

BEFORE THE
ILLINOIS COMMERCE COMMISSION
SPECIAL OPEN MEETING
(PUBLIC UTILITIES)
Thursday, December 19th, 2019
Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M., at
160 North LaSalle Street, Chicago, Illinois.

PRESENT:

CARRIE ZALEWSKI, Chairman

BRIEN J. SHEAHAN, Commissioner

D. ETHAN KIMBREL, Commissioner

SADZI M. OLIVA, Commissioner

MARIA S. BOCANEGRA, Commissioner

SULLIVAN REPORTING COMPANY, by
Devan J. Moore, CSR
License No. 084-004589

1 CHAIRMAN ZALEWSKI: Good afternoon. Are we ready to
2 proceed in Springfield?

3 THE CLERK: Yes, we are.

4 CHAIRMAN ZALEWSKI: Under the Opening Meetings Act, I
5 call the December 19th, 2019 Special Open Meeting to order.
6 Commissioners Bocanegra, Kimbrel, and Oliva are here with me in
7 Chicago. We have a quorum.

8 We're going to move on to the Public Utilities
9 Agenda. There are edits to the December 4, 2019 Regular Open
10 Meeting Minutes.

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

13 (No response.)

14 CHAIRMAN ZALEWSKI: Hearing none, the minutes are
15 approved.

16 Item E-1 concerns ERM 19-143, which is ComEd's
17 request to modify its Rider POGCS, or Parallel Operations of
18 Retail Generating Facilities Community Supply. The filing
19 seeks to modify the Rider to offer enrollment facilitation
20 service as well as to offer project administration and billing
21 and remittance services. The Commission has received concerns
22 about this filing from stakeholders. The Commission Staff also

1 recommends suspending the filing.

2 Are there any objections to suspending the
3 filing?

4 (No response.)

5 CHAIRMAN ZALEWSKI: Hearing none, the filing is a
6 suspended.

7 Item E-2 concerns ERM 19-149, which is ComEd's
8 request to modify its rate RDS, or Retail Delivery Service, and
9 its Rate RESS, or Retail Electric Supply Service. ComEd seeks
10 amendments to reflect requirements of the new law, PA 101-0590,
11 which takes effect on January 1st of 2020.

12 The amendments reflect the prohibitions in the
13 law for alternative retail electric suppliers to provide
14 service for certain low-income customers. The Commission Staff
15 has reviewed the filing and recommends not suspending it.

16 Any objections to not suspending the filing?

17 (No response.)

18 CHAIRMAN ZALEWSKI: Hearing none, the filing is not
19 suspended.

20 Item E-3 concerns ERM 19-157, which is ComEd's
21 request to modify its Rider DSPM, or Delivery Service
22 Performance Metrics to comply with the Order in Docket

1 No. 17-0331. The Commission Staff has reviewed the filing and
2 recommends to not suspend it.

3 Are there any objections to not suspending the
4 filings?

5 (No response.)

6 CHAIRMAN ZALEWSKI: Hearing none, the filings are not
7 suspended.

8 CHAIRMAN ZALEWSKI: Item E-4 concerns Docket 18-1486,
9 which is Ameren's request to reconcile revenue under its
10 Rider EUA, or Electrical Uncollectible Adjustment, and its
11 Rider GUA, Gas Uncollectible Adjustment. We will hold this
12 item for a later disposition.

13 Item E-5 concerns ComEd's request to reconcile
14 revenues collected for the purchase electricity adjustment
15 under its Rider PE, Purchase Electricity, and its Rate BESH, or
16 Basic Electric Service - Hourly Energy Pricing. The
17 reconciliation is for the periods of June 2016 to May 2017 and
18 June 2017 through May 2018. The Order approves reconciliation
19 as set in the Appendix to the Order, finding these costs
20 prudently incurred.

21 Are there any objections to approving the
22 Order?

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(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

Items E-6 through E-12 concerns applications for certifications to install distributed generation facilities in Illinois. The Orders grant the certificates, finding that the applicant meets requirements.

Are there any objections to considering these items together and approving the Orders?

(No response.)

CHAIRMAN ZALEWSKI: Hearing none, the Orders are approved.

Item E-13 concerns Docket 19-0844, which is ComEd's, Ameren's, and MidAmerican's Joint Petition for a declaratory ruling regarding a dispute related to the Renewable Energy Credits, or RECs, agreement with Paris Solar.

The parties filed a joint motion of the utilities and Paris Solar for approval of Joint Stipulation and Settlement. The proposed settlement provides for conclusion of this docket without Commission's ruling on its jurisdiction over the petition or on the petition's merit or requested relief.

