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PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Springfield are Commissioner McCabe, Acting Commissioner Del Valle and Acting Commissioner Maye. I am Chairman Scott. We have a quorum.

I believe we have Commissioner Colgan on the phone. Are you there, Commissioner?

COMMISSIONER COLGAN: Yes, I am.

CHAIRMAN SCOTT: Under the Commission rules we will have to vote to allow Commissioner Colgan to participate by phone. I move to allow Commissioner Colgan's participation by phone.

Is there a second?

COMMISSIONER McCABE: Second.

CHAIRMAN SCOTT: It's been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)



1     Advanced Metering Infrastructure Deployment Plan  
2     pursuant to to Section 16-108.6(e) of the Public  
3     Utilities Act. Staff recommends that we not initiate  
4     the proceeding.

5                     Is there any discussion?

6                             (No response.)

7                     Is there a motion to not initiate the  
8     proceeding?

9             COMMISSIONER McCABE: So moved.

10            CHAIRMAN SCOTT: Is there a second?

11            ACTING COMMISSIONER MAYE: Second.

12            CHAIRMAN SCOTT: It's been moved and seconded.

13                     All in favor say aye.

14            COMMISSIONERS: Aye.

15            CHAIRMAN SCOTT: Any opposed?

16                     (No response.)

17                     The vote is five to nothing, and the  
18     proceeding is not initiated.

19                     We will use this five to nothing vote  
20     for the remainder of today's Bench Session, unless  
21     otherwise noted.

22                     Item E-2 is Docket Number 12-0212.

1 This is our rulemaking proceeding initiated to  
2 implement certification requirements for persons or  
3 entities that install, maintain, or repair electric  
4 vehicle charging stations as required by Section  
5 16-128(a)(D) of the Public Utilities Act. ALJ Albers  
6 recommends entry of an Order authorizing the second  
7 notice period.

8 Is there any discussion? Commissioner  
9 McCabe.

10 COMMISSIONER McCABE: This Second Notice Order  
11 on electric vehicle installation, maintenance, and  
12 repair nicely incorporates the input of the Illinois  
13 Chamber, labor, utilities, and Staff. It improves  
14 the First Notice Order by broadening the definition  
15 of qualified person and narrowing information  
16 necessary to submit an application to the common EV  
17 installer. It requires the retail customer planning  
18 to install an EV charging station to provide  
19 information to the utility and calls for those  
20 installing, maintaining, or repairing these stations  
21 and the retail customers to retain records related to  
22 EV charging station installations and conversions.



1 Is there any discussion?

2 (No response.)

3 Are there any objections?

4 (No response.)

5 Hearing none, the Order is entered.

6 Item E-4 is Docket Number 13-0116.

7 This is Christine Papagno's complaint against ComEd.  
8 The parties have apparently settled their differences  
9 and have brought a Joint Motion to Dismiss which ALJ  
10 Riley recommends we grant.

11 Is there any discussion?

12 (No response.)

13 Any objections?

14 (No response.)

15 Hearing none, the Joint Motion to  
16 Dismiss is granted.

17 Item E-5 is Docket Number 13-0234.

18 This is Verde Energy's petition for the confidential  
19 and/or proprietary treatment of its annual Part 465  
20 Net Metering Report. ALJ Riley recommends entry of  
21 an Order granting the requested protective treatment.

22 Is there any discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the Order is entered.

5 Moving on to Telecommunications, Item  
6 T-1 is Docket Number 13-0116. This is Nextlink  
7 Wireless' petition to cancel and reissue Certificates  
8 of Service Authority previously granted to reflect  
9 the change in its corporate form. ALJ Jorgensen  
10 recommends entry of an Order granting the requested  
11 relief.

12 Is there any discussion?

13 (No response.)

14 Any objections?

15 (No response.)

16 Hearing none, the Order is entered.

17 Item T-2 is Docket Number 13-0159.

18 This is a Joint Petition for the approval of the  
19 Third Amendment to Interconnection Agreement between  
20 AT&T and Call One. ALJ Baker recommends entry of an  
21 Order approving the amendment.

