

1 other procedural rules, we will be unable to respond.
2 If you have any questions or concerns, please follow
3 up with the Commission's Consumer Services Division.

4 Requesting public comment today is
5 Dean Clough of Rochester. Mr. Clough, would you
6 please come up, sir?

7 MR. CLOUGH: Thank you, sir.

8 ACTING CHAIRMAN FLORES: Good morning, sir.
9 Did I pronounce your name properly?

10 MR. CLOUGH: Clough. Rough, tough, Clough,
11 okay.

12 ACTING CHAIRMAN FLORES: Yeah, I knew I would
13 get that wrong. My batting average is not very good
14 at names when it comes to that. But I am trying.
15 That's why I always ask.

16 MR. CLOUGH: Thank you. As long as I don't get
17 called late for dinner.

18 Thank you very much for allowing me to
19 be here, ladies and gentlemen. Have you ever been
20 listening to a sporting event and heard the phrase
21 "This broadcast is brought to you in part by Ameren"?
22 I have. This sponsorship started me to wondering why

1 is Ameren advertising; they have no competition. Why
2 are they charging me and other customers of their
3 company for this advertising?

4 This prompted me to do a little
5 investigating and find out how much Ameren spends on
6 advertising. I have reviewed their annual report and
7 I cannot find anything in here about how much they
8 spend on advertising. In addition, at the ICC
9 hearing in Decatur, I officially requested to find
10 out how much Ameren's Illinois expenditures was and I
11 was given a chart that explained how much they spend
12 in two or three months and then take that by four or
13 five and that should give me a rough approximation,
14 which came out about a million dollars a year.

15 Basically, the bottom line is they
16 don't seem to know how much they are spending on
17 advertising. In addition, I was told by the
18 respondent from Ameren that Ameren supports
19 broadcasting of supporting events at 14 colleges and
20 universities. I support my alma mater, but I don't
21 believe it is appropriate for Ameren to take my money
22 that I pay for electricity to support college and

1 universities.

2 Now, Ameren is going to tell you that
3 their shareholders make these payments, that I am not
4 paying it; it's the shareholders. Well, I also
5 studied this book from cover to cover and could not
6 find a revenue source that said shareholders. I am
7 confused.

8 Furthermore, one of the reasons Ameren
9 says that they have to justify this rate increase is
10 to improve the value of their stock which would make
11 it easier for them to raise capital to make necessary
12 improvements. I believe they could improve the value
13 of their stock by cutting the wasteful spending on
14 advertising.

15 Therefore, I urge you, the members of
16 the Commerce Commission, to disallow any expenditures
17 for advertising when evaluating Ameren's request for
18 a rate hike and rate increases in Illinois.

19 One last comment, I sure hope the
20 ratepayers of Illinois are not being asked to pay for
21 that big Ameren sign in the outfield of Busch
22 Stadium.

1 Thank you, ladies and gentlemen.

2 (The Transportation
3 portion of the proceedings
4 was held at this time and
5 is contained in a separate
6 transcript.)

7 ACTING CHAIRMAN FLORES: Turning now to the
8 Public Utility Agenda, there are minutes to approve
9 from the March 24, 2010, Bench Session. I understand
10 that amendments have been forwarded. Good morning,
11 Judge.

12 JUDGE WALLACE: Good morning.

13 ACTING CHAIRMAN FLORES: Is there a motion to
14 amend the minutes?

15 COMMISSIONER FORD: So move.

16 ACTING CHAIRMAN FLORES: Is there a second?

17 COMMISSIONER O'CONNELL-DIAZ: Second.

18 ACTING CHAIRMAN FLORES: It's been moved and
19 seconded. All in favor say aye.

20 COMMISSIONERS: Aye.

21 ACTING CHAIRMAN FLORES: Any opposed?

22 Hearing none, the vote is 5-0 amending

1 the minutes.

2 Is there a motion to approve the
3 minutes as amended?

4 COMMISSIONER ELLIOTT: So move.

5 ACTING CHAIRMAN FLORES: Is there a second?

6 ACTING COMMISSIONER COLGAN: Second.

7 ACTING CHAIRMAN FLORES: It's been moved and
8 seconded. All in favor say aye.

9 COMMISSIONERS: Aye.

10 ACTING CHAIRMAN FLORES: Any opposed?

11 Hearing none, the vote is 5-0
12 approving the minutes as amended.

13 We also have minutes to approve from
14 the March 31, 2010, Special Open Meeting. I
15 understand that there are no amendments for these
16 minutes. Is there a motion to approve the minutes?

17 ACTING COMMISSIONER COLGAN: So move.

18 ACTING CHAIRMAN FLORES: Is there a second?

19 COMMISSIONER ELLIOTT: Second.

20 ACTING CHAIRMAN FLORES: It's been moved and
21 seconded. All in favor say aye.

22 COMMISSIONERS: Aye.

1 ACTING CHAIRMAN FLORES: Any opposed?

2 Hearing none, the vote is 5-0 to
3 approve the minutes.

4 We will begin with the Electric
5 Agenda. Item E-1 is Docket Number 08-0264, King's
6 Walk Condominium Association versus ComEd. This item
7 will be held for disposition at a future proceeding.

8 Item E-2 is Docket Number 08-0532, the
9 Commission's investigation of ComEd's rate design
10 pursuant to Section 9-250 of the Public Utilities
11 Act. I understand we have some revisions that have
12 been worked on jointly between the offices of
13 Commissioners Elliott and O'Connell-Diaz.

14 Commissioner Elliott?

15 COMMISSIONER ELLIOTT: Thank you, Mr. Chairman.

16 Yes, I have worked with Commissioner
17 O'Connell-Diaz's office to amend the Order to reflect
18 essentially removing the workshop process and making
19 the Order final and moving these unresolved issues to
20 resolution in the next rate proceeding as opposed to
21 introducing the workshop process.

22 ACTING CHAIRMAN FLORES: Is there any further

1 discussion regarding Commissioner Elliott's
2 revisions? Is there a motion to accept Commissioner
3 Elliott's revisions?

4 COMMISSIONER FORD: So move.

5 ACTING CHAIRMAN FLORES: Is there a second?

6 COMMISSIONER O'CONNELL-DIAZ: Second.

7 ACTING CHAIRMAN FLORES: It's been moved and
8 seconded. All in favor say aye.

9 COMMISSIONERS: Aye.

10 ACTING CHAIRMAN FLORES: Any opposed?

11 The vote is 5-0. Commissioner
12 Elliott's revisions are adopted.

13 This is a process -- this matter was
14 worked on, as indicated earlier, by both Commissioner
15 O'Connell-Diaz and Commissioner Elliott. I want to
16 commend both offices. Commissioner O'Connell-Diaz,
17 do you wish to say anything?