The Order approves the proposed agreed

1 resolution without rendering a declaratory ruling and finds the
2 resolution prudent and reasonable, given the anticipated or
3 possible costs, burdens, risks, and delays of further
4 litigation.

5 Are there any objections to approving the
6 Order?

7 (No response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

9 Item E-14 concern Illinois Power Agency's
10 petition for approval of the 2020 IPA Electricity Procurement
11 Plan Section 16-111.5(d)(4) of the Public Utilities Act. The
12 Order approves the 2020 plans in the Order.

13 The Commission rejects Ameren's suggestion the
14 IPA should conduct additional procurement to achieve the 50
15 percent hedging level. The Commission agrees with the IPA, and
16 the AG, and Staff that the hedging process approved in the 2019
17 Plan function as directed by the Act by the Commission.

18 The AG further suggests that the IPA and the
19 Commission consider examining the reasons for the inability to
20 meet the 2019 Plan's hedging goals. The Commission declines to
21 adopt the AG's recommendation, finding that, as suggested by
22 Staff, such examination is already required by Section

1 16-111.5(e)(5)(ii) of the Public Utilities Act and that process
2 was followed with respect to the IPA's capacity procurement for
3 Ameren's 2020 through 2021 Delivery Year.

4 Are there any objections to approving the
5 Order?

6 (No response.)

7 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

8 Item E-15 concerns Docket 19-1005, which is
9 BioEnergy's Petition to reduce its letter of credit securing
10 the repayment obligation to the State of Illinois for previous
11 tax credits. In Docket No. 17-0181, the Commission approved a
12 repayment schedule for tax credits previously taken.

13 BioEnergy, which is a qualified solid waste
14 energy facility, now requests that the Commission grants its
15 request to reduce its letter of credit to reflect the reduced
16 repayment obligation. The Commission Staff recommends allowing
17 the letter of credit to be reduced to the amount of company's
18 outstanding balance. The Order grants the request.

19 Any objection to approving the Order?

20 (No response.)

21 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

22 Item E-16 concerns Docket 19-1024, which is

1 IGS Energy's request to amend its Certificate of Service
2 Authority to act as an Alternative Retail Electric Supplier in
3 Illinois. IGS seeks to amend its certificate to allow it to offer
4 single billing services to non-residential retail customers.
5 The Order grants the request.

6 Are there any objections to approving the
7 Order?

8 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

9 Item E-17 concerns an application for a
10 license to operate as a Retail Electric Agent, Brokers,
11 Consultants in Illinois. The Order grants the license, finding
12 that the applicant meets the requirements.

13 Are there any objections to approving the
14 Order?

15 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

16 Items E-18 through E-35 concern Applications
17 for Certification to Install Energy Efficiency Measures in
18 Illinois. The Orders grant the certificates, finding that the
19 applicants meet the requirements.

20 Are there any objections to considering these
21 items together and approving the Orders?

22 (No response.)

1 CHAIRMAN ZALEWSKI: Hearing none, the Orders are
2 approved.

3 Moving on to our Gas items, Items G-1 and G-2
4 concern filings by North Shore and Peoples Gas, seeking
5 additional flexibility to make rider adjustments. The filings
6 request to eliminate the need to file special permission
7 requests in the applicants modify information sheets. The
8 Commission Staff has reviewed the filings and recommends to not
9 suspend them.

10 Any objection to considering these items
11 together and not suspending the filings?

12 (No response.)

13 CHAIRMAN ZALEWSKI: Hearing none, the filings are not
14 suspended.

15 Item G-3 concerns Ameren's filing to correct a
16 scrivener's error in the description of the demand charge for
17 Rate Zone III customers. The Commission Staff has reviewed the
18 filing and recommends to not suspend it.

19 Are there any objections to not suspending the
20 filings?

21 (No response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the filing is not

1 suspended.

2 Item G-4 concerns Nicor's reconciliation of
3 revenues collected and the Rider 30 Energy Efficiency Plan Cost
4 Recovery. This item will be held for later disposition. The
5 Commission recently granted a request for Oral Argument in this
6 docket. The Oral Argument will be held on January 15. The
7 Commission will issue a due notice of the Oral Argument.

8 Item G-5 concerns Nicor Gas's reconciliation
9 of revenues collected under the purchased gas adjustment for
10 2018. The Order approves the reconciliation as set in the
11 Appendix to the Order, finding that the costs during the
12 reconciliation period were prudently incurred.

13 Are there any objections to approving the
14 Order?

15 (No response.)

