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BEFORE THE
ILLINOIS COMMERCE COMMISSION

PUBLIC UTILITY BENCH MEETING

Chicago, Illinois
December 16, 2009

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

BEFORE:

- MR. CHARLES E. BOX, Chairman
- MS. LULA M. FORD, Commissioner
- MS. ERIN M. O'CONNELL-DIAZ, Commissioner
- MR. SHERMAN J. ELLIOTT, Commissioner
- MR. JOHN T. COLGAN, Commissioner

SULLIVAN REPORTING COMPANY, by
Tracy L. Overocker, CSR

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CLOSED SESSION

Docket No. ER10-268-000. 18

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1 CHAIRMAN BOX: Moving on to the Public
2 Utilities. We have minutes to approve from the
3 November 12th, 2009 Special Opening Meeting.

4 Is there a motion to approve the
5 minutes?

6 COMMISSIONER O'CONNELL-DIAZ: Chairman, has
7 someone gone through these minutes?

8 CHAIRMAN BOX: We used to have a procedure
9 where I think the assistants rotate in going -- I
10 think Liz goes through them initially and then one of
11 the assistants on a rotating basis go through the
12 minutes.

13 COMMISSIONER O'CONNELL-DIAZ: Can we hold this
14 one? I do see some mistakes in it.

15 CHAIRMAN BOX: In the minutes?

16 COMMISSIONER O'CONNELL-DIAZ: Yes.

17 CHAIRMAN BOX: We'll hold this. I'm looking
18 for guidance there. There should be no problem
19 holding this until the next meeting.

20 COMMISSIONER O'CONNELL-DIAZ: Yeah.

21 CHAIRMAN BOX: Before we move on, we're holding
22 Items E-4 which is the IPA procurement order. We

1 tentatively scheduled that for a vote on the 22nd,
2 next week. G-8, Peoples and North Shore Gas case,
3 the deadline on that is January 25th of 2010.
4 There's been a request for oral argument so,
5 therefore, all the parties need to look at their
6 calendars so we can schedule that oral argument well
7 in advance of that date so we can be ready long
8 before the 25th to vote that out. That's G-8. And
9 we're also holding T-9, which is the AT&T
10 reclassification case, and the deadline on that is
11 the 26th of December. We'll vote on that on the
12 22nd. Okay. That's E-4, G-8 and T-9.

13 Item E-1 is an order reopening.
14 Commonwealth Edison Company petitions to reopen these
15 dockets to extend its financing authority previously
16 granted. Administrative Law Judge Wallace recommends
17 entering the order granting ComEd the extension it
18 requested.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none -- I'm sorry, is there
2 a motion to enter the order?

3 COMMISSIONER ELLIOTT: So moved.

4 CHAIRMAN BOX: Is there a second?

5 COMMISSIONER COLGAN: Second.

6 CHAIRMAN BOX: It's been moved and seconded.

7 All in favor say "aye."

8 (Chorus of ayes.)

9 Opposed?

10 (No response.)

11 The vote is 5-0, the order is
12 entered. We will use this 5-0 roll call vote for the
13 remainder of the public utilities agenda, unless
14 otherwise noted.

15 Item E-2 is Docket 09-0157. This
16 is a complaint against Commonwealth Edison. The
17 complainant failed to appear. Administrative Law
18 Judge Hilliard recommends that the Commission dismiss
19 this matter with prejudice for want of prosecution.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the matter is
3 dismissed with prejudice.

4 Item E-3 is Docket 09-0344. The
5 parties have settled and moved to dismiss.

6 Administrative Law Judge Benn recommends that the
7 Commission dismiss the complaint with prejudice.

8 Is there any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none, the complaint is
13 dismissed with prejudice.

14 Once again, Item E-4 is being held.

15 Item E-5 is Docket 09-0375.

16 AmerenIP petitions for approval of a territorial
17 service agreement with a municipality for the
18 purchase and sale of certain properties in Princeton,
19 Illinois. Administrative Law Judge Jones recommends
20 entering the order granting the petition.

21 Is there any discussion?

22 (No response.)

1 Any objections?

2 (No response.)

