

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION

3 REGULAR OPEN MEETING
4 (PUBLIC UTILITY)

5
6
7 Springfield, Illinois
8 Tuesday, June 14, 2011

9
10 Met, pursuant to notice, at 10:30 a.m.
11 in the Audiovisual Conference Room, Second Floor,
12 Leland Building, 527 East Capitol Avenue,
13 Springfield, Illinois.

14 PRESENT:

15 MR. DOUGLAS P. SCOTT, Chairman

16 MS. LULA M. FORD, Commissioner
 (Via videoconference)

17 MS. ERIN M. O'CONNELL-DIAZ, Commissioner
18 (Via videoconference)

19 MR. SHERMAN J. ELLIOTT, Commissioner

20 MR. JOHN T. COLGAN, Acting Commissioner

21 SULLIVAN REPORTING COMPANY
 By Jami Tepker, Reporter
22 CSR No. 084-003591

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PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a Regular Open Meeting of the Illinois Commerce Commission.

With me in Springfield are Commissioner Elliott and Acting Commissioner Colgan. With us in Chicago are Commissioners Ford and O'Connell-Diaz.

I am Chairman Scott. We have a quorum.

Before moving into the agenda, according to Part 1700.10 of Title 2 of the Administrative Code, this is the time we allow the members of the public to address the Commission.

Members of the public wishing to address the Commission must notify the Chief Clerk's Office at least 24 hours prior to the Commission meeting.

According to the Chief Clerk's Office, we have no requests to speak at today's

1 Regular Open Meeting.

2 Up first today are minutes from
3 prior Commission meetings. And we'll begin with
4 consideration of minutes from our May 4th Bench
5 Session.

6 Is there a motion to approve the
7 minutes?

8 COMMISSIONER ELLIOTT: So moved.

9 CHAIRMAN SCOTT: Is there a second?

10 ACTING COMMISSIONER COLGAN: Second.

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

13 All in favor say aye.

14 COMMISSIONERS: Aye.

15 CHAIRMAN SCOTT: Any opposed?

16 (No response.)

17 CHAIRMAN SCOTT: The vote is five to
18 nothing and the minutes from our May 4th Bench
19 session are approved.

20 Next up are minutes from our
21 May 18th Bench Session. I understand amendments
22 have been forwarded.

1 Is there a motion to amend the
2 minutes?

3 ACTING COMMISSIONER COLGAN: So
4 moved.

5 CHAIRMAN SCOTT: Is there a second?

6 COMMISSIONER ELLIOTT: Second.

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

9 All in favor say aye.

10 COMMISSIONERS: Aye.

11 CHAIRMAN SCOTT: Any opposed?

12 (No response.)

13 CHAIRMAN SCOTT: The vote is five
14 nothing, and the amendments for the May 18th
15 Bench Session are adopted.

16 Is there a motion to approve the
17 minutes as amended?

18 COMMISSIONER ELLIOTT: So moved.

19 CHAIRMAN SCOTT: Is there a second?

20 ACTING COMMISSIONER COLGAN: Second.

21 CHAIRMAN SCOTT: It's been moved and
22 seconded.

1 All in favor say aye.

2 COMMISSIONERS: Aye.

3 CHAIRMAN SCOTT: Any opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is five to
6 nothing, and the minutes for the May 18th Bench
7 Session as amended are approved.

8 The third item today concerns
9 initiating a reconciliation proceeding regarding
10 costs incurred by Ameren for its Real-Time
11 Pricing Program.

12 This item will be held for disposition
13 at a future Commission meeting.

14 Items 4 and 5 concern initiating
15 evaluations of ComEd and Ameren's Real-Time
16 Pricing Programs.

17 These items will likewise be held.

18 Item 6 is Docket Number 09-0254.
19 This item concerns a complaint filed by Comcast
20 against ComEd regarding back billing issues.

21 ComEd has brought a Motion to
22 Dismiss. And ALJ Dolan recommends that the

1 Commission enter an Order granting dismissal over
2 most of the case, leaving only the complaint
3 concerning the number of and location of
4 Comcast's power supply boxes.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Is there a motion
8 to enter the Order?

9 COMMISSIONER O'CONNELL-DIAZ: So
10 moved.

11 CHAIRMAN SCOTT: Is there a second?

12 ACTING COMMISSIONER COLGAN: Second.

13 CHAIRMAN SCOTT: It's been moved and
14 seconded.

15 All in favor say aye.

16 COMMISSIONERS: Aye.

17 CHAIRMAN SCOTT: Any opposed?

18 (No response.)

19 CHAIRMAN SCOTT: The vote is five to
20 nothing and the Order granting the Motion to
21 Dismiss the case in part is entered.

22 We will use this five-to-nothing vote

1 for the remainder of today's Regular Open Meeting
2 unless otherwise noted.

3 Item 7 is Docket Number 09-0592.
4 This item concerns proposed amendments to
5 Title 83, Parts 412 and 453 of the Administrative
6 Code.

7 And we'll be holding this item as
8 well.

9 Item 8 is Docket Number 10-0733.
10 This item concerns revisions to Title 83,
11 Part 454 regarding implementation of
12 Section 16-115C of the Public Utilities Act.

13 ALJ Yoder recommends that the
14 Commission enter an Order authorizing submission
15 of the Second Notice of Proposed Amendments to
16 the Joint Committee on Administrative Rules.

17 Is there any discussion?

18 (No response.)

19 CHAIRMAN SCOTT: Any objections?

20 (No response.)

21 CHAIRMAN SCOTT: Hearing none, the
22 Order is entered and the amendments will be sent

1 to JCAR.

2 Items 9 through 11 (10-0625, 11-0285,
3 11-0309) can be taken together. These items each
4 concern customer complaints as to billing and/or
5 charges against ComEd.