22 Is there any discussion?



1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the Order is entered.

5 Item T-3 is Docket Number 12-0413.

6 This is Consolidated Communication's petition seeking  
7 a declaratory ruling concerning Section 13-901 of the  
8 Public Utilities Act, Title 83, Part 770 of the  
9 Administrative Code. The Commission issued a ruling  
10 on this matter on their April 9 meeting, and Securus,  
11 a participant in the proceeding, has filed an  
12 emergency motion for a stay of enforcement of that  
13 Commission Order. ALJ Von Qualen recommends that we  
14 deny the motion.

15 Is there any discussion?

16 (No response.)

17 Are there any objections?

18 (No response.)

19 Hearing none, the motion is denied.

20 Item T-4 is Docket Number 12-0479.

21 This is our proceeding initiated to adopt proposed  
22 rules under Title 83, Part 757 of the Administrative

1 Code. ALJ Riley recommends entry of an Order  
2 authorizing a second notice period.

3 Is there any discussion?

4 (No response.)

5 Are there any objections?

6 (No response.)

7 Hearing none, the Order is entered.

8 On to Water and Sewer, Item W-1

9 (WRM#18) is Delmar Water Company's request to remove  
10 references to the City of Lake Forest from its  
11 tariff. Staff recommends that we not suspend the  
12 filing.

13 Is there any discussion?

14 (No response.)

15 Are there any objections?

16 (No response.)

17 Hearing none, the filing is not  
18 suspended.

19 Item W-2 (WRM#22) is Illinois-American  
20 Water Company's petition to place a revised tariff  
21 sheet into effect on less than 45 days notice. This  
22 item has been withdrawn from today's agenda.

1                   Item W-3 is Docket Number 12-0390.  
2   This is IAWC's application for a temporary  
3   Certificate of Public Convenience to provide water  
4   service to certain areas in and around the city of  
5   Sterling, Illinois, pursuant to section 8-406(e) of  
6   the Public Utilities Act. ALJ Jones recommends entry  
7   of an Order granting the requested certificate.

8                   Is there any discussion?

9                                   (No response.)

10                   Any objections?

11                                   (No response.)

12                   Hearing none, the Order is entered.

13                   There is one petition for rehearing to  
14   consider today. Item PR-1 is Docket Numbers 11-0210  
15   and 11-0211 Consolidated. This is a petition filed  
16   by Geneseo Telephone Company, Cambridge Telephone  
17   Company and Henry County Telephone Company to update  
18   the Illinois Universal Service Fund and to implement  
19   intrastate switched access charge reform. The  
20   companies have filed a Petition for Rehearing which  
21   ALJ Jones recommends we deny.

22                   Is there any discussion?

1 (No response.)

2 Are there any objections to denying  
3 rehearing?

4 (No response.)

5 Hearing none, the Petition for  
6 Rehearing is denied.

7 We have one item of other business  
8 today which is a resolution supporting 811 and  
9 encouraging excavators and homeowners to call 811 to  
10 have underground lines located prior to digging. The  
11 resolution reads:

12 "WHEREAS, each year, the nation's  
13 underground utility infrastructure is jeopardized by  
14 unintentional damage by those who fail to call 811 to  
15 have underground lines located prior to digging.  
16 Failing to call 811 can result in utility service  
17 interruption, damage to the environment, personal  
18 injury, even death; and

19 WHEREAS, the Illinois Commerce  
20 Commission continues to promote the widespread use of  
21 the call-before-you-dig number in an effort to reduce  
22 damages, injuries and death in Illinois by reminding

1 homeowners and excavators to call 811, the number  
2 designated by the Federal Communications Commission  
3 in 2005 to provide a simple way to reach the One Call  
4 Center and request utility line locations at the dig  
5 site; and