16 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

17 Item G-6 concerns Ameren's reconciliation of
18 revenues collected under Rider GER, or Gas Energy Efficiency
19 Plan Cost Recovery in connection with energy efficiency and
20 demand response programs in 2018. The Order approves as set in
21 the Appendix to the Order, finding that the costs during the
22 reconciliation period were prudently incurred.

1 Are there any objections to approving the
2 Order?

3 (No response.)

4 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

5 Under our Telecommunications items, Item T-1
6 concerns an application for a Certificate of Authority to provide
7 resold Commercial Mobile Radio Service in Illinois. The Order
8 grants the Certificate, finding that the applicant meets the
9 requirements.

10 Are there any objections to approving the
11 Order?

12 (No response.)

13 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

14 Items T-2 and T-3 concern Petitions to Cancel
15 Certificates of Service Authority to provide Resold
16 Interexchange Telecommunications Services. The Orders
17 cancel the certificates finding that the cancellations will not
18 deprive any Illinois customers of necessary telecommunications
19 service and are not otherwise contrary to the public interest.

20 Are there any objections to considering these
21 items together and approving the Orders?

22 (No response.)

1 CHAIRMAN ZALEWSKI: Hearing none, the Orders are
2 approved.

3 Under our Water and Sewer items, Item W-1
4 concerns Illinois American Water's petition for approval of the
5 Company's Qualifying Infrastructure Plant ("QIP") surcharge
6 reconciliation for the 2018 reconciliation year. The Order
7 approves the reconciliation as set in the Appendix to the
8 Order, finding that the costs during the reconciliation period
9 were prudently incurred.

10 Are there any objections to approving the
11 Order?

12 (No response.)

13 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

14 Under Miscellaneous items, Item M-1 concerns the
15 Commission's action to update the applicable interest rate paid by
16 electric natural gas, water, and sewer utilities and
17 telecommunications carriers on customer deposits during 2020.
18 The Order sets the interest rate at 1.5 percent as aligned with
19 the one year U.S. Treasurer security during the last full week
20 of November 2019.

21 Are there any objections to approving the
22 Order?

1 (No response.)

2 CHAIRMAN ZALEWSKI: Hearing none, the Order is approved.

3 We have no Petitions for Rehearing.

4 Under Other Business, Item 0-1 concerns
5 approval of December 2019 Solicitation of Bids to Sell
6 Renewable Energy Credits from Low-income Community Solar Pilot
7 projects.

8 Are there any objection to approving the
9 Procurement Administrator's Recommendations on section of
10 winning bids?

11 (No response.)

12 CHAIRMAN ZALEWSKI: Hearing none, the recommendation are
13 approved.

14 Item 0-2 concerns approval of Batches,
15 Contracts, and Confirmations under the Illinois Adjustable
16 Block Program.

17 Are there any objections to approving the
18 Procurement Administrator's Submissions?

19 (No response.)

20 CHAIRMAN ZALEWSKI: Hearing none, the submissions are
21 approved.

22 Item 0-3 concerns the filing of a Petition

1 for Review regarding PJM capacity proceeding at FERC.

2 Are there any objections to approving the
3 fee -- excuse me -- approving the filing for the Petition for
4 Review?

5 (No response.)

6 CHAIRMAN ZALEWSKI: Hearing none, the filing is approved.

7 This concludes our Public Utility Agenda.

8 Judge Teague-Kingsley --

9 JUDGE TEAGUE-KINGSLEY: I'm in Springfield.

10 CHAIRMAN ZALEWSKI: Do you have any matters to come
11 before the Commission today?

12 JUDGE TEAGUE-KINGSLEY: No, Madam Chairman.

13 CHAIRMAN ZALEWSKI: Since this is our last meeting of the
14 year I would like to take a couple of minutes to reflect upon
15 some of the things that the Commission has accomplished in
16 2019.

17 First, I'd like to recognize that the
18 Commission, under its core mission of adjudicating cases, has
19 been very busy deciding over 1400 Public Utility and
20 Transportation cases this is year, including various rate and
21 tariff filings, complaints and investigations, eminent domain
22 requests, and license and certificate grants and revocations.

1 In making these decisions, the Commission
2 strives to balance the needs of consumers while also ensuring a
3 competitive market. The Commission continues to look for ways
4 to be more accessible to the residents who use services we
5 regulate, In doing so, the Commission released a Citizen's
6 Utility Guide on the ICC web site in September to help the
7 public gain a greater understanding of the work that the ICC
8 performs.

9 Additionally, in November, Commission
10 Transportation Staff created a new "Frequently Asked Questions"
11 page created to assist Motor Carrier Of Property applicants and
12 licenses in gaining a better understanding of the requirements
13 of the Illinois Commercial Transportation Law.

