

BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES REGULAR OPEN MEETING
Thursday, May 18, 2023
Chicago, Illinois

Met pursuant to notice at 11:30 AM at
160 North LaSalle Street, Chicago, Illinois.

PRESENT:

CARRIE ZALEWSKI, Chairman
CONRAD REDDICK, Commissioner
MICHAEL CARRIGAN, Commissioner
ANN McCABE, Commissioner
STACEY PARADIS, Commissioner

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Diane J. Corona, CSR

1 CHAIRMAN ZALEWSKI: Good morning. Under
2 the Openings Meetings Act, I call the May 18, 2023
3 regular open meeting to order. Commissioners
4 Carrigan, McCabe, Reddick and Paradis are with me in
5 Chicago. We have a quorum.

6 We have four requests to speak
7 today from Tomyro Dobbs, Tessine Murji, Meghan
8 Hasset, Tonyisha Harris. So we will hear from these
9 speakers in the order that we received the requests
10 as listed above.

11 Under 2 Illinois Administrative
12 Code Section 1700.10, any person desiring to address
13 the Commission shall be allowed up to three minutes.
14 Only one person may speak on behalf of any
15 organization. Please note that the Commission will
16 not respond directly to your comments.

17 So first we'll hear from Tomyro
18 Dobbs.

19 (Appearing via
20 videoconference.)

21 CHAIRMAN ZALEWSKI: Tomyro Dobbs, if you
22 could state and spell your name. I will put a timer
23 on for three minutes in the room and I will let you
24 know when there's 30 seconds left and I won't start

1 the timer until you start speaking. You may proceed.

2 MS. DOBBS: My name is Tomyro Dobbs.
3 It's spelled T-o-m-y-r-o D-o-b-b-s.

4 I'm coming today to the
5 Commission because I had an incident with Peoples Gas
6 that caused extreme emotional and mental harm. I
7 want to know if I can share my screen with the
8 Commission or no?

9 CHAIRMAN ZALEWSKI: You can, but note
10 that only -- it will be recorded what you're saying
11 because it's being transcribe. What I can offer up
12 is that you can -- pause the clock for a second.

13 If you want to file something,
14 and you can file it within the Commission as a
15 comment if that's helpful, I don't know if you're
16 sharing an image or --

17 MS. DOBBS: A video. Yes, a video of
18 armed security coming to my home after my incident
19 with Peoples Gas.

20 CHAIRMAN ZALEWSKI: If the video is
21 played, it might be able to be transcribed.

22 Hold on one second.

23 (Discussion off the record.)

24 CHAIRMAN ZALEWSKI: Sorry about that. I

1 had to get confirmation. I think we've had this
2 issue before. So you can go ahead and play it, you
3 can describe it. We have no other way to capture the
4 video within our technology. So again, if you want
5 to explain what's happened and feel free to play it
6 and any sound will be transcribed.

7 MS. DOBBS: Okay. No problem. I want
8 to play the video right now.

9 Can you hear the audio?

10 CHAIRMAN ZALEWSKI: We cannot.

11 MS. DOBBS: What about now? I shared my
12 screen.

13 CHAIRMAN ZALEWSKI: We can see that you
14 shared the screen. We cannot hear audio.

15 MS. DOBBS: Okay. So I will just
16 attached it. I thought I will be wasting my three
17 minutes that I have. I will send it to ICC, the
18 video. Basically, I will go over real quick.

19 As I said before my name is
20 Tomyro Dobbs. I am a Chicago resident born and
21 raised. I live on the south side of Chicago. I am a
22 veteran, I am a substitute teacher and I am also a
23 recent law school graduate.

24 I have been going through

1 financial things like most people after the pandemic,
2 and given that I just graduated law school and my
3 mother is dealing with several medical issues.

4 I filed for a medical
5 certification with Peoples Gas. I was approved.
6 Their policy stated it was only for three months, and
7 also that I can only do it every 12 months, which I
8 think that policy needs to be reframed.