6 In each case the parties have
7 apparently settled their differences and brought
8 a Joint Motion to Dismiss, which ALJ Teague
9 recommends we grant.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the
15 Joint Motions to Dismiss are granted.

16 Items 12 through 20 (11-0317, 11-0376,
17 11-0377, 11-0389, 11-0407, 11-0422, 11-0426,
18 11-0427, 11-0445) can be taken together.

19 These items concern petitions to
20 protect against the disclosure of confidential
21 and/or proprietary information in the
22 Petitioner's reports filed with the Commission.

1 In each case ALJ Albers recommends
2 that the Commission enter an Order granting the
3 requested relief.

4 Is there any discussion?

5 (No response.)

6 CHAIRMAN SCOTT: Any objections?

7 (No response.)

8 CHAIRMAN SCOTT: Hearing none, the
9 Orders are entered and the protective relief is
10 granted.

11 Item 21 is Docket Number 11-0413.
12 This is Solo Energy Solutions' petition for
13 confidential treatment of portions of its annual
14 agent-broker consultant report.

15 The company no longer seeks
16 confidential treatment. And ALJ Albers recommends
17 that the Commission enter an Order dismissing the
18 proceeding.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN SCOTT: Any objections?

22 (No response.)

1 CHAIRMAN SCOTT: Hearing none, the
2 Order is entered and the matter dismissed.

3 Item 22 is Docket Number 11-0371.
4 This is Alphabuyer's Application for Licensure as
5 an Agent, Broker, and Consultant under
6 Section 16-115C of the Public Utilities Act.

7 ALJ Yoder recommends that the
8 Commission enter an Order granting the requested
9 authority.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the
15 Order is entered and the application is granted.

16 Item 23 is Docket Number 05-0743.

17 This is Ameren IP's reconciliation case
18 concerning revenues collected under gas
19 adjustment charges in 2005.

20 ALJ Jones recommends that the
21 Commission enter an Order approving the
22 reconciliation with a disallowance of recovery for

1 \$631,515, as recommended by Staff.

2 Is there any discussion?

3 (No response.)

4 CHAIRMAN SCOTT: Any objections?

5 (No response.)

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

8 Item 24 is Docket Number 10-0305.

9 This is New Talk's petition to protect against
10 the disclosure of confidential and/or proprietary
11 information in its 2009 Annual Report.

12 ALJ Dolan recommends that the
13 Commission enter an Order granting the requested
14 relief for a period of two years.

15 Is there any discussion?

16 (No response.)

17 CHAIRMAN SCOTT: Any objections?

18 (No response.)

19 CHAIRMAN SCOTT: Hearing none, the
20 Order is entered and the requested protective
21 relief is granted for two years.

22 Item 25 is Docket Number 11-0083.

1 This is Illinois Bell Telephone Company's
2 petition seeking arbitration of an
3 Interconnection Agreement with Big River
4 Telephone Company.

5 ALJ Dolan recommends entry of an
6 arbitration decision finding traffic service
7 subject to the rates, terms, and conditions of
8 service proposed by AT&T Illinois and supported
9 by the Staff should be included in the
10 Interconnection Agreement.

11 Is there any discussion?

12 (No response.)

13 CHAIRMAN SCOTT: Any objections?

14 (No response.)

15 CHAIRMAN SCOTT: Hearing none, the
16 arbitration decision is entered.

17 Items 26 through 31 (11-0094, 11-0095
18 11-0096, 11-0098, 11-0099, 11-0103) can be taken
19 together. These items concern citation
20 proceedings against telecommunications carriers
21 for failure to file their 2009 Annual Reports.

22 In each case ALJ Teague recommends

1 that the Commission enter an Order revoking the
2 Respondent's Certificates of Service Authority
3 for failure to file its Annual Report.

4 Is there any discussion?

5 (No response.)

6 CHAIRMAN SCOTT: Any objections?

7 (No response.)

8 CHAIRMAN SCOTT: Hearing none, the
9 Orders are entered and the certificates are
10 revoked.

11 Item 32 is Docket Number 11-0183.

12 This is Intercarrier Networks'
13 application for Certificates of Local Exchange
14 and Interexchange Authority to operate as a
15 reseller and/or facilities-based carrier of
16 telecommunications services throughout Illinois.

17 ALJ Teague recommends that the
18 Commission enter an Order granting the requested
19 certificates.

20 Is there any discussion?

21 (No response.)

22 CHAIRMAN SCOTT: Any objection?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the
3 Order is entered and the certificates are
4 granted.

5 Item 33 is Docket Number 11-0215.
6 This is T-NETIX Telecommunications Services'
7 petition for the withdrawal of a Certificate of
8 Interexchange Service Authority previously issued
9 in Docket Number 92-0326.

10 ALJ Baker recommends that the
11 Commission enter an Order granting the petition.

12 Is there any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: Any objections?

15 (No response.)

16 CHAIRMAN SCOTT: Hearing none, the
17 Order is entered and the certificate is
18 withdrawn.

19 Items 34 and 35 can be taken
20 together.

21 These items concern reports due to
22 the General Assembly regarding the spending

1 limitations on energy efficiency and demand
2 response measures made pursuant to Section 8-103
3 of the Public Utilities Act and on the
4 procurement of renewable energy resources
5 pursuant to Section 1-75 of the Illinois Power
6 Agency Act.

7 We will be holding these items for
8 disposition at our June 22nd Bench Session.

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

11 JUDGE WALLACE: I think that's it.

12 CHAIRMAN SCOTT: Thank you very
13 much, sir.

14 Hearing nothing, this meeting stands
15 adjourned.

16 MEETING ADJOURNED

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