18 COMMISSIONER O'CONNELL-DIAZ: No, I don't.

19 ACTING CHAIRMAN FLORES: I wanted to thank both
20 of their offices for their work on that Order. I
21 also want to thank all the other folks for their good
22 work on that Order as well.

1 So is there any further discussion
2 regarding the overall Order?

3 Is there a motion to enter the Order?

4 COMMISSIONER ELLIOTT: So move.

5 ACTING CHAIRMAN FLORES: Is there a second?

6 COMMISSIONER O'CONNELL-DIAZ: Second.

7 ACTING CHAIRMAN FLORES: It's been moved and
8 seconded. All in favor say aye.

9 COMMISSIONERS: Aye.

10 ACTING CHAIRMAN FLORES: Any opposed?

11 The vote is 5-0 and the Interim Order
12 as amended is entered. We will use this 5-0 roll
13 call for the remainder of the agenda except as
14 otherwise noted.

15 Item E-3 is Docket Number 09-0306
16 through 09-0311. This is the Ameren Illinois
17 Utilities' proposed general increase in electric and
18 gas delivery service rates. This matter will be held
19 for disposition at a future proceeding.

20 COMMISSIONER O'CONNELL-DIAZ: Chairman, I have
21 some questions of the ALJs, if you don't mind.

22 ACTING CHAIRMAN FLORES: Okay.

1 JUDGE WALLACE: Mr. Chairman, if you want to
2 hold it, what date do you want to hold it to? The
3 deadline is May 1.

4 ACTING CHAIRMAN FLORES: April 30. Thank you
5 for that reminder, but April 30 is the date that we
6 are looking at.

7 COMMISSIONER O'CONNELL-DIAZ: Good morning,
8 Judge Albers. How are you today?

9 JUDGE ALBERS: Pretty good. How are you?

10 COMMISSIONER O'CONNELL-DIAZ: Okay. Yeah, I
11 just had some questions about the recommendation
12 that's contained in the Order that you presented to
13 the Commission with regard to the accumulated reserve
14 for depreciation. Could you kind of run through the
15 issues as you see them and your conclusions relative
16 to that?

17 JUDGE ALBERS: Well, generally, pursuant to
18 Code Part 247.40 Ameren had wished to make some pro
19 forma adjustments for some additional plant base to
20 have in the 12 months of the test year. That was
21 recognized and allowed. The issue regarding that was
22 whether or not all of the accumulated depreciation

1 associated with all of the plant should be reflected
2 as of the end of the 12-month period following the
3 test year.

4 And given the Commission's precedent
5 and how we interpret Section 247.40, we did not think
6 that that could be done. We limited the adjustment
7 for accumulated depreciation to just that associated
8 with the additional plant reflected in the pro forma
9 adjustments.

10 COMMISSIONER O'CONNELL-DIAZ: And with regard
11 to that rationale, to do otherwise would in your mind
12 be violative of -- what problems would we see with
13 that?

14 JUDGE ALBERS: Well, two things. We didn't
15 believe that the Code Part allowed adjustments to
16 that extent. And then, given some other Commission
17 orders that were similar, had similar issues, that
18 the Commission hadn't looked favorably on that kind
19 of adjustment in the past. So given how we interpret
20 the rule and how we believe the Commission has acted
21 on similar issues, we didn't think that would be
22 appropriate.

1 COMMISSIONER O'CONNELL-DIAZ: In particular I
2 am looking at some of the language that you have
3 included in your analysis of this issue. Based on
4 your review and the arguments of the parties, I mean,
5 there was much discussion about the precedent of the
6 Commission and also assertions that there were new
7 facts that the Commission needed to look at, that
8 there was something new in this docket that would
9 cause us to do a 180 with regard to how we have
10 looked at this renewal.

11 And as I understand it, the
12 interpretation is that there is no requirement that
13 embedded plant or non-plant be considered. It is the
14 pro forma addition that is considered when you do
15 that calculation on the depreciation for the
16 inclusion of this new plant.

17 So any thoughts on that?

18 JUDGE ALBERS: We didn't see anything new,
19 obviously, in our conclusion. I think I would agree
20 with the latter part of your statement.

21 ACTING CHAIRMAN FLORES: Well, can I intervene?
22 Can you clarify what you agreed with? Commissioner

1 O'Connell-Diaz is asking a very specific question. I
2 want to hear what you have to say and not just simply
3 saying, well, I agree with what is your conclusion.
4 What's your conclusion?

5 JUDGE ALBERS: Well, that we are limited to the
6 extent that we can reflect additional accumulated
7 depreciation, given that the Code Part only allows --
8 for the test years the Code Part only allows pro
9 forma adjustments for any additional plant that would
10 be added 12 months after the test year, and Ameren
11 identified such plant and we allowed that.

12 We do not read that section of the
13 rules as allowing a complete updating of accumulated
14 depreciation for all plants. We only allowed
15 additional accumulated depreciation for that
16 associated with the new plant that was added through
17 that pro forma adjustment.

18 I think that's -- if I interpreted
19 Commissioner O'Connell-Diaz's --

20 ACTING CHAIRMAN FLORES: I want to know what --
21 the question is to you, not what Commissioner
22 O'Connell-Diaz did or any of the other Commissioners.

1 The question is to you, Judge. So what is your
2 conclusion?

3 JUDGE ALBERS: That is my conclusion. I think
4 that's what Commissioner O'Connell-Diaz is asking.
5 That's what I am saying.

6 ACTING CHAIRMAN FLORES: I know what she is
7 asking. But I am wanting your conclusion.

8 JUDGE ALBERS: That is my conclusion, that the
9 rules prohibit such a broad adjustment.

10 COMMISSIONER O'CONNELL-DIAZ: And, in fact,
11 Judge Albers, if we were to go and do this other
12 calculation in the manner that some parties suggest
13 we should be doing it, the test year then would be,
14 what, three years long?

15 JUDGE ALBERS: Whatever period ended up being
16 looked at.

17 ACTING CHAIRMAN FLORES: I am sorry, I didn't
18 hear that. What was that?

19 JUDGE ALBERS: Whatever period ended up being
20 looked at. If they looked at adjustments following a
21 historical test year of two years, you would have a
22 two-year test year period.

