER DEL VALLE: Well, you know, I've read
- 18 this thing and read this thing and read this thing lots
- 19 of times, and I have to really fall on the side of the
- 20 Attorney General and the others, but I -- I think that
- 21 asking for clarity, which I don't think is really
- 22 needed, but it's obvious that this is going to move
- 23 forward. So I'm going along with the request for
- 24 clarity, but I think it's very clear to me that the

- 1 recommendation of the Attorney General and the others
- 2 is -- is the way to go.
- 3 As a matter of fact, I saw that in the
- 4 rehearing of ComEd's initial formula rate setting
- 5 docket, 11-0721, staff position was that the interest
- 6 rate should be calculated a net of tax basis.
- 7 And so I'm not sure why we're changing it
- 8 given that we've taken that position in the past. And
- 9 so I agree with the edit, somewhat reluctantly, because
- 10 I think that it's -- it's -- it's necessary for us to
- 11 make a decision as a Commission and I think we can and
- 12 we're in a position to make that decision that will save
- 13 the ratepayers some money. But if -- if the request
- 14 for clarity is going to make it possible for us to be
- unanimous in that effort, then let's do it.
- 16 CHAIRMAN SCOTT: Further discussion?
- 17 COMMISSIONER MAYE: I have -- Oh.
- 18 CHAIRMAN SCOTT: Go ahead.
- 19 COMMISSIONER MAYE: Commissioner del Valle, I
- 20 just -- when you say request for clarity, are you saying
- 21 clarity from the legislature?
- 22 COMMISSIONER DEL VALLE: Yes, even though I don't
- 23 think it's necessary. I think it's clear enough for the
- 24 record.

- 1 CHAIRMAN SCOTT: Commissioner McCabe?
- 2 COMMISSIONER MCCABE: I was just going to say as
- 3 the Chairman points out in his edits, this area has
- 4 already been revisited once by the legislature and I
- 5 think the legislative intent was made pretty clear to us
- 6 in the last year.
- 7 CHAIRMAN SCOTT: Yeah. And, you know, just so
- 8 the -- with respect to the edits, I mean, I think we may
- 9 all agree on what the -- the right course would be. And
- 10 I think I agree with you, Commissioner, on what the
- 11 right course ought to be, but that's not the law that --
- 12 that we've been given. So we're left to interpret that
- 13 law.
- 14 So that's why I made the edits with respect to
- 15 trying to add some clarity into that. And for me, the
- 16 decision to me follows because it's not really -- it's
- 17 not really that clear on the face of the legislation
- 18 itself.
- 19 And so I had to look to the other places in
- 20 EIMA and see that in one other place they did call for
- 21 the netting out. And so -- And they didn't do it in
- 22 this one and they voted on this one twice. Although
- 23 this particular issue to my mind was never discussed in
- 24 any of that legislative history. I don't think that we

- 1 would find that anywhere. So that's why I -- that's why
- 2 I made -- I thought on the greater weight of it the
- 3 decision shouldn't change, but that -- from what it was
- 4 in the PEPO, but that the language surrounding that was
- 5 because I think, as you said, we've done it differently
- 6 in the past and I think that this is a -- this is
- 7 something that at least we can flag it, but it's
- 8 something that we think needs some additional -- some
- 9 additional look by the legislature if they're so
- 10 inclined to go back a third time on this -- on this
- 11 particular piece, so ...
- 12 COMMISSIONER MAYE: One last thing.
- 13 CHAIRMAN SCOTT: Sure.
- 14 COMMISSIONER MAYE: Commissioner del Valle, I
- 15 respectfully -- and I'm saying respectfully because I
- 16 have a great deal of respect for you, but I respectfully
- 17 disagree, you know, to you saying it has a clear intent.
- 18 I think that if the legislature had intended for it to
- 19 be clear they would have specified in the statute just
- 20 like they did with the plant additions and the pension,
- 21 and it's not clearly here stated.
- 22 So I respectfully disagree with you that I
- 23 don't think the intent was -- I don't think it's clear.
- 24 I don't think that their intent was to exclude the ADIT.

- 1 COMMISSIONER DEL VALLE: But I don't think their
- 2 intent was also to include it. The legislation did not
- 3 address whether the reconciliation balance should be
- 4 gross or net of tax.
- 5 So I think it's left up to the Commission.
- 6 And what we're saying here today is that we're asking
- 7 the legislature to tell us how to do it even though I
- 8 think we have the authority to interpret that as -- as I
- 9 have suggested.
- 10 COMMISSIONER MAYE: Okay.
- 11 CHAIRMAN SCOTT: Commissioner Colgan?
- 12 COMMISSIONER COLGAN: Yes. Well, there are any
- 13 number of issues in this EIMA statute that weren't clear
- 14 from my perspective, and we thought -- I know that the
- 15 Commission thought that we did have authority to
- 16 interpret several key issues in there. And when we did,
- 17 we were -- we were told that we didn't have the
- 18 authority to do that. That was -- that was clear.
- 19 So I think it would be not wise for us to
- 20 again -- yet again try to interpret something. So I
- 21 think what we're doing here is going along with what the
- 22 people recommend, but at the same time we're pointing
- 23 out that this is not clear and -- and we have tried to
- 24 apply what we thought was regulatory common sense to