9 On top of that -- so because of
10 the gas getting higher, higher, higher and I have to
11 pay whatever. So I made a payment arrangement based
12 off what the documentation said -- the connection
13 said by April 28th that I had to either make a full
14 payment or set up a payment arrangement. Keyword
15 "or".

16 So after everything I've been
17 through, I called on April 27th and I ensured I will
18 mail a payment arrangement -- make a payment
19 arrangement.

20 CHAIRMAN ZALEWSKI: 30 seconds, ma'am.

21 MS. DOBBS: So it resulted in all of
22 that, a fire -- armed security came to my home
23 without any proper notification from the Peoples Gas,
24 and there are several issues that need to be

1 addressed with a customer service representative, and
2 it will be trial in form and customer service.
3 Because what they're doing is causing people
4 emotional and mental harm and keeping people from
5 having access to hot water. Thank you.

6 CHAIRMAN ZALEWSKI: Thank you.

7 Next speaker is Tessine Murji.

8 Is Ms. Murji online?

9 MS. MURJI: Yes, hi.

10 CHAIRMAN ZALEWSKI: Could you please
11 state and spell your name and then we will go ahead
12 and start the clock.

13 If we could switch screens.

14 MS. MURJI: T-e-s-s-i-n-e, M-u-r-j-i.
15 Hi, everyone. My name is Tessine and I am a Peoples
16 Gas customer and organizer with the Illinois Sierra
17 Club. Part of my job is to make sure we phase out
18 fossil fuel infrastructure and transition to
19 renewable energy sources while creating jobs that
20 don't rely on an outdated industry to make profits
21 and build an equitable and sustainable future.

22 Instead of wasting money on
23 expensive, dirty energy that pollutes the air we
24 breathe and puts a time stamp on our planet, the

1 Commission should start planning for a transition to
2 electric homes.

3 The record is clear that the
4 Peoples Gas pipe replacement program is wasting
5 billions of dollars on soon to be obsolete fossil
6 fuel infrastructure. Just this week we learned that
7 the program is once again behind schedule and over
8 budget. When Commissioners asked leave to answer
9 basic questions about the program, management
10 couldn't answer them or chose not to.

11 The ICC must reject the proposed
12 Peoples Gas rate hikes and rein in any utility that
13 is operating under the premise that we are not in a
14 climate crisis or living through a serious period of
15 inflation and rising costs of living. As a customer
16 and a climate advocate, I'm deeply unhappy with a
17 \$402 million rate hike request from a company that is
18 bankrupting customers and continuing to stonewall and
19 mismanage their troubles by the (inaudible) program.

20 Chicago must lower costs and
21 invest in clean air to protect our health and climate
22 by transitioning to clean energy homes that will
23 create thousands of debt paying union jobs in the
24 process.

1 Again, the ICC must reject the
2 proposed highest rate hike in our State's history.

3 Thank you.

4 CHAIRMAN ZALEWSKI: Thank you.

5 Third, we have Meghan Hassett.
6 Is Meghan Hassett either in the room or online? We
7 are not seeing her online and not in the room.

8 Okay. Then fourth is Tonyisha
9 Harris.

10 Ms. Harris, if you could state
11 and spell your name.

12 MS. HARRIS: Hello, my name is Tonyisha
13 Harris. T-O-N-Y-I-S-H-A, Harris, H-a-r-r-i-s.

14 Hello, my name is Tonyisha
15 Harris. I am a 25-year-old youth climate and
16 environmental activist. I am the Associate Director
17 of Communications and Partnerships with Actions for
18 the Climate Emergency and a customer of Peoples Gas.

19 I'd like to thank the ICC for
20 their time and allowing me to speak today.

21 As a Peoples Gas customer, I am
22 in opposition to the proposed \$402 million rate hike
23 that will place an additional undue burden on
24 consumers struggling to pay their gas bill. About

1 one in five Chicago gas customers struggle to pay
2 their bills. This is before the proposed rate hike,
3 which will increase the average residential customer
4 bill to 11.83 a month or 142 annually.