3 Hearing none, the order is entered.

4 Item E-6 is Docket 09-0379. This
5 is Commonwealth Edison Company's 2007 reliability
6 performance report. Staff recommends entering the
7 order authorizing release to the public of the
8 unredacted confidential version of the 2007 report
9 accepted by the Commission on August 19th, 2009.

10 Is there any discussion?

11 (No response.)

12 Any objections?

13 (No response.)

14 Hearing none, the order is entered.

15 Item E-7 through Items E-14 will be
16 taken together. These are various applications for
17 A, B, C licenses. Administrative Law Judge Yoder
18 recommends entering the orders approving the
19 applications.

20 Is there any discussion?

21 (No response.)

22 Any objections?

1 (No response.)

2 Hearing none, the orders are
3 entered.

4 Item E-15 is Docket 09-0555.
5 Realgy, LLC, petitions for a certificate of service
6 authority to operate as an ARES serving
7 nonresidential customers greater than 15,000
8 kilowatts. Administrative Law Judge Yoder recommends
9 entering the order granting the requested certificate
10 of service authority.

11 Is there any discussion?

12 (No response.)

13 Any objections?

14 (No response.)

15 Hearing none, the order is entered.

16 That concludes the Electric portion of today's
17 agenda.

18 Turning now to Natural Gas,
19 Items G-1 through G-6 will be taken together. These
20 are various filings submitted by Northern Illinois
21 Gas Company and the three Illinois Ameren utilities
22 to amend tariffs related to gas supply cost rider,

1 intrastate transportation and storage services rates
2 and tax additions. Staff recommends not to suspend
3 the filings.

4 Is there any discussion?

5 (No response.)

6 Any objections?

7 (No response.)

8 Hearing none, the filings will not
9 be suspended.

10 Item G-7 is Docket 09-0129. The
11 parties have filed a joint motion to dismiss with
12 prejudice. Administrative Law Judge Hilliard
13 recommends granting the motion to dismiss with
14 prejudice.

15 Is there any discussion?

16 (No response.)

17 Any objections?

18 (No response.)

19 Hearing none, the motion to dismiss
20 with prejudice is granted.

21 We are, once again, holding Item
22 G-8.

1 Item G-9 is Docket 09-0401.
2 Darlene E. Wikoff filed a complaint against AmerenIP
3 concerning a billing dispute. The order dismisses
4 the case for want of prosecution. Administrative Law
5 Judge Tapia recommends entering the order dismissing
6 the proceedings with prejudice.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Hearing none, the order is entered
12 dismissing the case with prejudice.

13 Item G-10 is Docket 09-0429. The
14 parties have settled and moved to dismiss the
15 complaint which prejudice. Administrative Law Judge
16 Gilbert recommends entering the order granting the
17 motion to dismiss with prejudice.

18 Is there any discussion?

19 (No response.)

20 Any objections?

21 (No response.)

22 Hearing none, the order is entered

1 dismissing the case with prejudice.

2 Item G-11 is Docket 09-0481. The
3 parties have settled and moved to dismiss.
4 Administrative Law Judge Kimbrel recommends that this
5 docket be dismissed with prejudice.

6 Is there any discussion?

7 (No response.)

8 Any objections?

9 (No response.)

10 Hearing none, the joint motion to
11 dismiss with prejudice is entered. That concludes
12 the Natural Gas portion of today's agenda.

13 Turning to Telecommunications.

14 Item T-1 is a filing by Illinois Bell Telephone
15 Company. This filing establishes a retail and resale
16 mobility national retail services connection charge
17 waiver. Staff recommends the filing not be
18 suspended.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the filing will not
2 be suspended.

3 Item T-2 is Docket 09-0274. This
4 is an amendatory order correcting the name of the
5 petitioner. Administrative Law Judge Haloulos
6 recommends entering the order.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Hearing none, the amendatory order
12 is entered.

13 Items T-3 through T-6 will be taken
14 together. These are petitions by various
15 telecommunications providers for certificates to
16 provide various services. The Administrative Law
17 Judges recommend entering the order granting the
18 certificates.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the orders are
2 entered granting the certificates.

3 Item T-7 sets the maximum rates and
4 charges for operator service providers. Staff
5 recommends entering the order setting rates.

6 Is there any discussion?

7 (No response.)

8 Any objections?

9 (No response.)