14 Moreover, in preparation of the new Home
15 Energy Affordability & Transportation Act, or HEAT Act,
16 Commission Staff put online this month a new HEAT Act FAQ,
17 which can also be found on our web site. As you know, the HEAT
18 Act will take effect on January 1st, 2020 and will impact the
19 rules and regulations regarding Alternative Retail Electric
20 Suppliers (AREAS) and Alternative Gas Supplier (AGS). As the
21 laws and policies change, we will continue to look for ways
22 that we can be a resource of the citizens of Illinois.

1 The Commission considered a variety of policy
2 issues and provided public forums to educate consumers and
3 gather information this year. Specifically, the Commission
4 hosted six policy sessions. We look forward to engaging the
5 public on a variety of important and relevant topics in the
6 year to come.

7 Regarding Supplier Diversity, Illinois
8 continues to be the leader in the percentage of diverse spend
9 by the Utilities in the state. In fact, from 2012 to 2018,
10 spending of the five major utilities in Illinois with diverse
11 suppliers increased by more than \$2.1 billion dollars. It is
12 no small part of the vision and the dedication of the
13 Commission who engage in the reporting and policy. This Fall
14 will mark the fifth year anniversary of the report on
15 supplier diversity in Illinois, and 2020 will be the first year
16 that renewables will be reporting.

17 Speaking of Renewable Resources, this year the
18 Commission approved contracts for procuring Renewable Energy
19 Credits (or REC's) through the Adjustable Block Program for
20 nearly 500 megawatts, which includes over 100 community solar
21 projects and 5,600 distributed generation projects.

22 Additionally, through the Illinois Solar for

1 All program, the Commission approved contracts for procuring
2 RECs for approximately 13 megawatts. As you may know, Illinois
3 Power Agency's Long Term Renewable Resources Procurement Plan
4 adopted the Illinois Solar for All Program to provide
5 low-income communities with greater access to solar energy
6 installations through financial incentives. The Commission is
7 currently reviewing the IPA's revised Long-term Renewable
8 Resource Procurement Plan, which can be found on the ICC's web
9 site.

10 In cooperation with NARUC, the Commission also
11 had the opportunity to host Commissioners from Ukraine for a
12 3-day exchange. And in support of the Institute for Regulatory
13 Policy Studies, an Illinois-based programs through you the ISU,
14 the Commission also hosted energy experts from Ghana for an
15 educational exchange. Through opportunities like these, the
16 Commission is able to share ideas and gain perspectives on
17 different approaches to utility regulation.

18 Finally, I would like to thank the Commission
19 Staff, who are dedicated public servants that work to achieve
20 the goals and mission of the ICC every day. I've really
21 enjoyed getting to know the staff and appreciate their
22 professionalism and dedication. In particular, I would like to

1 highlight a few of the incredible accomplishments achieved by
2 Commission Staff this year.

3 First, Officer Wallace from our police staff
4 was recently called to the scene of a crash while on duty and
5 resuscitated the individual, saving her life. We thank him for
6 his quick response, this show of heroism, and for his service
7 to the State.

8 Second, one of our Transportation ALJs, Judge
9 Azeema Akram, was 1 of 10 members of the Deaf and Hard of
10 Hearing Bar Association, who was sworn into the U.S. Supreme
11 Court Bar on December 11th, 2019. Chief Justice John Roberts
12 granted the motion in both American Sign Language and Spoken
13 English. We are grateful to have Staff like Judge Akram who
14 seek admission to the highest court and continue to achieve
15 professional growth while at the ICC. Congratulations.

16 Another one of our Staff members, Matt Smith,
17 from the Pipeline Safety Team, was recently honored through an
18 official designation as an instructor by the Federal Pipeline
19 and Hazardous Materials Safety Administration. This is an
20 infrequently issued and distinguished designation and a true
21 testament of the extensive skills and resources of our staff.

22 I would like to congratulate and welcome our

1 new Chief of Police, Brian Thompson, who started this Monday.
2 He comes with an incredible background and experiences, and the
3 Commission is lucky to have his service.

4 Finally, I'd like to thank Brien Sheahan for a
5 smooth transition of administrations and for his leadership and
6 service in the State.

7 We've accomplished a lot as a Commission in
8 2019. We are excited to see what great strides we can make in
9 2020. We're lucky to have such a dedicated Staff and
10 Commissioners who continue to work every day to fulfill the
11 mission of the ICC.

12 Do any of the Commissioners have any other
13 business to discuss?

14 (No response.)

15 CHAIRMAN ZALEWSKI: Hearing none and without objection,
16 the meeting is adjourned.

17 (Whereupon, the above entitled matter
18 was adjourned.)

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