5 In 2020 nearly half of all
6 households in some Chicago zip codes were behind on
7 their gas bills. The majority of these zip codes
8 were black. In my community of South Shore, or
9 60649, as of April 2023, 40 percent of the customers
10 were past due on their bills. That's an average of
11 \$695. Over 1,000 customers were sent a disconnection
12 notice in April 2023.

13 I remember having the gas cut off
14 as a child because my mom had to chose between paying
15 rent or paying the utilities. Rent always won.
16 Peoples Gas customers simply cannot afford this rate
17 hike.

18 And what is the largest rate gas
19 utility rate hike in Illinois history to be used for?
20 Propping up the fossil fuel industry.

21 Communities that are already
22 struggle to afford their gas bills are not
23 benefitting from fracked gas infrastructure polluting
24 the environment and causing health complications.

1 Fracked gas pipelines can lead to lung cancer,
2 respiratory illnesses, leukemia and other
3 neurodevelopment impairments.

4 Most of my community of South
5 Shore suffers from respiratory illnesses, including
6 myself. The fossil fuel industry is why my entire
7 family has asthma. Furthermore, the rate hike is
8 meant to fund their pipe replacement efforts. While
9 it's important to keep the system safe for people,
10 the evidence proves that this costly effort doesn't
11 even address the current risk in the system. We
12 cannot continue to prop up a rigged system that is
13 counterproductive to protecting people and planet.

14 The ICC has ample opportunity to
15 protect people's pockets and public health. This
16 rate hike will be burdensome to the most vulnerable
17 communities in Illinois, like mine, and double down
18 on propping up an industry responsible for the
19 climate emergency robbing my generation of a future.
20 Do not approve the rate hike.

21 Thank you for your time.

22 CHAIRMAN ZALEWSKI: Thank you.

23 Last call again for Meghan
24 Hassett.

1 Thank you to all. This concludes
2 our request to speak. We are now moving on to our
3 Transportation Agenda.

4 (Whereupon, the transportation
5 agenda was held.)

6 CHAIRMAN ZALEWSKI: This concludes our
7 Transportation Agenda.

8 Moving on to our Public Utilities
9 Agenda. There are edits to the May 4, 2023 Public
10 Utilities Regular Open Meeting Minutes and to the
11 2023 Summer Preparedness Meetings Minutes.

12 Are there objections to approving
13 the minutes as edited?

14 (No verbal response.)

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

17 And there are electric items.
18 Item E-1 concerns Mount Carmel's proposed Rider D,
19 Parallel Generation Service. This filing is an
20 annual adjustment made in accordance with directives
21 of Part 430 of the Commission's rules and will
22 increase the rates paid to purchase electricity from
23 cogeneration and small power production facilities.
24 The revised rates will go into effect on June 1,

1 2023. Commission Staff has reviewed the revisions,
2 finds them to be reasonable and recommends not
3 suspending the filing.

4 Are there any objections to not
5 suspending the filing?

6 (No verbal response.)

7 CHAIRMAN ZALEWSKI: Hearing none, the
8 filing is not suspended.

9 Item E-2 concerns Ameren's
10 petition to revise its Annual Performance Modifier
11 Rider, or Rider APM, to reflect changes to
12 Section 8-103B of the Public Utilities Act and how
13 the performance modifier is calculated for Rider
14 Energy Efficiency and Demand Response Investment or
15 Rider EE. Commission Staff has reviewed the filing
16 and recommends not suspending it.

17 Are there any objections to not
18 suspending the filing?

19 (No verbal response.)

20 CHAIRMAN ZALEWSKI: Hearing none, the
21 filing is not suspended.

22 Item E-3 concerns ComEd's filing
23 to modify its Parallel Operation of Retail Customer
24 Generating Facilities Rider, or Rider POG. This

1 filing will reduce rates pertaining to purchases of
2 electricity from cogeneration and small power
3 production facilities under Part 430 of the
4 Commission's Rules. The revised rates will go into
5 effect on May 29, 2023. Commission Staff has
6 reviewed the revisions, finds them reasonable, and
7 recommends not suspending the filing.

8 Are there any objections to not
9 suspending the filing?

10 (No verbal response.)