6 WHEREAS, through education about safe  
7 digging practices, excavators and homeowners can save  
8 time and money and keep our nation safe and connected  
9 by making a call to 811 in advance on any digging  
10 project; waiting the required time for utility lines  
11 to be marked, respecting the marked lines by  
12 maintaining visual definition throughout the course  
13 of the excavation, and digging with care around the  
14 marked utility lines; and

15 WHEREAS, all parties agree that safe  
16 digging is a shared responsibility and you should  
17 know what's below ground: call 811 before you dig;

18 IT IS THEREFORE RESOLVED by the  
19 Illinois Commerce Commission that the month of April  
20 2013 is hereby commemorated as National Safe Digging  
21 Month.

22 IT IS FURTHER RESOLVED that excavators

1 and homeowners throughout the state protect our  
2 utility infrastructure by calling 811 before digging  
3 and be reminded that safe digging is no accident.

4 IT IS FURTHER RESOLVED that this  
5 resolution be served on those electric utilities and  
6 gas utilities under the jurisdiction of the  
7 Commission."

8 Is there any discussion on the  
9 resolution?

10 (No response.)

11 I would say it is a very, very  
12 important issue and one that's been out there for a  
13 long time. And no matter how much we continue to  
14 play up this issue and talk about it, we still have  
15 instances where folks are digging without calling  
16 first and with some very dire consequences. So I  
17 actually would encourage everyone in whatever circles  
18 they are in to make sure that people know how  
19 important this is and to make sure that folks call  
20 before they dig.

21 Any further discussion on the  
22 resolution?

1 (No response.)

2 I move that we adopt the resolution  
3 supporting 811. Is there a second?

4 COMMISSIONER McCABE: Second.

5 CHAIRMAN SCOTT: It's been moved and seconded.

6 All in favor say aye.

7 COMMISSIONERS: Aye.

8 CHAIRMAN SCOTT: Any opposed?

9 (No response.)

10 The vote is five to nothing. The  
11 resolution supporting 811 is adopted.

12 We have two FERC matters on the agenda  
13 today, both of which concern pending litigation. So  
14 we will go into Closed Session to address them.

15 Is there a motion to go into Closed  
16 Session?

17 ACTING COMMISSIONER MAYE: So moved.

18 CHAIRMAN SCOTT: Is there a second?

19 COMMISSIONER McCABE: Second.

20 CHAIRMAN SCOTT: It's been moved and seconded.

21 All in favor say aye.

22 COMMISSIONERS: Aye.

1                   CHAIRMAN SCOTT:   Any opposed?

2                                       (No response.)

3                   The vote is five to nothing, and the  
4 Commission will now go into Closed Session. Please  
5 let me know when the room is ready in Chicago.

6                                       (Whereupon at this point  
7 pages 17 - 32 of the  
8 proceedings are  
9 contained in a separate  
10 closed transcript.)

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CONTINUATION OF PROCEEDINGS

CHAIRMAN SCOTT: In Closed Session the Commission discussed our request for rehearing of the FERC Order on PJM Order 1000 Compliance Filing, and on our request for rehearing of FERC Order on MISO's Order 1000 Compliance Filing.

Is there a motion to make the filings with FERC?

COMMISSIONER McCABE: So moved.

CHAIRMAN SCOTT: Is there a second?

ACTING COMMISSIONER MAYE: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

The vote is five to nothing, and the filing will be made with FERC.

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

JUDGE WALLACE: I just wanted to note in case there was some confusion that the April 30 meeting

1 listed is a Prebench. May 1 is a Bench Session. I  
2 don't know if any of you were confused, but some of  
3 us were confused. So, but the April 30 is a  
4 Prebench.

5 CHAIRMAN SCOTT: Okay.

6 JUDGE WALLACE: And that is all there is today.

7 CHAIRMAN SCOTT: Thank you, sir. Hearing  
8 nothing else to come before the body, the meeting  
9 stands adjourned. Thanks, everyone.

10 BENCH SESSION CONCLUDED

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