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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(PUBLIC UTILITIES)
Chicago, Illinois
Wednesday, May 1, 2013

Met, pursuant to notice, at 10:30 a.m.
in the Videoconference Room, 160 North LaSalle
Street, Chicago, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

MR. JOHN T. COLGAN, Commissioner (by videoconference)

MR. MIGUEL del VALLE, Acting Commissioner

(by videoconference)

MS. SHERINA E. MAYE, Acting Commissioner

L.A. COURT REPORTERS by

Kari Wiedenhaupt, Reporter

CSR# 084-004725

1 CHAIRMAN SCOTT: Is everything ready in
2 Springfield?

3 MR. WALLACE: Yes, sir.

4 CHAIRMAN SCOTT: All right. Pursuant to the
5 provisions of the Open Meetings Act, I now convene a
6 regularly scheduled Bench Session of the Illinois
7 Commerce Commission.

8 With me in Chicago is Acting
9 Commissioner Maye. With us in Springfield are
10 Commissioner Colgan and Acting Commissioner
11 del Valle. I am Chairman Scott.
12 We have a quorum.

13 Before moving into the agenda,
14 according to Section 1700.10 of Title 2 of the
15 Administrative Code, this is the time we allow
16 members of the public to address the Commission.
17 Members of the public wishing to address the
18 Commission must notify the Chief Clerk's office at
19 least 24 hours prior to Commission meetings.
20 According to the Chief Clerk's office, we have no
21 requests to speak at today's Bench Session.

22

1 (Whereupon, the Commission
2 proceeded with the
3 Transportation Agenda, the
4 proceedings of which are
5 enclosed in a separate
6 transcript.)

7 CHAIRMAN SCOTT: Moving on to the Public
8 Utility agenda, we will begin with the approval of
9 minutes from our March 27th Regular Open Meeting, our
10 April 3rd Bench Session and our April 9th Regular
11 Open Meeting. I understand amendments for all three
12 sets of minutes have been forwarded.

13 Is there a motion to amend all three
14 sets of minutes?

15 ACTING COMMISSIONER MAYE: So moved.

16 CHAIRMAN SCOTT: Is there a second?

17 COMMISSIONER COLGAN: Second.

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

19 All in favor, say aye.

20 (Chorus of ayes.)

21 CHAIRMAN SCOTT: Any opposed?

22

1 (No response.)

2 CHAIRMAN SCOTT: The vote is four to nothing,
3 and the amendments are adopted. Is there a motion to
4 approve the minutes as amended?

5 ACTING COMMISSIONER MAYE: So moved.

6 CHAIRMAN SCOTT: Is there a second?

7 ACTING COMMISSIONER DEL VALLE: Second.

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

9 All in favor, say aye.

10 (Chorus of ayes.)

11 CHAIRMAN SCOTT: Any opposed?

12 (No response.)

13 CHAIRMAN SCOTT: The vote is four to nothing,
14 and the minutes from our March 27th Regular Open
15 Meeting, our April 3rd Bench Session and our
16 April 9th Regular Open Meeting as amended are
17 approved.

18 Turning now to the Electric portion of
19 today's agenda. Item E-1 concerns a filing made by
20 Ameren to add reconciliation language to the Utility
21 Consolidated Billing/Purchase of Receivables program
22 charge. Staff recommends granting the company's

1 request by not suspending the filing.

2 Is there any discussion?

3 (No response.)

4 CHAIRMAN SCOTT: Is there a motion to not
5 suspend the filing?

6 ACTING COMMISSIONER MAYE: So moved.

7 CHAIRMAN SCOTT: Is there a second?

8 COMMISSIONER COLGAN: Second.

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

10 All in favor, say aye.

11 (Chorus of ayes.)

12 COMMISSIONER COLGAN: Any opposed?

13 (No response.)

14 CHAIRMAN SCOTT: The vote is four to nothing,
15 and the filing will not be suspended. We will use
16 this four to nothing vote for the remainder of the
17 Public Utility agenda unless otherwise noted.