1 COMMISSIONER O'CONNELL-DIAZ: And what I mean
2 is, if you included the embedded plant, then you
3 would have a violation of test year principles
4 because you would, if I understand --

5 JUDGE ALBERS: Yes. In my opinion that would
6 be a violation of test year principles.

7 COMMISSIONER ELLIOTT: May I ask a question
8 myself on the test year? I look at this as they
9 filed a historical test year. If they had filed on a
10 future test year, it would be the same thing. It is
11 only in this instance where you have a historical
12 test year with pro forma adjustments where the
13 depreciation is not matched.

14 JUDGE ALBERS: There is a different section for
15 future test years. I wasn't even thinking about
16 future test years as much because it wasn't an issue
17 here. So perhaps I could think about that and get
18 back to you.

19 COMMISSIONER ELLIOTT: The next question I ask
20 is, was there any party that supported the Companies'
21 position on this issue?

22 JUDGE ALBERS: I don't think so. Let me turn

1 my head here and -- do you recall any, other than
2 IBEW, perhaps?

3 MR. HICKEY: I was going to say the IBEW
4 supported the Ameren proposal.

5 COMMISSIONER O'CONNELL-DIAZ: And Staff's
6 position on this, I don't find any Staff witness has
7 testified relative to this adjustment.

8 JUDGE ALBERS: I would have to ask Staff. I
9 can't think of any particular person.

10 MR. HICKEY: If I am not mistaken, there was
11 cross examination of Staff witness Ebrey on this
12 issue, but I am not sure -- I don't believe that
13 there was a Staff proposed adjustment to the
14 accumulated depreciation for embedded plant.

15 ACTING CHAIRMAN FLORES: Any further questions?

16 COMMISSIONER O'CONNELL-DIAZ: And so, Judge
17 Albers, when you do your analysis, what you look at
18 is you look at the rule. And as you read the rule,
19 you have just told us how you read the rule. Then
20 the next step would be the -- what would be your next
21 step in coming to the resolution that you have
22 contained in your recommendation to us?

1 JUDGE ALBERS: We would look at the rule first
2 and then, given in this particular instance the
3 parties were citing other Commission Orders, we went
4 ahead and looked at the other Commission Orders. And
5 as we understood the Commission Orders, we concluded
6 that our understanding of the rule was consistent
7 with how the Commission had previously acted on this
8 type of issue in the past.

9 MR. HICKEY: Along with the evidence, the
10 testimony and cross examination here, of course.

11 JUDGE ALBERS: Yes, applying the record to the
12 rule and the precedent.

13 COMMISSIONER O'CONNELL-DIAZ: And with regard
14 to, I believe it was, IIEC witness Gorman's
15 testimony, does he not note that the position, as
16 well as the evidence that's contained in this
17 proceeding, is pretty much analogous to what was
18 contained in the recent ComEd order where we treated
19 this in the same manner with the adjustment?

20 JUDGE ALBERS: I have to double check. I just
21 don't recall the particular testimony of that
22 witness.

1 MR. HICKEY: I think in part yes. Mr. Gorman,
2 I believe, says the situation is, if not identical,
3 very close to the same situation as we had in ComEd.
4 He attempts, however, to draw some distinction in his
5 testimony comparing what he viewed as the actual
6 results from the ComEd, I believe it was the '07
7 ComEd, with the results of what happened in ComEd and
8 what he believes will happen as a result of Judge
9 Albers' decision in this case or the Commission's
10 decision, I guess.

11 COMMISSIONER O'CONNELL-DIAZ: One more
12 question, I think. So for you to make this
13 recommendation to the Commission, you have found
14 nothing in this record that would cause us to look
15 differently at this issue than we have in the other
16 cases that are beaten like dead horses in the
17 arguments of the parties. And also the notion that,
18 in order to do that, that that would be fraught with
19 potential problems in the appellate court were this
20 case to be -- if we decided it in opposite of your
21 recommendation, that this would be an arbitrary and
22 capricious action by the Commission on this record

1 relative to this issue. Would that be --

2 JUDGE ALBERS: In my opinion, given how Section
3 247.40 and past Commission Orders have been, given
4 how that section of the Code has been interpreted and
5 how past Commission Orders have been decided, that to
6 do otherwise in this case would be inconsistent with
7 past interpretations of 247.40 and the Commission's
8 rulings in prior cases.

9 And I am not wanting to speak for an
10 appellate court, but I suppose, yes, that would
11 possibly subject the Commission to a finding of
12 acting inconsistently.

13 ACTING CHAIRMAN FLORES: But there is a
14 difference between acting inconsistent and arbitrary
15 and capricious, correct?

16 JUDGE ALBERS: I am not wanting to speak for
17 the appellate court, nevertheless.

18 ACTING CHAIRMAN FLORES: There is a record
19 being made and I just want to make sure that the
20 record is clear. Because the question to you was
21 whether or not it was going to be an arbitrary and
22 capricious finding.

1 JUDGE ALBERS: I didn't --

2 ACTING CHAIRMAN FLORES: Right. Let's clarify
3 that for the record because it is an important
4 statement that is being made. It is a standard of
5 law. So is your position that it would be arbitrary
6 and capricious or what's your opinion on that?

7 COMMISSIONER O'CONNELL-DIAZ: I think he just
8 stated that it could be.

9 JUDGE ALBERS: It could be, yes. I don't want
10 to speak for an appellate court.

11 ACTING CHAIRMAN FLORES: So you are saying that
12 it could be arbitrary and capricious. I didn't hear
13 you say that in person.

14 JUDGE ALBERS: It could be arbitrary and
15 capricious or it could not be arbitrary and
16 capricious. I am not willing to speak for an
17 appellate court justice.

18 ACTING CHAIRMAN FLORES: So it is your position
19 that it could be either/or?

20 JUDGE ALBERS: Yes.

21 ACTING CHAIRMAN FLORES: Any other questions?

22 Thank you, Judge.

1 JUDGE WALLACE: Mr. Chairman, before we move
2 on, do you want to go ahead and give the public
3 comments?

4 JUDGE ALBERS: Now? Pursuant to Section 2-107
5 of the Act, we are required to inform the Commission
6 of how many public comments we have received. And as
7 of this morning with regard to the CILCO electric
8 docket there are 245 on e-Docket and in regard to the
9 CILCO gas docket there were 212. With regard to the
10 CIPS electric docket there were 207. With regard to
11 the CIPS gas docket, 150. With regard to the IP
12 electric docket, 477. And with regard to the IP gas
13 docket, 457. In addition to that, the Clerk's office
14 has received 35 written objections, nine petitions
15 with a total of 1,069 signatures and 47 posters like
16 this one.