11 CHAIRMAN ZALEWSKI: Hearing none, the
12 filing is not suspended.

13 Item E-4 concerns proposed
14 revisions by ComEd to its Renewable Energy Adjustment
15 Rider, or Rider REA. ComEd proposes changes that are
16 housekeeping in nature to address the interaction
17 between the Illinois Power Agency, or the IPA, ComEd,
18 and the customer enrolling as a self-direct customer
19 pursuant to the provisions of Paragraph 1
20 subparagraph R of Section 1-75(c) of the IPA act.
21 Commission Staff has reviewed the filing and
22 recommends not suspending it.

23 Are there any objections to not
24 suspending filing?

1 (No verbal response.)

2 CHAIRMAN ZALEWSKI: Hearing none, filing
3 is not suspended.

4 Item E-5 concerns a petition by
5 MidAmerican to request approval of reconciliation for
6 its Electric Incremental Uncollectible Adjustment
7 Rider, or Rider UAE, for the reconciliation period of
8 June 21st through May of 2022.

9 Commission Staff has reviewed the
10 company's reconciliation and finds it to be
11 reasonable and consistent with the Public Utilities
12 Act. The order approves the reconciliation as set
13 forth in the appendix to the order.

14 Are there any objections to
15 approving the order?

16 (No verbal response.)

17 CHAIRMAN ZALEWSKI: Hearing none, the
18 order is approved.

19 Item E-6 concerns ComEd's request
20 for reconciliation of revenues under its
21 Uncollectible Factors Rider, or Rider UF, for the
22 period of June of 2021 through May of 2022.

23 Commission Staff has reviewed the company's
24 reconciliation and finds it to be reasonable. The

1 order approves reconciliation as set forth in the
2 appendix to the order.

3 Are there any objections to
4 approving the order?

5 (No verbal response.)

6 CHAIRMAN ZALEWSKI: Hearing none, the
7 order is approved.

8 Item E-7 concerns the Illinois
9 Department of Transportation's, or IDOT, petition for
10 approval to acquire property owned by ComEd in
11 McHenry County by means of eminent domain. IDOT has
12 been unable to acquire the subject property from
13 ComEd to complete a highway improvement project and
14 seeks approval from the Commission to acquire title
15 to the property by exercise of the right of eminent
16 domain and quick-take authority. The ALJ recommends
17 the Commission grant the petition; and the Order
18 grants the petition and approves the taking of the
19 property through eminent domain.

20 Are there any objections to
21 approving this order?

22 (No verbal response.)

23 CHAIRMAN ZALEWSKI: Hearing none, the
24 order is approved.

1 Item E-8 concerns a complaint
2 against SmartEnergy Holdings LLC in Rockford,
3 Illinois. The parties have filed a stipulation and
4 joint motion to dismiss, stipulating that all matters
5 have been resolved and requesting that the Commission
6 dismiss the complaint. The ALJ recommends the
7 Commission grant the joint motion to dismiss.

8 Are there any objections to
9 granting the motion?

10 (No verbal response.)

11 CHAIRMAN ZALEWSKI: Hearing none, the
12 motion is granted.

13 E-9 through E-15 concern
14 applications for certifications to install
15 distributed generation facilities in Illinois. The
16 Orders grant the certificates, finding that the
17 applicants meet the requirements.

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

21 (No verbal response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the
23 Orders are approved.

24 Items E-16 through E-18 concerns

1 applications for Certificates of Service Authority to
2 Install, Maintain and Repair Electric Vehicle
3 Charging Stations. The Orders grant the
4 Certificates, finding that the applicants meet the
5 requirements.

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

9 (No verbal response.)

10 CHAIRMAN ZALEWSKI: Hearing none, the
11 Orders are approved.

12 Item E-19 concerns a petition to
13 cancel a Certificate Service of Authority to operate
14 as an Alternative Retail-Electric Supplier, or ARES.
15 The Order cancels the certificate, finding that
16 cancellation of Petitioner's Certificate will not
17 deprive Illinois residents of any necessary electric
18 service and is not otherwise contrary to the public
19 interest.