18 Item E-2 is the initiation of a
19 citation proceeding against Aurora Energy to revoke
20 its certificate of service authority to operate as an
21 agent, broker or consultant pursuant to
22 Section 16-115C of the Public Utilities Act. Staff

1 recommends entry of an Order initiating the
2 proceeding.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Are there any objections?

6 (No response.)

7 CHAIRMAN SCOTT: Hearing none, the Order is
8 entered.

9 Item E-3 is Docket No. 11-0689. This
10 is a report from ALJ Haynes regarding our evaluation
11 of ComEd, Peoples, North Shore, Ameren and Nicor's
12 on-bill financing programs.

13 Are there any questions regarding the
14 report?

15 (No response.)

16 CHAIRMAN SCOTT: Are there any objections to
17 accepting the report?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the report is
20 accepted.

21 Item E-4 is Docket No. 13-0079. This
22 is -- excuse me -- 0079. This item concerns a

1 proposed rate increase and rate design revision filed
2 by Mt. Carmel Public Utility Company. Staff
3 recommends that the filing be resuspended through
4 entry of a Resuspension Order.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the
10 Resuspension Order is entered.

11 Item E-5 is Docket No. 12-0505. This
12 is ComEd's annual report regarding the operation of
13 its Rider UF - Uncollectible Factors. ALJ Haynes
14 recommends entry of an Order approving ComEd's
15 uncollectibles practices and Rider UF reconciliation.

16 Is there any discussion?

17 (No response.)

18 CHAIRMAN SCOTT: Any objections?

19 (No response.)

20 CHAIRMAN SCOTT: Hearing none, the Order is
21 entered.

22 Items E-6 and E-7 can be taken

1 together. These items are customer complaints
2 against ComEd regarding meter testing and billing
3 charges. In each case, the parties have apparently
4 settled their differences and have brought a Joint
5 Motion to Dismiss, which the ALJ recommends we grant.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Any objections?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the Joint
11 Motions to Dismiss are granted.

12 Items E-8 through E-10 can be taken
13 together. These are applications for certificates of
14 service authority to operate as an alternative retail
15 electric supplier under Section 16-115 of the Public
16 Utilities Act. In each case, ALJ VonQualen
17 recommends entry of an Order granting the requested
18 certificate.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Are there any objections?

22

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the Orders are
3 entered.

4 Items E-11 through E-15 can be taken
5 together. These items concern applications for
6 licensure as an agent, broker and consultant under
7 Section 16-115C of the Public Utilities Act. In each
8 case, ALJ Kimbrel recommends entry of an Order
9 granting the certificate.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Are there any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the Orders are
15 entered.

16 Items E-16 and E-17 can be taken
17 together. These items concern petitions to cancel
18 certificates of service authority previously granted
19 pursuant to Section 16-115C of the Public Utilities
20 Act and Section 454 of the Illinois Administrative
21 Code. In both cases, the ALJ recommends entry of an
22 Order granting the petition.

1 Is there any discussion?

2 (No response.)

3 CHAIRMAN SCOTT: Are there any objections?

4 (No response.)

5 CHAIRMAN SCOTT: Hearing none, the Orders are
6 entered.

7 Items E-18 through E-21 can be taken
8 together. These items concern citations for failure
9 to file a compliance recertification report for 2011
10 as required by Section 454.110 of the Administrative
11 Rules. In each case, the ALJ recommends we dismiss
12 this proceeding by way of a docket entry.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Are there any objections?

16 (No response.)

17 CHAIRMAN SCOTT: Hearing none, the proceedings
18 are dismissed.

19 Item E-22 is Docket No. 13-0080. This
20 is our emergency rulemaking proceeding for Title 83,
21 Part 281 of the Administrative Code regarding
22 military service member disconnection rules. ALJ

1 Wallace recommends entry of a Second Notice Order.

2 Is there any discussion?

3 (No response.)

4 CHAIRMAN SCOTT: Any objections?

5 (No response.)