17 COMMISSIONER ELLIOTT: How many?

18 JUDGE ALBERS: Forty-seven. And that's my
19 report pursuant to Section 2-107.

20 ACTING CHAIRMAN FLORES: Thank you.

21 COMMISSIONER O'CONNELL-DIAZ: Thank you, Judge
22 Albers.

1 ACTING CHAIRMAN FLORES: Item E-4 is Docket
2 Number 09-0350, a Joint Motion to Dismiss Catherine
3 Gibbs' complaint against ComEd in light of the
4 parties have reached a settlement. Is there any
5 discussion? Any objections?

6 Hearing none, the Joint Motion to
7 Dismiss is granted.

8 Item E-5 is Docket Number 09-0359,
9 Aaron Walker's complaint against ComEd.
10 Administrative Law Judge Gilbert recommends entry of
11 an Order dismissing the complaint for want of
12 prosecution. Is there any discussion? Any
13 objections?

14 Hearing none, the Order is entered and
15 the complaint is dismissed.

16 E-6 is Docket Number 09-0385, Kerry
17 Ivey's complaint as to billing charges against
18 AmerenCILCO. Administrative Law Judge Tapia
19 recommends entry of an Order denying the complaint
20 against AmerenCILCO. Is there any discussion? Any
21 objections?

22 Hearing none, the Order is entered and

1 the complaint is denied.

2 E-7 is Docket Number 09-0452, Ronald
3 and Barbara Johnson's complaint as to billing charges
4 against AmerenCILCO. We have a Joint Motion to
5 Dismiss in light of the parties reaching a
6 settlement. Is there any discussion? Any
7 objections?

8 Hearing none, the Joint Motion to
9 Dismiss is granted.

10 Item E-8 is Docket Number 09-0457,
11 Bassal Halaam's complaint as to billing charges
12 against ComEd. Administrative Law Judge Gilbert
13 recommends entry of an Order dismissing the complaint
14 without prejudice. Is there any discussion?

15 Hearing none, the Order is entered and
16 the complaint is dismissed without prejudice.

17 Item E-9 is Docket Number 09-0558,
18 Phoenix Devereux's complaint against ComEd.
19 Administrative Law Judge Gilbert recommends the entry
20 of an Order dismissing the complaint without
21 prejudice. Is there any discussion? Any objections?

22 Hearing none, the Order is entered and

1 the complaint is dismissed without prejudice.

2 Item E-10 is Docket 09-0600, Viking
3 Energy Management's application for licensure as an
4 agent, broker and consultant under Section 16-155C of
5 the Public Utilities Act. Administrative Law Judge
6 Yoder recommends entry of an Order granting the
7 certificate. Is there any discussion? Any
8 objections?

9 Hearing none, the Order is entered and
10 the certificate is granted.

11 Item E-11 is Docket Number 10-0038,
12 Energy Management Resources of Missouri's application
13 for licensure as an agent, broker and consultant
14 under Section 16-115C of the Public Utilities Act.
15 Administrative Law Judge Yoder recommends entry of an
16 Order granting the company's Motion to Withdraw. Is
17 there any discussion? Any objections?

18 Hearing none, the Motion to Withdraw
19 is granted.

20 Items E-12 and E-13 (10-0085, 10-0086)
21 will be taken together. These items concern the
22 application for licensure as an agent, broker and

1 consultant under Section 16-115C of the Public
2 Utilities Act. With each, Administrative Law Judge
3 Yoder recommends entry of an Order granting the
4 certificate. Is there any discussion? Any
5 objections?

6 Hearing none, the Orders are entered
7 and the certificates are granted.

8 Item E-14 (10-0161) involves a
9 Petition for Relief by BlueStar Energy Services to
10 protect confidential and/or proprietary information.
11 Administrative Law Judge Albers recommends entering
12 an Order approving the petition. Is there any
13 discussion? Any objections?

14 Hearing none, the Order is entered.

15 Item E-15 (10-0185) is RRI Energy
16 Solutions East's petition regarding a Certificate of
17 Service Authority under Section 16-115 of the Public
18 Utilities Act. Administrative Law Judge Teague
19 recommends entry of an Order approving cancellation
20 of the company's certification to operate as an
21 alternative retail electric supplier in Illinois. Is
22 there any discussion? Any objections?

1 Hearing none, the Order approving
2 cancellation is entered.

3 Item E-16 is Docket Number 10-0200,
4 Charles Peterson's complaint as to billing and
5 charges against ComEd. The parties have reached a
6 settlement and have brought a Joint Motion to
7 Dismiss. Is there any discussion? Any objections?

8 Hearing none, the Joint Motion to
9 Dismiss is granted.

10 That concludes the Electric portion of
11 today's agenda.

12 Turning to Natural Gas, Items G-1 and
13 G-2 (GRM #096, GRM #099) will be taken together.
14 These items concern proposed revisions to Northern
15 Illinois Gas Company's tariff regarding its customer
16 bill form provisions and its terms and conditions in
17 Rider 13. Staff recommends the Commission allow the
18 company's proposal by not suspending the filing. Is
19 there any discussion? Any objections?

20 Hearing none, the filings are not
21 suspended.

22 Item G-3 is Docket 08-0575, Rock Falls

1 County Market's complaint as to billing charges
2 against Nicor Gas Company. The parties have reached
3 settlement and brought a Joint Motion to Dismiss. Is
4 there any discussion? Any objections?

5 Hearing none, the Joint Motion to
6 Dismiss is granted.

7 Item G-4 is Docket 09-0290,
8 AmerenCIPS' Petition for a Certificate of Public
9 Convenience and Necessity pursuant to Section 8-406
10 of the Illinois Public Utilities Act to construct,
11 operate and maintain a pipeline in Williamson County.
12 Administrative Law Judge Jones recommends entry of an
13 Order granting the certificate. Is there any
14 discussion? Any objections?

15 Hearing none, the Order is entered and
16 the certificate is granted.

17 That concludes today's Natural Gas
18 agenda.

19 Telecommunications. Starting with the
20 Telecommunications agenda, Items T-1 through T-3 (TRM
21 #101, TRM #102, TRM #117 & #119) will be taken
22 together. These items concern Illinois Bell

1 Telephone Company's filing to withdraw its host
2 interconnect service for Enterprise System, withdraw
3 its Fiber Distributed Data interface service and
4 extend its retail and resale Select Feature Package
5 Additional Line Retention \$10 offer. Staff
6 recommends not suspending or investigating the
7 filing. Is there any discussion? Any objections?

