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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES REGULAR OPEN MEETING
Thursday, December 1, 2022
Springfield, Illinois
Met pursuant to notice at 11:30 a.m.

PRESENT:

- CARRIE ZALEWSKI, Chairwoman
- D. ETHAN KIMBREL, Commissioner
- MICHAEL T. CARRIGAN, Commissioner
- ANN McCABE, Commissioner

BRIDGES COURT REPORTING
BY: Valerie Calabria, CSR, RPR
License No. 084-003928

1 CHAIR ZALEWSKI: I have 11:30, but we're
2 having technical difficulties with the State
3 internet. So what we're going to do is we're going
4 to recess for 15 minutes. So at 11:45 we'll check
5 back in with an update, hopefully to proceed; but
6 11:45 we're recessed until.

7 (Short recess.)

8 CHAIR ZALEWSKI: Okay. I think we're good for
9 now. We are set and streaming properly. And I
10 have my IT person in the room. He'll indicate if
11 there's an issue. So I'm going to go ahead and
12 proceed at 11:45.

13 Under the Open Meetings Act, I call
14 the December 1st, 2022, Regular Open Meeting to
15 order.

16 Commissioners Kimbrel, Carrigan, and
17 McCabe are with me in Springfield. We have a
18 quorum.

19 We have no requests to speak.

20 Moving on to our Public Utilities
21 Agenda, there are edits to the October 27 and
22 November 10th, 2022, Public Utility Regular Open

1 Meeting minutes. Are there any objections to
2 considering these items together and approving the
3 minutes as edited? Hearing none, the minutes are
4 approved.

5 Under our electric items, item E-1
6 concerns ComEd's proposed revisions to the Peak
7 Time Rebate Rider, or Rider PTR. ComEd proposes
8 extending the program through June 1st of 2028 and
9 expanding the rider's cost recovery provisions to
10 include the Multi-Year Rate Plans and Article IX
11 rate cases. Commission Staff has reviewed the
12 filing and recommends not suspending it.

13 Are there any objections to not
14 suspending the filing? Hearing none, the filing is
15 not suspended.

16 Items E-2 through E-3 concern
17 complaints against Ameren Illinois, NextEra Energy,
18 and ComEd. The parties have settled all issues in
19 these dockets and filed joint motions to dismiss
20 these proceedings with prejudice.

21 Are there any objections to
22 considering these items together and granting the

1 motions to dismiss? Hearing none, the motions are
2 granted.

3 Items E-5 --

4 JUDGE TEAGUE KINGSLEY: I'm sorry, Madam
5 Chairman. I just wanted to clarify that you were
6 referencing E-2 through E-4.

7 CHAIR ZALEWSKI: Yes, I was. Thank you for
8 clarifying. Please correct the record to show
9 those were items E-2 through E-4, and that is
10 accurate. I'll do a second call for objections, if
11 there are any objections to considering these items
12 together and granting the motion to dismiss.
13 Hearing no objection to items E-2 through E-4, the
14 motions are granted. Thanks for correcting me.

15 Items E-5 through E-8 concern ComEd
16 and Ameren's requests to reconcile revenues under
17 their coal tar riders for the 2021 calendar year.
18 The orders approve the reconciliaions as set in the
19 appendices of the orders, finding the costs during
20 the reconciliation period were prudently incurred.

21 Are there any objections to
22 considering these items together and approving the

1 orders? Hearing none, the orders are approved.

2 Item E-9 concerns Docket 22-0067,
3 which is ComEd's petition for approval of
4 performance metrics. On November 10th of 2022 the
5 Commission granted rehearing of the matter of the
6 definition of major event day, or MED, among other
7 matters, and issued a Notice of Commission Action
8 on November 14 of 2022, listing the scope of
9 rehearing. On November 17 of 2022, ComEd filed a
10 motion for clarification requesting the Commission
11 to clarify that the scope of rehearing regarding
12 the MED definition applies to both Metric 1 and 2.

13 The amended Notice of Commission
14 Action notes that the first numbered paragraph of
15 the Commission November 14th Notice of Commission
16 Action is now amended to list both Metric 1 and 2
17 with respect to the definition of the MED.

18 Are there any objections to granting
19 the motion for clarification and approving the
20 amended Notice of Commission Action? Hearing none,
21 the motion is granted and the amended notice is
22 approved.

1 Item E-10 concerns ComEd's proposed
2 Revenue Balancing Adjustment Rider, or Rider RBA.
3 The order approves the rider as specified in the
4 order and as modified by Staff. The order agrees
5 with Staff and finds that ComEd's proposal to use
6 the weighted average cost of capital for interest
7 components in Rider RBA is unreasonable. The order
8 further finds that there should be no interest
9 applied to the Revenue Balancing Adjustment amount
10 component.