20 Are there any objections to
21 approving the Order?

22 (No verbal response.)

23 CHAIRMAN ZALEWSKI: Hearing none, the
24 Order is approved.

1 Item E-20 and E-21 concern
2 proceedings to terminate abandoned retail electric
3 Agent, Broker, or Consultant licenses. The Orders
4 find that the licensees failed to file outstanding
5 delinquent Compliance Recertification Reports. The
6 Orders terminate the abandoned licenses.

7 Are there in objections to
8 approving the Orders?

9 (No verbal response.)

10 CHAIRMAN ZALEWSKI: Hearing none, the
11 Orders are approved.

12 Items E-22 through E-25 concern
13 requests for proprietary treatment of information in
14 the petitioners' reports. The Orders grant the
15 protection, finding that the information is highly
16 proprietary and confidential.

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

20 (No verbal response.)

21 CHAIRMAN ZALEWSKI: Hearing none, the
22 Orders are approved.

23 Item E-26 concerns a petition to
24 cancel a certificate of service authority to install,

1 maintain, and repair electric vehicle charging
2 stations and to install energy efficiency measures.
3 The Order grants the petition and cancels the
4 certificate.

5 Are there any objections to
6 approving the Order?

7 (No verbal response.)

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

10 Item E-27 concerns Ameren's
11 application for authority to incur up to \$580 million
12 in debt pursuant to Section 6-102 of the Public
13 Utilities Act. The Order grants the authority and
14 directs Ameren to pay a fee pursuant to Section 6-108
15 of the Act.

16 Are there any objections to
17 approving the Order?

18 (No verbal response.)

19 CHAIRMAN ZALEWSKI: Hearing none, the
20 Order is approved.

21 Items E-28 through E-34 concern
22 Petitions to cancel Certificates of Service Authority
23 to install energy efficiency measures. The Orders
24 cancel the Certificates.

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

4 (No verbal response.)

5 CHAIRMAN ZALEWSKI: Hearing none, the
6 Orders are approved.

7 Items E-35 and E-36 concern
8 applications for Certifications to install energy
9 efficiency measures in Illinois. The Orders grant
10 the certificates, finding that the applicants meet
11 the requirements.

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

15 (No verbal response.)

16 CHAIRMAN ZALEWSKI: Hearing none, the
17 Orders are approved.

18 Item E-37 concerns ComEd's motion
19 for clarification in the Docket 22-0067, which is the
20 Petition for the Establishment of Performance
21 Metrics. ComEd is seeking to clarify use of the
22 linear approach to rounding basis points for
23 penalties and incentives with respect to the revised
24 approved peak Load Performance Metric. The

1 Amendatory Order clarifies that the linear approach
2 applies to the Peak Load Performance Metric and
3 amends the Order on rehearing accordingly.

4 Are there any objections to
5 granting the motion for clarification and approving
6 the Amendatory Order?

7 (No verbal response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the
9 motion is granted and the Order is approved.

10 Now we are moving on to our Gas
11 items.

12 Item G-1 concerns Docket 20-0665
13 and 20-0666, consolidated, which is Peoples Gas and
14 North Shore Gas companies' petition for approval of
15 uncollectible costs during the 2018 calendar year
16 through their uncollectible riders, or Rider UEA.
17 The Order approves the reconciliation as set forth in
18 the appendices to the Order.

19 There are substantive edits to
20 the order:

21 First, the Commission finds that
22 the companies acted unreasonably when they suspended
23 collection and disconnection activity for the period
24 running from April of 2017 to at least January of

1 2018. The edits approve a disallowance of \$748,992
2 from North Shore's requested write off and \$15.4
3 million from People's requested write off to account
4 for the eight months where the companies failed to
5 pursue minimization of uncollectibles pursuant to
6 Section 19-145(c) of the Public Utilities Act

7 Second, the Commission directs
8 the companies to improve collection activities to
9 better inform customers of the options available to
10 them to avoid disconnections and any payment plans
11 available to them. The Commission also directs the
12 companies to ensure all customers service
13 representative scripts provide full information to
14 customers on all options available to them to avoid
15 disconnections and explain to customers any payment
16 plans for which they are eligible