- 1 several issues in this statute and I think the general
- 2 assembly should let us know that -- that it is one way
- 3 or the other or, you know, we'll just continue to agree
- 4 to let PEPO outline this in time. So I'm going to
- 5 support the -- the edits.
- 6 COMMISSIONER DEL VALLE: And just one -- one last
- 7 comment.
- 8 CHAIRMAN SCOTT: Sure.
- 9 COMMISSIONER DEL VALLE: I know we've had our ups
- 10 and downs here with -- with the general assembly, but I
- 11 don't think we ought to -- and I'm speaking as a former
- 12 legislator. I don't think we ought to hesitate to
- 13 request to challenge the general assembly to clarify a
- 14 statute or to give additional direction to the
- 15 Commission. That's what the process allows for, and I
- 16 don't think we ought to hesitate to do that. So that's
- 17 why I'm in support of your edit.
- 18 CHAIRMAN SCOTT: Further discussion?
- 19 (No response.)
- 20 CHAIRMAN SCOTT: Motion is on the revisions. All
- 21 in favor say aye.
- 22 COMMISSIONER DEL VALLE: Aye.
- 23 CHAIRMAN SCOTT: Aye.
- 24 COMMISSIONER COLGAN: Aye.

- 1 CHAIRMAN SCOTT: Opposed?
- 2 COMMISSIONER MCCABE: No.
- 3 COMMISSIONER MAYE: No.
- 4 CHAIRMAN SCOTT: Vote is three to two and the
- 5 revisions are adopted. Is there now a motion to enter
- 6 the order as amended?
- 7 COMMISSIONER COLGAN: So moved.
- 8 CHAIRMAN SCOTT: Moved by Commissioner Colgan. Is
- 9 there a second?
- 10 COMMISSIONER MCCABE: Second.
- 11 CHAIRMAN SCOTT: Second by Commissioner McCabe.
- 12 Any discussion on the order as amended?
- 13 (No response.)
- 14 CHAIRMAN SCOTT: All in favor say aye.
- 15 (Ayes heard.)
- 16 CHAIRMAN SCOTT: Any opposed?
- 17 (No response.)
- 18 CHAIRMAN SCOTT: Vote is five to nothing, and the
- 19 Interim Order as amended is entered.
- 20 Item 11 is docket No. 13-0387. This is
- 21 ComEd's filing regarding revenue neutral tariff changes
- 22 related to rate design, React and City/Cub have
- 23 submitted request for oral argument. Based on the
- 24 extensive record available for this docket, ALJ Hilliard

- 1 and Jorgenson recommend we deny oral
- 2 argument. Is there any discussion?
- 3 (No response.)
- 4 CHAIRMAN SCOTT: Are there any objections to
- 5 denying oral argument?
- 6 (No response.)
- 7 CHAIRMAN SCOTT: Hearing none, the request for oral
- 8 argument is denied.
- 9 Item 12 is docket No. 13-0553. This is our
- 10 investigation of ComEd's tariffs approved in docket
- 11 No. 13-0386. ALJ Dolan and Kimbrel recommend entry of
- 12 an order adjusting the formula rate tariff.
- 13 Again, my office in conjunction with
- 14 Commissioner del Valle's office would like to propose
- 15 edits to the order. They're very similar to the edits
- 16 that we proposed in the Ameren docket we discussed
- 17 earlier, again, to further clarify that we believe that
- 18 the AG's argument regarding the reconciliation has
- 19 merit, but we're bound by the statutory language and,
- 20 again, without further clarification from the
- 21 legislature that the rationale for these edits would be
- 22 the same as -- as we just discussed though we would seek
- 23 some additional clarification but not seek to change the
- 24 ultimate conclusion of the people in this case.