11 Are there any objections to approving
12 the order? Hearing none, the order is approved.

13 Item E-11 concerns Ameren's new
14 proposed Coal to Solar and Energy Storage Charge
15 Rider, or Rider CSESC. The rider allows for
16 collection of revenues to enable Ameren to pay for
17 the renewable energy credits from qualifying new
18 renewable energy facilities and to fund the grant
19 payments by the DCEO. The order approves the rider
20 as specified in the order.

21 Are there any objections to approving
22 the order? Hearing none, the order is approved.

1 Item E-12 concerns ComEd's annual
2 update to distributed generation revenue
3 requirement and determination of DG adjustments.
4 The order approves ComEd's reconciliation for 2021
5 and net DG rebate revenue requirements and updated
6 DG rebate adjustments applicable to customer bills
7 for the 2023 application year.

8 Are there any objections to approving
9 the order? Hearing none, the order is approved.

10 Item E-13 concerns Ameren's
11 Modernization Action Plan Pricing Annual Update
12 Filing. The order adopts Staff's proposed capital
13 structure containing 50 percent common equity,
14 49.498 percent long-term debt, and .502 percent
15 preferred stock. The order approves a proposed
16 update as specified in the order and its
17 appendices. The order authorizes Ameren to a
18 5.955 percent rate of return for the 2021
19 reconciliation year and a 5.9 percent for the 2023
20 initial rate year based on 7.962 percent return on
21 equity for 2021 and 7.852 percent for 2023.

22 Are there any objections to approving

1 the order? Hearing none, the order is approved.

2 Item E-14 concerns Ameren's petition
3 for approval of the annual update to cost inputs
4 for Rider Energy Efficiency and Demand Response
5 Investment, or Rider EE. The order adopts Ameren's
6 annual cost inputs for the Rider EE as specified in
7 the order and its appendices. The order also
8 adopts Staff's proposed capital structure
9 containing 50 percent common equity, 49.498 percent
10 long-term debt, and .502 percent preferred stock.

11 Are there any objections to approving
12 the order? Hearing none, the order is approved.

13 Items E-15 and E-16 concern
14 applications for certification to install,
15 maintain, or repair electric vehicle charging
16 station facilities in Illinois. The order grants
17 the certificates, finding the applicants meet the
18 requirements.

19 Are there any objections to
20 considering these items together and approving the
21 orders? Hearing none, the orders are approved.

22 Item E-17 concerns a petition to

1 cancel a Distributed Generation Installer
2 Certificate. The order cancels the certificate.

3 Are there any objections to approving
4 the order? Hearing none, the order is approved.

5 Item E-18 concerns an application for
6 authority to install distributed generation
7 facilities in Illinois. The order grants the
8 certificate, finding the applicant meets licensing
9 requirements.

10 Are there any objections to approving
11 the order? Hearing none, the order is approved.

12 Item E-19 concerns Ameren's request
13 for a waiver of certain provisions of Part 285 of
14 the Administrative Code. The request seeks to
15 allow the independent certified public accountants
16 engaged by Ameren to use the currently effective
17 Guide for Prospective Financial Information by the
18 American Institute of Certified Public Accountants
19 published on July 15 of 2021 rather than the
20 previous version of the guide identified in
21 Section 285.7010(a). The order grants the waiver.

22 Are there any objections to approving

1 the order? Hearing none, the order is approved.

2 Item E-20 concerns a petition to
3 cancel a certificate to operate as a retail
4 electric agent, broker, and consultant in Illinois.
5 The petitioner states it does not have any
6 contractual relationships with any alternative
7 retail electric suppliers in the state of Illinois
8 as of March of 2022 and will no longer receive any
9 commissions or fees from either clients or
10 suppliers for energy procurement activity. The
11 order cancels the certificate.

12 Are there any objections to approving
13 the order? Hearing none, the order is approved.

14 Items E-21 through E-28 concern
15 applications for certifications to install energy
16 efficiency measures in Illinois. The orders grant
17 the certificates, finding that the applicants meet
18 the requirements.

19 Are there any objections to
20 considering these items together and approving the
21 orders? Hearing none, the orders are approved.

22 Moving on to our gas items, items G-1

1 and G-2 concern complaints against Realgy Energy
2 Corporation and Nicor Gas regarding bill charges
3 and service start date. The parties have filed
4 stipulations and joint motions to dismiss,
5 requesting these dockets to be dismissed with
6 prejudice.

7 Are there any objections to
8 considering these items together and approving the
9 orders? Hearing none, the orders are approved.