17 Third, the Commission directs the
18 utilities to consider retaining these scripts --
19 these CSR scripts and recordings until that year's
20 reconciliation docket has concluded to allow the
21 Commission, it's staff and stakeholders to fully
22 review the companies' compliance of Section 19-145 of
23 the Act. The Commission also directs the companies
24 to consider retaining documents and recordings for at

1 least two years in aid of customer complaints

2 I move the edits. Is there a
3 second?

4 COMMISSIONER McCABE: Second.

5 CHAIRMAN ZALEWSKI: Are there any
6 objections to approving the edits to the Order?

7 (No verbal response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the
9 edits are approved.

10 Are there any objections to
11 approving the Order as edited?

12 (No verbal response.)

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

15 Items G-2 and G-3 concern
16 petitions for approval of reconciliation by
17 MidAmerican and Nicor under Rider UAG and Rider 3,
18 respectively. Commission Staff has reviewed both
19 filings and find them appropriate. The Orders
20 approve the reconciliations as set forth in the
21 appendices.

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

1 (No verbal response.)

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

4 Item G-4 concerns a complaint
5 against Peoples Gas in Chicago. The Order dismisses
6 the complaint finding that it was filed beyond the
7 statute of limitations as set forth in
8 Section 5/9-252.1 of the Public Utilities Act.

9 There are substantive edits to
10 the Order.

11 The edits state that the
12 Commission strongly encourages the Company to offer
13 the complainant a deferred payment arrangement for
14 the amount due and to remove fees and interest on the
15 complainant's balance sheet, consistent with
16 Section 280.120(c) of the Commission's rules as
17 Companies offered in their Brief on Exceptions. The
18 Commission also strongly suggests that the total
19 amount past due and the deposit should not include
20 any amounts that have already been recovered by the
21 company under its Uncollectible Expense Adjustment
22 Rider. Finally, the Commission encourages the
23 company to consider all available options to restore
24 the complainant's gas.

1 I move the edits. Is there a
2 second?

3 COMMISSIONER REDDICK: Second.

4 CHAIRMAN ZALEWSKI: Are there any
5 objections to approving the edits?

6 (No verbal response.)

7 CHAIRMAN ZALEWSKI: Hearing none, the
8 edits are approved.

9 Are there any objections to
10 approving the Order as edited?

11 (No verbal response.)

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

14 Before we continue, are there any
15 comments from the Commissioners?

16 COMMISSIONER McCABE: The complainant's
17 statements and Peoples' alleged actions in this case
18 are concerning. Under the Public Utilities Act, the
19 Commission must grant respondent's motion to dismiss
20 due to the time lapse between the disputed bill and
21 when Mr. Collins filed his formal complaint with the
22 Commission.

23 Last summer I commented that
24 customers, and especially pro se litigants, are often

1 at a disadvantage in not knowing of the Public
2 Utility Act, rate structures and complaint
3 procedures. In this case, the record indicates that
4 Peoples did not provide answers to Mr. Collins'
5 questions about the bills he received before the two-
6 year statute of limitations.

7 Alleged Commission rule
8 violations include disconnecting the complainant's
9 gas service while still investigating the complaint.

10 Respondent's recordkeeping
11 appears haphazard. Complainant received bills for
12 wrong unit number and possibly the wrong amount,
13 \$2,338 versus the usually \$80 to \$150. Complainant
14 sought to have his service restored and the
15 unexplained balanced removed from his account. He
16 has been without gas services since 2008.

17 I support the Order and urge
18 Peoples to create a just outcome for Mr. Collins.

19 COMMISSIONER REDDICK: Thank you,
20 Chairman.

21 Under the Public Utilities Act,
22 the Commission has an adjudication function. In
23 contested cases, like the complaint case just
24 discussed, the Commission, like a court, must make

1 determinations based on the applicable law and the
2 evidence, even when the outcomes are uncomfortable.