10 Hearing none, the order is entered.

11 Item T-8 is Docket 06-0027. This
12 is a motion to dismiss. Administrative Law Judge
13 Hilliard recommends dismissing this case with
14 prejudice.

15 Is there any discussion?

16 (No response.)

17 Any objections?

18 (No response.)

19 Hearing none, the case is dismissed
20 with prejudice.

21 Once again, we are holding

22 Item T-9.

1 Items T-10 through T-14 will be
2 taken together. These are interconnection agreements
3 and amendments to interconnection agreements.
4 Administrative Law Judge Haloulos recommends entering
5 the orders approving the interconnection agreements
6 and amendments to the interconnection agreements.

7 Is there any discussion?

8 (No response.)

9 Any objections?

10 (No response.)

11 Hearing none, the orders are
12 entered.

13 There are no Water and Waste Water
14 items today.

15 Under Miscellaneous, we have
16 Item M-1 is a rate of interest to be paid on customer
17 deposits. Staff recommends entering the order
18 setting the interest rate at 0.5 percent.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the order is entered.

2 There are two FERC matters before
3 the Commission today. The first is
4 Docket ER10-268-000 and Docket AD09-8-000. Is there
5 a motion to go into closed session?

6 COMMISSIONER ELLIOTT: So moved.

7 CHAIRMAN BOX: Is there a second?

8 COMMISSIONER COLGAN: Second.

9 CHAIRMAN BOX: It's been moved and seconded to
10 go into closed session. All in favor say "aye."

11 (Chorus of ayes.)

12 Opposed?

13 (No response.)

14 The vote is 5-0, the Commission
15 will go into closed session. It is 10:46. Let me
16 know when we're ready in Springfield.

17 (Whereupon, a discussion was
18 had in closed session.)

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1 (Whereupon, the following
2 proceedings were had in
3 open session.)

4 CHAIRMAN BOX: During the closed session, we
5 discussed two FERC matters. The first FERC item was
6 Docket ER10-268-000. Staff recommends adopting these
7 comments and filing them with FERC on December 16th.

8 Is there a motion to adopt and file
9 the comments with FERC?

10 COMMISSIONER FORD: So moved.

11 CHAIRMAN BOX: Is there a second?

12 COMMISSIONER O'CONNELL-DIAZ: Second.

13 CHAIRMAN BOX: It's been moved and seconded.

14 All in favor say "aye."

15 (Chorus of ayes.)

16 Opposed?

17 (No response.)

18 The vote is 5-0. The comments will
19 be adopted and filed with the FERC today.

20 The second FERC item is Docket
21 AD9-8-000. Staff recommends filing the reply
22 comments with FERC.

1 Is there a motion to file the
2 comments with FERC?

3 COMMISSIONER O'CONNELL-DIAZ: So moved.

4 CHAIRMAN BOX: Is there a second?

5 COMMISSIONER COLGAN: Second.

6 CHAIRMAN BOX: It's been moved and seconded.

7 All in favor say "aye."

8 (Chorus of ayes.)

9 Opposed?

10 (No response.)

11 The vote is 5-0. The comments will
12 be filed with the FERC.

13 Judge Wallace, anything else to
14 come before us today?

15 JUDGE WALLACE: Not today, Mr. Chairman.

16 CHAIRMAN BOX: And we have just a regular open
17 meeting next -- Tuesday morning at 10:30 the 22nd?

18 JUDGE WALLACE: Yes.

19 CHAIRMAN BOX: Okay. With that, the meeting is
20 adjourned.

21 JUDGE WALLACE: I'm sorry, did you want G-8
22 back on the 22nd?

1 CHAIRMAN BOX: Oh, I wouldn't think so.

2 COMMISSIONER O'CONNELL-DIAZ: Are we having a
3 brief -- I think that might be helpful.

4 COMMISSIONER ELLIOTT: Are we going to schedule
5 an oral argument?

6 CHAIRMAN BOX: Why don't we schedule the next
7 meeting and have everyone look at their calendars and
8 see when is the best because the deadline is the
9 25th, as I said, given the 7-day notice and the time
10 to take into account what we heard and if there are
11 any changes to be made to the orders, we'll do that
12 all next Tuesday.

13 The meeting stands adjourned.

14 (Whereupon, the public utility
15 bench meeting was adjourned.)

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