10 Item G-3 concerns Nicor's
11 reconciliation of revenues collected under the coal
12 tar riders for the calendar year 2021. The order
13 approves the reconciliations reflected in the
14 appendix to the order, finding that the costs were
15 prudently incurred.

16 Are there any objections to approving
17 the order? Hearing none, the order is approved.

18 Item G-4 concerns Ameren's request
19 for a waiver of certain provisions of Part 285 of
20 the Administrative Code by Ameren. The request
21 seeks to allow the independent certified public
22 accountants engaged by Ameren to use the currently

1 effective Guide for Prospective Financial
2 Information by the American Institute of Certified
3 Public Accountants published on July 15 of 2021
4 rather than the previous version of the guide
5 identified in Section 285.7010(a). The order
6 grants the waiver.

7 Are there any objections to approving
8 the order? Hearing none, the order is approved.

9 Moving on to our telecommunications
10 item, item T-1 concerns Air Voice Wireless's
11 application for designation as an eligible
12 telecommunications carrier, or ETC. Air Voice
13 seeks designation as an ETC to solely provide
14 lifeline service to qualifying Illinois consumers.
15 The company is not seeking access to other funds
16 from the federal Universal Service Fund, or USF,
17 aside from the low-income fund. The order approves
18 the application and finds that Air Voice has
19 sufficiently demonstrated that it satisfies the
20 federal and state requirements for designation as
21 an ETC for the purpose of receiving USF support and
22 to provide lifeline service to qualifying

1 low-income customers within Air Voice's proposed
2 service area.

3 Are there any objections to approving
4 the order? Hearing none, the order is approved.

5 Moving on to our water and sewer
6 items, item W-1 concerns a complaint against
7 Illinois American Water and American Lake Water
8 Company by the Village of Bolingbrook. The order
9 denies the complaint and finds that the record
10 shows that the respondents acted in accordance with
11 their tariffs and that the complainant was properly
12 billed for water service to the Village.

13 Are there any objections to approving
14 the order? Hearing none, the order is approved.

15 Moving on to our petitions for
16 rehearing, item PR-1 concerns a petition for
17 rehearing by ComEd in the consolidated docket
18 22-0432 and 22-0442, which is ComEd's petition for
19 approval of its beneficial electrification plan.
20 The company seeks rehearing on the Commission's
21 dismissal of the following components of the
22 proposed BE plan: First, the residential EV

1 purchase sub-program which offers rebates to
2 support residential customers' purchase of EVs;
3 and, second, the portion of the proposed C&I and
4 public sector EJ/R3 EV charging infrastructure
5 sub-program that offers rebates to ComEd's
6 commercial and industrial customers to support the
7 installation of EV chargers and rebates to
8 purchasers that are located in or primarily serve
9 environmental justice or R3, the restore, reinvent,
10 and renew communities.

11 The administrative law judge
12 recommends denying the rehearing. The Commission
13 has already considered Staff's, ComEd's, and
14 intervenors' positions regarding this issue. The
15 Commission's interim order grants Staff's motion to
16 dismiss ComEd's proposal to provide rebates on the
17 basis that these programs, as described by ComEd
18 and in its BE plan, overlap with programs assigned
19 to another agency pursuant to relevant statutes.

20 I'm going call a roll on this vote.
21 If you would like to deny the request for
22 rehearing, please say "aye"; and if you'd like to

1 grant it, please say "nay."

2 Commissioner Kimbrel?

3 COMMISSIONER KIMBREL: I vote to deny the
4 request. Aye.

5 CHAIR ZALEWSKI: Commissioner Carrigan?

6 COMMISSIONER CARRIGAN: Aye.

7 CHAIR ZALEWSKI: Commissioner McCabe?

8 COMMISSIONER McCABE: Nay.

9 CHAIR ZALEWSKI: I'm an "aye," so the three
10 "ayes" have it and the request for rehearing is
11 denied.

12 Moving on to other business, item O-1
13 concerns approval of batches, contracts, and
14 confirmations under the Illinois Adjustable Block
15 Program.

16 Are there any objections to approving
17 the program administrator's submissions? Hearing
18 none, the submissions are approved.

19 This concludes our Public Utilities
20 Agenda.

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

1 JUDGE TEAGUE KINGSLEY: No, Madam Chairman.

2 CHAIR ZALEWSKI: Is there any other business
3 to discuss?

4 Quickly, I'd like to thank Carly
5 Rogers for her work as my intern who has been
6 working with my office since September. She did a
7 really great job, and we wish her the best as she
8 completes her third year at Kent Law.

9 Hearing no other comments and without
10 objection, the meeting is adjourned.

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