- 1 And with that, I would move for adoption of these edits.
- 2 COMMISSIONER DEL VALLE: Second.
- 3 CHAIRMAN SCOTT: Seconded by Commissioner del
- 4 Valle. Discussion on these edits?
- 5 COMMISSIONER MAYE: Excuse me. I don't think it
- 6 was moved, was it?
- 7 CHAIRMAN SCOTT: I did.
- 8 COMMISSIONER MAYE: Oh, you did.
- 9 CHAIRMAN SCOTT: I did.
- 10 COMMISSIONER MAYE. My apologies.
- 11 CHAIRMAN SCOTT: That's okay. So it's moved and
- 12 seconded on the adoption of the revisions. Is there any
- 13 discussions on these edits?
- 14 COMMISSIONER MAYE: For the same reasons as the
- 15 Ameren order, I do again support the people. I don't
- 16 think there's any clear language that shows there was an
- 17 intent to exclude ADIT from the reconciliation amount.
- 18 CHAIRMAN SCOTT: Okay. Further discussion?
- 19 (No response.)
- 20 CHAIRMAN SCOTT: The motion is on the revisions.
- 21 All in favor of the revisions, vote aye.
- 22 COMMISSIONER DEL VALLE: Aye.
- 23 CHAIRMAN SCOTT: Aye.
- 24 COMMISSIONER COLGAN: Aye.

- 1 CHAIRMAN SCOTT: Opposed?
- 2 COMMISSIONER MAYE: No.
- 3 COMMISSIONER MCCABE: No.
- 4 CHAIRMAN SCOTT: Vote is three to two. The
- 5 revisions are adopted. Is there any further discussion?
- 6 (No response.)
- 7 CHAIRMAN SCOTT: Is there now a motion to enter the
- 8 order as amended?
- 9 COMMISSIONER MCCABE: So moved.
- 10 CHAIRMAN SCOTT: Moved by Commissioner McCabe. Is
- 11 there a second?
- 12 COMMISSIONER DEL VALLE: Second.
- 13 CHAIRMAN SCOTT: Seconded by Commissioner del
- 14 Valle. Any further discussion?
- 15 (No response.)
- 16 CHAIRMAN SCOTT: All in favor say aye.
- 17 (Ayes heard.)
- 18 CHAIRMAN SCOTT: Any opposed?
- 19 (No response.)
- 20 CHAIRMAN SCOTT: Vote is five to nothing and the
- 21 order as amended is entered.
- 22 Item 13 is docket No. 13-0547. This is
- 23 ComEd's application for authority pursuant to
- 24 Section 6-102 of the Public Utilities Act to enter into

- 1 loan agreements totalling no more than 1 billion
- 2 dollars. ALJ Sainsot recommends entry of an
- 3 order granting the requested relief. Is there any
- 4 discussion?
- 5 (No response.)
- 6 CHAIRMAN SCOTT: Are there any objections?
- 7 (No response.)
- 8 CHAIRMAN SCOTT: Hearing none, the order is
- 9 entered.
- 10 Item 14 is docket No. 13-0548. This is
- 11 ComEd's petition pursuant to Section 7-101 of the Public
- 12 Utilities Act to engaged in financial transactions with
- 13 affiliated interests. ALJ Sainsot recommends entry of an
- 14 order granting the requested relief. Is there any
- 15 discussion?
- 16 (No response.)
- 17 CHAIRMAN SCOTT: Are there any objections?
- 18 (No response.)
- 19 CHAIRMAN SCOTT: Hearing none, the order is
- 20 entered.
- 21 Item 15 is docket No. 12-0064. This is our
- 22 reconciliation of revenues collected by Nicor under coal
- 23 tar riders with prudent costs associated with coal tar
- 24 cleanup expenditures. ALJ Baker recommends entry of an

- 1 order approving the reconciliation.
- 2 Commissioner McCabe?
- 3 COMMISSIONER MCCABE: I have some clarifying edits
- 4 replacing findings 4 and 5 with a finding that the
- 5 Commission adopts the calculations reflected in the
- 6 appendix. These edits are just for clarity. The
- 7 outcome remains the same, and I move for adoption.
- 8 CHAIRMAN SCOTT: It's been moved to adopt the
- 9 edits. Is there a second?
- 10 COMMISSIONER MAYE. Second.
- 11 CHAIRMAN SCOTT: Second by Commissioner Maye. Is
- 12 there any discussion on the edits?
- 13 (No response.)
- 14 CHAIRMAN SCOTT: All in favor say aye.
- 15 (Ayes heard.)
- 16 CHAIRMAN SCOTT: Any opposed?
- 17 (No response.)
- 18 CHAIRMAN SCOTT: Vote is five to nothing and the
- 19 edits are adopted. Is there now a motion to enter the
- 20 order as amended?
- 21 COMMISSIONER MAYE: So moved.
- 22 CHAIRMAN SCOTT: Moved by Commissioner Maye. Is
- there a second?
- 24 COMMISSIONER DEL VALLE: Second.