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

10 Item T-4 is Docket Number 09-0570,
11 Dynalink Communications Incorporated's application
12 for a Certificate to Operate as a Resale Carrier of
13 Telecommunication Services. Administrative Law Judge
14 Benn recommends entering an Order granting the
15 certificate. Is there any discussion? Any
16 objections?

17 Hearing none, the Order is entered and
18 the certificate is granted.

19 Item T-5 is Docket Number 10-0218,
20 WideOpenWest Illinois' application for authorization
21 to provide cable service pursuant to Section 401 of
22 the Cable and Cable Competition Law of 2007.

1 Administrative Law Judge Riley recommends the
2 issuance of the Notice of Authorization to Operate.

3 Is there any discussion? Any objections?

4 Hearing none, the authorization is
5 granted.

6 Items T-6 through T-8 (10-0243,
7 10-0258, 10-0259) will be taken together. These
8 cases concern petitions for modification or approval
9 of the 9-1-1 service in DuPage County, Bolingbrook,
10 and Will County. In each case the Administrative Law
11 Judge recommends entry of an Order approving the
12 petition. Is there any discussion? Any objections?

13 Hearing none, the Orders are entered
14 and the petitions are granted.

15 Item T-9 (09-0268) concerns Frontier
16 and Verizon's joint application for the approval of a
17 reorganization pursuant to Section 7-204 of the
18 Public Utilities Act, modifications of service
19 authority under Sections 13-405 and 13-406 of the
20 Public Utilities Act and all others associated and
21 necessary for appropriate relief for the purposes of
22 the reorganization.

1 The Commission has spent quite a bit
2 of time working our way through this case. In
3 particular, Commissioner O'Connell-Diaz and Ambika
4 and Brandy on her staff have done a tremendous amount
5 of work on this and deserve a tremendous amount of
6 credit.

7 In terms of revisions, Commissioner
8 O'Connell-Diaz, there is some work that you have
9 done. Would you please give us a briefing?

10 COMMISSIONER O'CONNELL-DIAZ: Well, thank you,
11 Chairman, and I thank the Chairman's office, too.
12 It's been involved in working on some language that
13 has been incorporated.

14 I just want to start out with a little
15 story of my digital divide. I live in the digital
16 divide because I live in an area that I do not have
17 -- and I have probably said this before because we
18 have had these access issues before us in other
19 cases, so I kind of take this real personal. I have
20 dial-up service at my house. I cannot get satellite.
21 I can't get anything at my house. And it became
22 very, very clear to me this weekend when our computer

1 system was down because I had to depend on wireless
2 to access the Commission network and I was really
3 kind of like working on this to draft orders and
4 things that we have before us today, and maybe there
5 is lots of mistakes in the orders, but that's what my
6 life is like. So I know what it feels like to be a
7 second class citizen relative to 21st technology that
8 seems to be out in our other communities and not in
9 mine in certain areas.

10 So when I see a situation like this
11 where we have an opportunity as a Commission to step
12 forward and incent development of these technologies
13 that we need in our communities, I think it is really
14 important that we work hard to make it work.

15 I know my neighbor, he's got a T1
16 line. Unfortunately, he is too far from me so that I
17 can't hook up to it. But he has to pay \$400 a month
18 so his kids can do their homework. This is just
19 wrong.

20 So as always, where the Commission can
21 and we have the authority to incent and promote
22 investments in technology and telecommunications

1 progress that will provide opportunities and access
2 in our rural areas and our under-served communities,
3 we should take advantage of those opportunities.

4 As stated earlier, there should not be
5 a two-tiered systems of haves and have-nots for
6 access to these essential 21st century technologies
7 that our students, businesses and citizens depend.
8 These are the must-haves, as I see it.

9 The Commission has utilized the power
10 of the Order to accomplish this in our decisions in
11 the last two AT&T competitive reclassification cases.
12 I thank my fellow Commissioners for their support on
13 that. I think somebody voted against it, but I don't
14 remember. The opportunity to do so again has
15 presented itself in this proceeding. Due to the
16 parties' excellent work in negotiating among
17 themselves, AG, CUB, Verizon, well, I call them the
18 joint applicants, the company that is seeking our
19 grant of authority here, the federal government, the
20 Independent Telephone Association and last, but not
21 least, our staff have crafted conditions which will
22 serve to allay concerns and ensure appropriate

1 financial and operational standards that will protect
2 Illinois consumers. Our Order here today adopts
3 those conditions with some further enhancements that
4 we have worked with the Chairman's office on, and we
5 believe that this strengthens the requirements on the
6 financial side, as well as the service quality
7 oversight on a going forward basis.

8 I would commend the parties. We most
9 often find ourselves at odds with one another, but
10 this to me is what good government is, is when we all
11 sit down and work together to come to excellent and
12 well thought out resolutions so that our citizens can
13 benefit from the work that we do, as opposed to
14 always being at war with one another. So I would
15 like to thank all the parties that sat down and
16 worked this through.

17 I would also like to thank Judge
18 Tapia. I see the issue a little differently than
19 you, but I know you worked really hard on this Order,
20 and I would like to thank you for good work.

21 I also would like to thank Chairman
22 Ford's office for working with our office to further

1 refine and approve the Order that we enter today. I
2 know that Chairman Flores probably would like to have
3 a few comments, but I would look to the rest of my
4 colleagues for support with the proposed revision.

5 Additionally, Commissioner Ford's
6 office was involved early on with regard to the work
7 product that we sent out there and that everybody
8 kind of had at it. So this is when the Commission
9 works its best, is when we work in a collaborative
10 fashion. And I think the end product that we have
11 before us is just a good situation for our citizens
12 as well as the Commission.

13 And with one caveat, we will be
14 looking at this. We will be look at this company.
15 We will be looking at the service quality standards.
16 So if there is slippage, we will be seeing you
17 sitting up here trying to explain to us why that
18 occurred. So it is with that caveat that we
19 hopefully will approve this Order today.

20 Thank you.

21 ACTING CHAIRMAN FLORES: Thank you,
22 Commissioner. Any other comments on Commissioner

1 O'Connell-Diaz's revisions?

2 I want to make just a few additional
3 comments. Again, I just want to thank Commissioner
4 O'Connell-Diaz and her office for the hard work in
5 putting together these revisions. I also want to
6 thank Administrative Law Judge Tapia for her careful
7 consideration of the issues, and I think it also
8 helped us to better frame and understand this case.