3 Under the same statute the
4 Commission has an equally important regulation
5 function. As a regulator, it oversees the
6 performance of Illinois utilities including
7 compliance with Commission rules governing consumer
8 billing and collection activities.

9 In some complaint cases, like the
10 one addressed today, the Commission has only the
11 complaint's account of the consumer-utility
12 interactions. Alleged utility actions have included
13 disconnection of service and late fees for a disputed
14 bill, billing address errors that complicated the
15 dispute, hours of fruitless conversations while the
16 utility investigated a disputed bill, and finally
17 disconnects of service followed by efforts to collect
18 the disputed bill.

19 The complainant in one case
20 alleged that he was not notified that a promised
21 investigation of the bill had ended, and that his
22 discussions with the utility about it continued well
23 after the two-year period for formal complaints had
24 expired. The consumer's formal complaint was met

1 with a legal motion to dismiss the case, rather than
2 with evidence responding to the claims of improper
3 utility actions.

4 The law required the Commission,
5 as an adjudicator, dismiss the complaint. That
6 result left the Commission, as a regulator, without
7 any factual account from the utility and without a
8 record that was sufficiently complete to perform its
9 regulatory functions; to monitor and assess utility
10 compliance with applicable Commission regulations.

11 A path to a better process for
12 Commission regulation is not yesterday determined,
13 but, in my view, a complaint case record that
14 supports both the Commission's adjudication and its
15 regulation functions would do, at least, the
16 following three things:

17 First, provide a complete record,
18 one that shows the actions of both consumer and
19 utility. Even though the law may require a
20 particular litigation result, informed regulation
21 requires a full picture of regulated consumer-utility
22 interactions, particularly where they are challenged
23 as inadequate or improper under the Commission rules.

24 Second, the record would show

1 clear notices to complainants, advising them that the
2 statutory to the two-year deadline could bar a
3 decision based on the merits of their claim -- even
4 when consumers believe they are still engaged with
5 the utility to resolve the disputed issues. It may
6 be reasonable to assure such notice both at the
7 start, and near the end, of the two-year statute of
8 limitations period, especially for consumers seeking
9 relief without a lawyer.

10 Finally, the records that
11 document each party's position should be a part of
12 the record. Where the two-year period has not
13 expired, for billing disputes that are under
14 investigation, or the where the Commission -- I'm
15 sorry, or where the consumer was not given clear
16 notice that a promised investigation had concluded
17 with a final result, each party should retain and
18 present relevant documentation of the consumer
19 utility interaction.

20 Thank you, Chairman.

21 CHAIRMAN ZALEWSKI: Moving on to G-5.
22 G-5 concerns a complaint against Peoples Gas in
23 Chicago, Illinois. The parties filed a stipulation
24 and joint motion to dismiss, stipulating that all

1 matters in dispute have been resolved and requesting
2 that the Commission dismiss the complaint. The ALJ
3 recommends dismissing the proceeding with prejudice.

4 Are there any objections to
5 granting the motion and dismissing the case with
6 prejudice?

7 (No verbal response.)

8 CHAIRMAN ZALEWSKI: Hearing none, the
9 motion is granted and the proceeding is dismissed
10 with prejudice.

11 G-6 concerns a complaint against
12 Ambit Illinois in Wheaton, Illinois. The parties
13 filed a stipulation and joint motion to dismiss
14 stipulating that all matters in dispute have been
15 resolved and requesting that the Commission dismiss
16 the Complaint. The ALJ recommends dismissing the
17 proceedings with prejudice.

18 Any objection to granting the
19 motion and dismissing the case with prejudice?

20 (No verbal response.)

21 CHAIRMAN ZALEWSKI: Hearing none, the
22 motion is granted and the proceeding is dismissed
23 with prejudice.

24 Item G-7 and G-8 concerns

1 complaints against Nicor in Batavia and Forest Park,
2 Illinois. The complainants in both dockets made an
3 oral motion to dismiss the matter. The ALJ
4 recommends the Commission grant the motions without
5 prejudice.