- 1 CHAIRMAN SCOTT: Second by Commissioner del Valle.
- 2 All in favor say aye.
- 3 (Ayes heard.)
- 4 CHAIRMAN SCOTT: Any opposed?
- 5 (No response.)
- 6 CHAIRMAN SCOTT: Vote is five to nothing and the
- 7 order as amended is entered.
- 8 Item 16 is docket No. 13-0482. This is
- 9 Consumers Gas Company's petition pursuant to Section
- 10 7-101 of the Public Utilities Act seeking authority to
- 11 enter a lease of office space in which an affiliated
- 12 interest exists. ALJ Yoder recommends entry of an order
- 13 granting the requested relief.
- 14 Is there any discussion?
- 15 (No response.)
- 16 CHAIRMAN SCOTT: Any objections?
- 17 (No response.)
- 18 CHAIRMAN SCOTT: Hearing none, the order is so
- 19 entered.
- 20 Item 17 is docket No. 13-0487. This is
- 21 Globalcom d/b/a First Communications of Ohio's Petition
- 22 for Withdrawal of Certificate of Interexchange, Local
- 23 Exchange, and Mobile Authority. ALJ Baker recommends
- 24 entry of an order granting the withdrawal.

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               Is there any discussion?
 2
                         (No response.)
 3
          CHAIRMAN SCOTT: Any objections?
 4
                         (No response.)
 5
          CHAIRMAN SCOTT: Hearing none, the order is
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     entered.
               Item 18 is docket No. 13-0614. This item
 7
 8
    concerns the Village of Seneca's petition for
9
    modifications of an existing 911 emergency telephone
10
    number system. ALJ Hanes recommends entry of an order
11
     approving the petition.
12
               Is there any discussion?
13
                         (No response.)
14
          CHAIRMAN SCOTT: Any objections?
15
                         (No response.)
16
          CHAIRMAN SCOTT: Hearing none, the order is
17
     entered.
               Item 19 is docket No. 13-0388. This is Aqua
18
19
     Illinois' petition for approval of qualifying
     infrastructure plant surcharge riders. ALJ Teague Kingsley
20
21
    recommends entry of an Order granting the petition.
22
               Is there any discussion?
23
                         (No response.)
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          CHAIRMAN SCOTT: Any objections?
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                         (No response.)
 2
          CHAIRMAN SCOTT: Hearing none, the order is
 3
     entered.
               Item 20 is docket No. 13-0412. This is Aqua
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     Illinois' Petition for a 20 Year Meter Testing Variance in
     the company's Vermillion division. ALJ Von Qualen
 6
 7
     recommends entry of an order granting the variance.
 8
               Is there any discussion?
 9
                         (No response.)
10
          CHAIRMAN SCOTT: Any objections?
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                         (No response.)
12
          CHAIRMAN SCOTT: Hearing none, the order is
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     entered.
14
               Item 21 is docket No. 13-0134. This is
     Enbridge Energy's application for certification and
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16
     authority to construct and operate a petroleum pipeline
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     and when necessary to take private property as provided
    by the law of eminent domain. At this juncture,
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     applicant, staff and the intervening parties have not
     resolved all of the open issues raised during the
20
21
    pendency of the proceeding. Enbridge has moved that the
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     Commission enter an order extending the one year time
    period for issuing a final order up to an additional six
23
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months as authorized by Section 15-401(e)of the Act.

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- 1 ALJ Hilliard recommends entry of an order granting the
- 2 motion.
- Is there any discussion?
- 4 (No response.)
- 5 CHAIRMAN SCOTT: Any objections?
- 6 (No response.)
- 7 CHAIRMAN SCOTT: Hearing none, the order is
- 8 entered.
- 9 Commissioner McCabe.
- 10 COMMISSIONER MCCABE: This is the last Bench for my
- 11 legal and policy assistant Ariel Tesher. I
- 12 want to thank him for his many contributions to dockets
- 13 large and small, for his attention to detail, his legal
- 14 and policy analysis, and his resourcefulness, and I wish
- 15 him the best in his new endeavors.
- 16 CHAIRMAN SCOTT: Very good.
- 17 (Applaud.)
- 18 CHAIRMAN SCOTT: Anything further to come before
- 19 the body?
- 20 (No response.)
- 21 CHAIRMAN SCOTT: Judge Wallace, is there any other
- 22 matters to come before the Commission today?
- JUDGE WALLACE. No. I just hope you're ready for
- 24 December.

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                         (Laughs.)
         CHAIRMAN SCOTT: Yes, sir, we're getting there.
2
         COMMISSIONER DEL VALLE: Thanks for reminding us.
 3
4
         CHAIRMAN SCOTT: Hearing none, this meeting stands
 5
    adjourned. Happy Thanksgiving. Safe travels everyone.
    Thank you.
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                         (Meeting adjourned.)
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1	CERTIFICATE OF REPORTER
2	
3	I, Ryan McGrath, a Registered Professional
4	Reporter and Certified Shorthand Reporter, within and
5	for the State of Illinois, do hereby certify that the
6	meeting aforementioned was held on the time and in the
7	place previously described.
8	IN WITNESS WHEREOF, I have hereunto set my
9	hand and seal.
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16	Ryan McGrath IL CSR #084-004564
17	IL CSR #004-004304
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