9 We do believe, though, that after a
10 careful review of the conditions worked out by the
11 various parties in this case, that we are satisfied
12 with the adoption of those conditions and some
13 additional conditions that I will discuss shortly,
14 will successfully address the questions and concerns
15 of the original application and will result in a
16 proposed merger that satisfies the standards of the
17 Public Utilities Act. This merger will test the
18 managerial skills of Frontier. We fully expect
19 Frontier to make good on their commitment and provide
20 exceptional service to our customers in Illinois.

21 Is there a motion to accept
22 Commissioner O'Connell-Diaz's revisions?

1 COMMISSIONER ELLIOTT: So move.

2 ACTING CHAIRMAN FLORES: Is there a second?

3 COMMISSIONER FORD: Second.

4 ACTING CHAIRMAN FLORES: It's been moved and
5 seconded. All in favor say aye.

6 COMMISSIONERS: Aye.

7 ACTING CHAIRMAN FLORES: Any opposed? The vote
8 is 5-0 and Commissioner O'Connell-Diaz's revisions
9 are accepted.

10 Please forgive me for speaking in the
11 third voice. The Acting Chairman's office also has
12 some revisions. My proposed revisions serve two
13 purposes, first, by increasing the frequency of
14 reporting from an annual basis to a semi-annual basis
15 for several of the conditions worked out between
16 Staff and the Joint Applicants. The Commission will
17 be better able to monitor service standards and
18 financial guarantees. This is essential for
19 maintaining our confidence that Illinois consumers
20 are properly protected in this merger and that the
21 financial guarantees are indeed met.

22 Second, while I thought the Staff was

1 securing a commitment for increasing broadband
2 speeds, we had concern that the commitment for
3 deployment of DSL at speeds of up to 1.5 mbps was
4 inadequate and inconsistent with existing DSL
5 deployments by both Frontier and Verizon. Therefore,
6 a commitment to speeds up to 3 mbps is more
7 appropriate. This will bring real high speed
8 internet to more rural customers in Illinois. Doing
9 so is a vital part of meeting our state's broadband
10 deployment goals.

11 However, we should note that the FCC's
12 national broadband plan paints a vision of every
13 household having broadband at 100 mbps. That means
14 we are all going to have to roll up our sleeves
15 together to make sure that we meet that lofty
16 revision. So the steps taken today are only the
17 first steps of what we will need to make that vision
18 a reality.

19 Again I would like to thank
20 Commissioner O'Connell-Diaz for her assistance in
21 putting together this revision because we all share a
22 deep interest in making broadband available to all

1 Illinois residents.

2 Is there any further discussion?

3 COMMISSIONER FORD: I simply want to thank
4 Heather Jorgenson. She worked very closely with the
5 other assistants with this issue.

6 COMMISSIONER O'CONNELL-DIAZ: I concur with
7 that. I missed Heather's name when I said the
8 assistants. Early on when we were drafting this, she
9 was very instrumental in helping us get the words
10 right before we sent it out for the rest of the
11 Commission to look at. So, again, it is Staff's
12 collaborative aspect of what our assistants do
13 because they make us look good.

14 ACTING CHAIRMAN FLORES: Gentlemen?

15 ACTING COMMISSIONER COLGAN: Mr. Chairman, I
16 support your amendment to the Order, and I would like
17 to make some comments before we take the final vote.

18 ACTING CHAIRMAN FLORES: Very well.

19 Commissioner Elliott?

20 COMMISSIONER ELLIOTT: I, too, support the
21 amendments to the Order. I think it provides an
22 opportunity for a company that has indicated that it

1 is willing, and I think these conditions that we have
2 imposed or will be imposed in this order they will be
3 able to meet, and I look forward to their
4 provisioning of service.

5 ACTING CHAIRMAN FLORES: Again, I think it is
6 really important that we thank the assistants because
7 they have worked really hard every day and, you know,
8 even up until really late hours. And I just want to
9 underscore that we really appreciate all the work
10 that you have all been doing together in working in a
11 collaborative fashion.

12 COMMISSIONER O'CONNELL-DIAZ: And just to
13 comment on that with regards to the big rubber stamp
14 of the Commission, obviously, the rubber stamp that
15 people think that we do doesn't happen. It just is
16 not true. And this Order, actually many orders, it's
17 because our assistants are busy, they are working
18 over the weekends, at night, along with the
19 Commissioners. And as far as I know, I have never
20 seen a rubber stamp. I think the Clerk's office used
21 to have a rubber stamp but that was for documents.
22 We find that offensive when the companies say we do

1 this rubber stamp thing because we don't. And when
2 we get a product like this, this is what shows that
3 that is not a true statement.

4 ACTING CHAIRMAN FLORES: Is there a motion to
5 accept the Acting Chairman's revision?

6 COMMISSIONER FORD: So move.

7 ACTING CHAIRMAN FLORES: Is there a second?

8 ACTING COMMISSIONER COLGAN: Second.

9 ACTING CHAIRMAN FLORES: It's been moved and
10 seconded. All in favor say aye.

11 COMMISSIONERS: Aye.

12 ACTING CHAIRMAN FLORES: The vote is 5-0 and
13 the Acting Chairman's revisions are accepted.

14 Are there any further revisions to
15 discuss? Is there any further discussion of the
16 Order?

17 Commissioner?

18 ACTING COMMISSIONER COLGAN: Chairman, I would
19 have a few comments. I think everybody knows that I
20 have deliberated on this long hours. I think
21 everybody has. And I think I want to point out that
22 there are numerous conditions that have been placed

1 on this Order. And I believe it is human nature for
2 whenever you make concessions, you tend to make
3 concessions when you want something. And then after
4 you get it, you might have a tendency to forget your
5 concessions. And I want to be sure that that doesn't
6 happen in this case.

7 I want to thank ALJ Tapia for pointing
8 out to all of us that the original proposal did not
9 meet, was not in compliance, with three of the seven
10 criteria that are required for this Commission to
11 approve a reorganization. I think this is a serious
12 matter and it certainly didn't go unrecognized on my
13 behalf. I don't think on anybody's behalf.