6 Are there any objections to
7 considering the items together and granting the
8 motions to dismiss without prejudice?

9 (No verbal response.)

10 CHAIRMAN ZALEWSKI: Hearing none, the
11 motions are granted and the cases are dismissed
12 without prejudice.

13 Item G-9 concerns Nicor's
14 proposed general rate increase and revisions to other
15 terms and conditions of service. The Commission's
16 investigation is still ongoing, so the filing needs
17 to be resuspended. The Order resuspends the filing
18 until December 1, 2023.

19 Are there any objections to
20 approving the resuspension Order?

21 (No verbal response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the
23 resuspension Order is approved.

24 Items G-10 and G-11 concern

1 requests for a proprietary treatment of information
2 in the petitioners' reports. The Orders grant the
3 protection, finding that the information is highly
4 proprietary and confidential.

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

8 (No verbal response.)

9 CHAIRMAN ZALEWSKI: Hearing none, the
10 Orders are approved.

11 On to our Telecommunication
12 items. Item C-1 concerns a citation proceeding
13 against Global Communications. Commission Staff has
14 now indicated that the respondent is in compliance
15 with the Act and recommends that the matter be
16 dismissed. The ALJ recommends granting the motion.

17 Are there any objections to
18 granting the motion to dismiss?

19 (No verbal response.)

20 CHAIRMAN ZALEWSKI: Hearing none, the
21 motion is granted.

22 Items T-2 and T-3 concern
23 requests for proprietary treatment of information in
24 the petitioners' reports. The Orders grant the

1 protections, finding that the information is highly
2 proprietary and confidential.

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

6 (No verbal response.)

7 CHAIRMAN ZALEWSKI: Hearing none, the
8 Orders are approved.

9 Moving on to our the Water and
10 Sewer items.

11 Item W-1 concerns
12 Illinois-American Water Company's application for a
13 Certificate of Public Convenience and Necessity to
14 Provide Water and Wastewater services to areas in
15 Champaign County, Illinois, and for the approval to
16 purchase certain assets of the Village of Tolono,
17 Illinois. The Order approves the application as set
18 forth in the appendices to the Order.

19 Are there any objections to
20 approving the Order?

21 (No verbal response.)

22 CHAIRMAN ZALEWSKI: Hearing none, the
23 Order is approved.

24 Moving on to other business,

1 Item 0-1 concerns approval of Batches, Contracts and
2 Confirmations under the Adjustable Block Program.

3 Are there any objections to
4 approving the Program Administrator's Submissions?

5 (No verbal response.)

6 CHAIRMAN ZALEWSKI: Hearing none, the
7 Submissions are approved.

8 Item 0-2 concerns June 2023
9 solicitations of bids to sell Zonal resource Credits
10 to Ameren.

11 Are there any objections to
12 approving the Procurement Administrator's Benchmark
13 Methodology?

14 (No verbal response.)

15 CHAIRMAN ZALEWSKI: Hearing none, the
16 Methodology is approved.

17 Item 0-3 concerns approval of
18 Batches, Contracts, and Confirmations under the
19 Illinois Solar For All Program.

20 Are any objections to approving
21 the Program Administrator's Submissions?

22 (No verbal response.)

23 CHAIRMAN ZALEWSKI: Hearing none, the
24 Submissions are approved.

1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF C O O K)
3

4 I, Diane J. Corona, a certified
shorthand reporter in the State of Illinois, do
5 hereby certify that the above matter was recorded
stenographically by me and reduced to writing by
6 me.

7 I FURTHER CERTIFY that the foregoing transcript
of the said matter is a true, correct, and complete
8 transcript of the proceedings at the time and place
specified herein before.

9
10 I FURTHER CERTIFY that I am not a relative or
employee of any of the parties, nor a relative or
employee of the attorneys of record, or financially
11 interested directly or indirectly in the action.

12 IN WITNESS WHEREOF, I have hereunto set my hand
13 at Chicago, Illinois this 25th day of May, 2023.
14
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Diane J. Corona

Certified Shorthand Reporter
Illinois CSR License No. 084-00257

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