6 CHAIRMAN SCOTT: Hearing none, the Order is
7 entered.

8 Item E-23 is Docket No. 13-0185. This
9 is IDOT's petition for eminent domain authority in
10 connection with a project to improve Rollins Road in
11 Lake County. ALJ Hilliard recommends entry of an
12 Order granting the petition.

13 Is there any discussion?

14 (No response.)

15 CHAIRMAN SCOTT: Any objections?

16 (No response.)

17 CHAIRMAN SCOTT: Hearing none, the Order is
18 entered.

19 Items E-24 and E-25 can be taken
20 together. These are petitions for the confidential
21 and/or proprietary treatment of petitioners' net
22 metering reports. In both cases, ALJ Albers

1 recommends entry of an Order granting the requested
2 treatment.

3 Is there any discussion?

4 (No response.)

5 CHAIRMAN SCOTT: Are there any objections?

6 (No response.)

7 CHAIRMAN SCOTT: Hearing none, the Orders are
8 entered.

9 Moving on to Telecommunications; Item
10 T-1 is Docket No. 13-0263. This is AboveNet's
11 petition for withdrawal of its certificates of
12 authority to provide resold local and interexchange
13 service in Illinois. ALJ Riley recommends entry of
14 an Order granting the petition.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the Order is
20 entered.

21 Item T-2 is Docket No. 13-0253. This
22 is ITAC's petition requesting that the Commission

1 establish annual line charges pursuant to
2 Section 755.500 of the Administrative Rules. ALJ
3 Riley recommends entry of an Order granting the
4 petition.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Any objections?

8 (No response.)

9 CHAIRMAN SCOTT: Hearing none, the Order is
10 entered.

11 Items T-3 through T-6 can be taken
12 together. These items are petitions by
13 telecommunications carriers seeking the confidential
14 and/or propriety treatment of their annual reports.
15 In each case, ALJ Albers recommends entry of an Order
16 granting the requested relief.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN SCOTT: Are there any objections?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the Orders are
22 entered.

1 Item T-7 is Docket No. 13-0143. This
2 is a joint petition for the approval of a negotiated
3 resale agreement between Gallatin River and
4 Spectrotel. ALJ Baker recommends entry of an Order
5 approving the agreement.

6 Is there any discussion?

7 (No response.)

8 CHAIRMAN SCOTT: Are there any objections?

9 (No response.)

10 CHAIRMAN SCOTT: Hearing none, the Order is
11 entered.

12 Items T-8 through T-11 can be taken
13 together. These are joint petitions for the approval
14 of amendments to interconnection agreements between
15 telecommunications carriers. In each case, ALJ Baker
16 recommends entry of an Order granting the requested
17 relief.

18 Is there any discussion?

19 (No response.)

20 CHAIRMAN SCOTT: Any objections?

21 (No response.)

22 CHAIRMAN SCOTT: Hearing none, the Orders are

1 entered.

2 On to Water and Sewer; Item W-1 is
3 Illinois American Water Company's request to revise
4 its measurement standards and terminology in order to
5 implement its Business Transformation project. Staff
6 recommends that we grant the company's request by not
7 suspending the filing.

8 Is there any discussion?

9 (No response.)

10 CHAIRMAN SCOTT: Is there any objection to not
11 suspending the filing?

12 (No response.)

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

15 We have one petition for rehearing to
16 consider today. Item PR-1 is Docket No. 12-0413.
17 This is Consolidated Communications' petition seeking
18 a declaratory ruling concerning Section 13-901 of the
19 Public Utilities Act and Title 86, Part 770 of the
20 Administrative Code. Securus Technologies has filed
21 a Petition for Rehearing in this matter, which ALJ
22 VonQualen recommends we deny.

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Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to the denial of the petition?

(No response.)

CHAIRMAN SCOTT: Hearing none, the petition is denied.

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

JUDGE WALLACE: No, Mr. Chairman. That's all there is.

CHAIRMAN SCOTT: Thank you, sir. Hearing none, this meeting stands adjourned. Thanks everyone.

(END OF PROCEEDINGS.)