14 However, the Public Utilities Act also
15 provides for the Commission to impose conditions to
16 protect the utility and its customers, and this is
17 what the Staff and various intervenors, I think, have
18 very well crafted in this case. Commissioner
19 O'Connell-Diaz, and I want to thank her for her
20 excellent work on this case, has rewritten the Order
21 and has appropriately pointed out these numerous
22 conditions. And Chairman Flores as well as

1 Commissioner O'Connell-Diaz's staff, all your staff
2 as well as both of you, have done a good job in
3 adding these conditions and highlighting and
4 explaining those in this Order. So in combination I
5 think these conditions satisfy most of my concerns
6 and will allow me to vote in favor of this proposal.

7 But with that said, I still have
8 concerns about this reorganization and how it is
9 going to play out. From my perspective this Order
10 only provides an opportunity for the joint
11 applicants. Entering this Order is not an end; it is
12 only a beginning. And I believe it is a significant
13 business opportunity to improve services in rural
14 Illinois, specifically to improve access to internet
15 services which have become a vital link, as other
16 Commissioners have pointed out, a vital link to all
17 Illinoisians in this the 21st century.

18 Also, it is an opportunity to continue
19 employment and economic opportunities for the future
20 if the conditions are met. And if they are, I
21 believe this will be an overall positive impact.
22 However, if the conditions, any of the conditions,

1 are ignored and not adequately implemented, this
2 Order would have a much less of a positive impact.

3 So in conclusion, just to reiterate,
4 it is a great opportunity to do a very good thing for
5 our state. To use a sports metaphor, I believe the
6 ducks are on the pond, and it is time to move them
7 around. But it is going to take a lot of work. And
8 I think that this Commission, as Commissioner
9 O'Connell-Diaz said, we will be watching carefully as
10 this reorganization is implemented.

11 ACTING CHAIRMAN FLORES: Any other comments?

12 Again, I just wanted to thank
13 Administrative Law Judge Tapia for her work and that
14 her Order gave the Commissioners better insight and
15 perspective on, again, evaluating the conditions that
16 were proposed by Staff. So, again, I just wanted to
17 thank Staff and Administrative Law Judge Tapia.

18 COMMISSIONER O'CONNELL-DIAZ: I just wanted to
19 say one thing with regard to Commissioner Colgan's
20 comments. I really appreciated it, Commissioner
21 Colgan. But when you say "if" the company complies
22 with the conditions, I say "when" the company because

1 we don't -- and you are so right because we are going
2 to be dogging this company out. They are in the red
3 zone and they could get in the red zone real quickly.
4 And our Commission will be looking at this because --
5 we have not gone out on a limb, but we have given
6 them a prize and they need to take care of it and
7 they need to give good customer service and they need
8 to do all the things that we think they should be
9 doing.

10 And we will be looking at them until
11 -- if they start doing a slippage, our staff is going
12 to be citing them in and they will be sitting before
13 us. So I appreciate your comments, though. Thank
14 you.

15 ACTING COMMISSIONER COLGAN: I agree. Thank
16 you.

17 ACTING CHAIRMAN FLORES: Is there a motion to
18 enter the Order as amended?

19 COMMISSIONER FORD: So move.

20 ACTING CHAIRMAN FLORES: Is there a second?

21 JUDGE WALLACE: To follow up on this --

22 JUDGE TAPIA: First of all, I would like to

1 thank the Chairman and the Commissioners. I really
2 appreciate all the comments you have made today.

3 My requirement is to mention that
4 there are 53 comments on e-Docket, for the record.

5 ACTING CHAIRMAN FLORES: Thank you, Judge. Is
6 there a motion to enter the Order as amended?

7 ACTING COMMISSIONER COLGAN: So move.

8 ACTING CHAIRMAN FLORES: Is there a second?

9 COMMISSIONER FORD: Second.

10 ACTING CHAIRMAN FLORES: It's been moved and
11 seconded. All in favor say aye.

12 COMMISSIONERS: Aye.

13 ACTING CHAIRMAN FLORES: Any opposed?

14 Hearing none, the vote is 5-0. The
15 Order as amended is entered.

16 Item T-10 is Docket Number 09-0303,
17 the Illinois Commerce Commission's revision to
18 Section 792 of Title 83 of the Illinois
19 Administrative Code. Administrative Law Judge
20 Kimbrel recommends entry of an Order approving the
21 amendment, that the amendment be forwarded along to
22 the Joint Committee on Administrative Rules. Is

1 there any discussion? Any objections?

2 Hearing none, the Order is entered.

3 Items T-11 through T-15 (10-0211,
4 10-0183, 10-0184, 10-0244, 10-0257) will be taken
5 together. These items each involve Petitions for
6 Relief to protect confidential and/or proprietary
7 information. In each instance the Administrative Law
8 Judge recommends entering an Order approving the
9 petition. Is there any discussion? Any objections?

10 Hearing none, the Orders are entered
11 and the petitions are approved.

12 Items T-16 and T-17 (10-0153, 10-0154)
13 will be taken together. These items concern Joint
14 Petitions for approval of Interconnection Agreements
15 or amendments thereto involving Illinois Bell
16 Telephone Company. In each instance Administrative
17 Law Judge Benn recommends entry of an Order approving
18 the agreement or amendment thereto. Is there any
19 discussion? Any objections?

20 Hearing none, the Orders are entered.

21 This concludes the Telecommunications
22 portion of the agenda.

1 We now move on to the Water and Sewer
2 portion of today's agenda.

3 Item W-1 (WRM #007) concerns the
4 filing by American Lake Water Company concerning
5 tariff provisions surrounding its wholesale contract
6 rate for Lake Michigan water. Staff recommends not
7 suspending the filings. Is there any discussion?
8 Any objections?

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

11 Item W-2 (WRM #010, SRM #002) concerns
12 Northern Hills Water and Sewer Company's recent
13 filing for a proposed general increase in water and
14 sewer rates. Staff recommends entry of a suspension
15 order to further investigate the Company's filing.
16 Is there any discussion? Any objections?

17 Hearing none, the Suspension Order is
18 entered.

19 Items W-3 is Docket Number 09-0450,
20 the Illinois-American Water Company's application for
21 a certificate to provide water in Will County
22 pursuant to Section 8-406 of the Public Utilities

1 Act. Administrative Law Judge Riley recommends entry
2 of an Order granting the certificate. Is there any
3 discussion? Any objections?

4 Hearing none, the Order is entered and
5 the certificate is granted.

6 Item W-4 is Docket Number 10-0088,
7 Kevin Stringer's complaint as to billing charges
8 against Illinois-American Water Company. The parties
9 have settled their differences and brought this Joint
10 Motion to Dismiss. Is there any discussion? Any
11 objections?

12 Hearing none, the Joint Motion to
13 Dismiss is granted.

14 Miscellaneous, we have a few
15 miscellaneous items on today's docket as well. Let's
16 start with the Liberty Consulting Group's Fifth
17 Quarterly Report. This is the Interim Verification
18 Report and the investigation of Peoples Gas Pipeline
19 Safety Program. I believe we have Darin Burk here to
20 brief us on the report and take any questions.

21 MR. BURK: Good morning.

22 ACTING CHAIRMAN FLORES: Good morning, sir.

1 How are you?

2 MR. BURK: Very good, thank you. This report
3 is going to cover the months of December 2009 through
4 February 2010.

5 Liberty has completed verification of
6 27 of the 66 recommendations. Liberty has checked
7 the progress towards 59 total recommendations and has
8 not determined progress for the implementation of 7
9 recommendations. Liberty anticipates closing 11 to
10 24 recommendations in the sixth quarter. At least
11 three recommendations may be left open and require
12 Pipeline Safety to monitor beyond the contract
13 period. Those relate to Recommendation 2-17, improve
14 the accuracy of the corrosion control ratings; 2-23,
15 improve corrosion control record keeping; and
16 Recommendation 3-17, reduce the year-end backlog of
17 leaks. We find that acceptable because of the nature
18 of those recommendations. That's an ongoing process
19 that we would normally undertake anyway and,
20 therefore, if Liberty leaves those open, that's not
21 going to create an issue for our department.

22 The five most difficult issues that

1 were identified so far are Recommendation 2-7,
2 working with diggers to resolve bogus emergency
3 locator requests; Item 2-8, develop and implement
4 communication and training protocol with the Chicago
5 work force; and Item 2-18, improve timeliness of
6 corrosion control corrective actions; Recommendation
7 2-20, test casings to insure electrical isolation
8 from carrier pipe; and Recommendation 5-11, develop
9 structured process for long-term planning.

10 Two items we identified that may be of
11 concern to the Commission. One is reducing the
12 backlog of leaks. That is due to the unusually cold
13 winter that we had where the frost depth in the
14 Chicago area has created more leaks than anticipated.
15 They are working on the backlog and trying to reduce
16 it, but until they replace more of the cast iron
17 system, it is just going to be difficult to manage.
18 It should be resolved once they implement the
19 accelerated replacement program on the gas lines as
20 listed.

21 COMMISSIONER O'CONNELL-DIAZ: Mr. Burk, this
22 business with regard to our last case, the regular

1 RCR, we will see improvement with these?

2 MR. BURK: Yes, that should help. They are
3 going to use their system that focuses on the most
4 vulnerable piping in the system, and that's based on
5 leak history, etc. And that should start reducing
6 the backlog on the system.

7 The other issue is with the
8 communication with the City of Chicago. As far as
9 training, the employees with the City and the
10 contractors that work for the City to prevent damages
11 to the Peoples' system, Liberty wasn't happy with the
12 emphasis or the action they took to encourage the
13 City to attend the training. That's been discussed,
14 and Peoples have increased their efforts, I guess you
15 could say, to try to get people to the table and
16 attend the training.

17 They did conduct training last week, I
18 know. There were notices sent out to the City of
19 Chicago through the Damage Prevention Council and I
20 personally sent invitations to the City of Chicago,
21 informing them of that training. I haven't been
22 updated as to the attendance at that training.

1 The last update, the Commission had
2 concerns about the progress towards closing out many
3 of these recommendations. To address that I
4 contacted Peoples Gas and requested they put together
5 a plan summary as to where they were and the actions
6 they planned to take on when these issues could be
7 closed. We forwarded that. John Stutsman, the
8 program -- excuse me, the Manager of this particular
9 project, forwarded it to Liberty and they reviewed it
10 and they provide us with an extensive plan which is
11 attached to the Staff report that was provided to the
12 Commission. It looks like everything except for the
13 three items that we discussed will be covered by the
14 end of the two-year monitoring period that ends
15 November of 2010.

16 COMMISSIONER FORD: Good job.

17 MR. BURK: Thank you. Any questions for me?

18 ACTING CHAIRMAN FLORES: I don't have anything.

19 MR. BURK: Thank you.

20 COMMISSIONER ELLIOTT: Do you want this posted
21 to the website?

22 MR. BURK: Yes, that is part of the

1 recommendation.

2 COMMISSIONER ELLIOTT: I make a motion to have
3 the report posted to the website.

4 ACTING CHAIRMAN FLORES: Is there a second?

5 COMMISSIONER FORD: Second.

6 ACTING CHAIRMAN FLORES: All in favor say aye.

7 COMMISSIONERS: Aye.

8 ACTING CHAIRMAN FLORES: Any opposed?

9 Hearing none, the vote is 5-0. The
10 motion is granted and the report will be posted onto
11 the ICC website.

12 We also have two procurement
13 benchmarks up for vote today where our approval is
14 required. Up first is our consideration of the
15 Ameren Energy RFP Benchmarks. Is there any
16 discussion? Is there a motion to adopt the Ameren
17 Energy RFP Benchmarks?

18 COMMISSIONER FORD: So move.

19 ACTING CHAIRMAN FLORES: Is there a second?

20 COMMISSIONER ELLIOTT: Second.

21 ACTING CHAIRMAN FLORES: All in favor say aye.

22 COMMISSIONERS: Aye.

1 ACTING CHAIRMAN FLORES: Any opposed?

2 The vote is 5-0 and the Benchmark is
3 adopted.

4 The last up is ComEd Energy RFP
5 Benchmarks. Is there any discussion? Is there a
6 motion to adopt the ComEd Energy RFP Benchmarks?

7 COMMISSIONER ELLIOTT: So move.

8 ACTING CHAIRMAN FLORES: Is there a second?

9 COMMISSIONER FORD: Second.

10 ACTING CHAIRMAN FLORES: All in favor say aye.

11 COMMISSIONERS: Aye.

12 ACTING CHAIRMAN FLORES: Any opposed?

13 Hearing none, the vote is 5-0 and the
14 Benchmark is adopted.

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

17 JUDGE WALLACE: No, Mr. Chairman, that's it.

18 ACTING CHAIRMAN FLORES: Thank you, sir. Again
19 I just wanted to thank the entire staff of the ICC
20 for your outstanding work.

21 Hearing none, this meeting stands
22 adjourned.

MEETING ADJOURNED