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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(PUBLIC UTILITY)
Wednesday, July 8, 2015
Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.

- PRESENT:
- BRIEN J. SHEAHAN, Chairman
 - ANN MCCABE, Commissioner
 - SHERINA E. MAYE, Commissioner
 - MIGUEL DEL VALLE, Commissioner
 - JOHN R. ROSALES, Acting-Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170

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CHAIRMAN SHEAHAN: Good morning. Are we ready to proceed in Springfield?

MR. MATRISCH: Yes, we are.

CHAIRMAN SHEAHAN: Pursuant to the Open Meetings Act, I call the July 8, 2015 Bench Session of the Illinois Commerce Commission to order.

Commissioners McCabe, del Valle, Maye and Rosales are present with me in Chicago, and we have a quorum.

Moving onto our Public Utility Agenda, there are edits to the Minutes of our June 11, 2015 Annual Supplier Diversity Policy Session.

Are there any objections to approving the Policy Session Minutes as edited?

(No response.)

Hearing none, the Minutes are approved.

There are also edits to the Minutes of our June 16, 2015 Public Utility Open Meeting. Are there any objections to approval of the Minutes of June 16 as edited?

1 (No response.)

2 Hearing none, the Minutes are
3 approved.

4 Moving onto our Electric Agenda Item
5 E-1 involves compliance changes to Mt. Carmel's
6 Rider for Late Payment Charges.

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

9 (No response.)

10 Hearing none, the filing is not
11 suspended.

12 Item E-2 involves approval of our
13 assessment of ComEd's 2013 Reliability Performance
14 Report.

15 Are there's any objections to
16 approving the proposed Order?

17 (No response.)

18 Hearing none, the Order is approved.

19 Item E-3 involves a complaint filed
20 against ComEd regarding a billing issue in Sandwich,
21 Illinois.

22 Are there any objections to approving

1 the proposed Order granting the complaint in part
2 and denying in part?

3 (No response.)

4 Hearing none, the proposed Order is
5 approved.

6 Item E-4 concerns a complaint filed
7 against ComEd for the lose of major electric
8 appliances and food spoilage resulting from storms
9 in June of 2011.

10 Are there any objections to approving
11 the proposed Order and granting ComEd's motion to
12 dismiss?

13 (No response.)

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

16 Item E-5 involves a Joint Petition
17 filed by Ameren and MidAmerican Energy Requesting
18 Approval of Transmission Facilities' Purchase
19 Agreement pursuant to Section 7-203 and 8-406 of the
20 Public Utilities Act.

21 Are there any objections to approving
22 the proposed Order?

1 (No response.)

2 Hearing none, the Order is approved.

3 Item E-6 concerns a route modification
4 to Ameren Transmission's Illinois Rivers Project
5 between Pana and Mt. Zion.

6 Are there any objections to approving
7 the proposed Order?

8 (No response.)

9 Hearing none, the Order is approved.

10 Item E-7 is Iron Energy's Petition for
11 Confidential Treatment of its Code 451 Annual
12 Report.

13 Are there any objections to approving
14 the proposed Order?

15 (No response.)

16 Hearing none, the Order is approved.

17 Item E-8 is the EDF Industrial Power
18 Services' Petition to Cancel its Certificate of
19 Service Authority to Operate as an Alternative
20 Retail Electric Supplier.

21 Are there any objections to approving
22 the proposed Order?

1 (No response.)

2 Hearing none, the Order is approved.

3 Items E-9 and 10 are Applications for
4 Electric Vehicle Charging Station Installer
5 Authority and Distributed Generation Installer
6 Authority.

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

10 (No response.)

11 Hearing none, the Orders are approved.

12 Item E-11 concerns ComEd's Petition to
13 Authorize Use of Eminent Domain for Easement Rights
14 for Grand Prairie Gateway Project.

15 Are there any objections to approving
16 the proposed Order?

17 (No response.)

18 Hearing none, the Order is approved.

19 Under our Gas Agenda, Item G-1
20 concerns Tariff changes to Nicor's Terms and
21 Conditions to comply with its Code Part 280 and
22 Implementation Plan.

1 Are there any objections to not
2 suspending the filing?

3 (No response.)

4 Hearing none, the filing is not
5 suspended.

6 Items G-2 through G-5 concern
7 dismissal of various customer complaints for billing
8 and/or charges.

9 Are there any objections to
10 considering these items together or approving the
11 proposed motions and Orders?

12 (No response.)

13 Hearing none, the Motions and the
14 Order are approved.

15 The disposition of Item G-6 will be
16 postponed to a future meeting.

17 Item G-7 involves Nicor's Motion to
18 Withdraw its Request for Extension of Confidential
19 Treatment for the 2012 Dekatherm Report.

20 Are there any objections approving the
21 proposed Order?

22 (No response.)

1 Hearing none, the Order is approved.

2 Item G-8 is Ameren's Petition for
3 Approval of Tariffs Associated with the Small Volume
4 Transportation Program.

5 We have a number of substantive edits
6 to the proposed Order. Commissioner Maye, would you
7 like to propose adoption of the edits.

8 COMMISSIONER MAYE: Yes, Mr. Chairman. Thank
9 you. I would like to propose joint edits to the
10 proposed Order as it relates to the continuation of
11 the SVT Program. The edits began on Page 31 and
12 they are comments from the Chairman with input from
13 Commissioner McCabe.

14 We have determined that the potential
15 cost of the current program significantly outweighs
16 the potential benefits that would relate to the
17 customer; therefore, we believe it is not in the
18 best interest of the public at this time to continue
19 the program as it is in its current form.

20 We also further order the Ameren -- we
21 also further order Ameren to work with Staff to
22 conduct workshops with interested stakeholders to

1 determine how and when its customers will have
2 access to a Gas Supplier Choice Program.

3 And, last, but most definitely not
4 least, this Commission wants to emphasize that we
5 remain favorable to retail competition and supplier
6 choice.

7 Given the Commission's finding that
8 Ameren Illinois cease implementation of the SVT
9 Program as it currently exists, these edits deem the
10 specific SVT Program as proposed by the parties to
11 these edits at this time.

12 With that, I move the adoption of
13 these edits. Thank you, Mr. Chairman.

14 CHAIRMAN SHEAHAN: Is there a second?

15 COMMISSIONER McCABE: Seconded.

16 CHAIRMAN SHEAHAN: Commissioner McCabe, did you
17 have anything to add with respect to the workshops?

18 COMMISSIONER McCABE: No.

19 CHAIRMAN SHEAHAN: Commissioner del Valle, I
20 believe you have a statement.

21 COMMISSIONER del VALLE: Yes. Thank you,
22 Mr. Chairman. I want to thank Commissioner Maye's

1 office and Commissioner McCabe and the Chairman's
2 office for their hard work on this Order.

3 I agree with the proposed edits that
4 considerable uncertainty surrounds this docket and
5 would concur only because the edits require that
6 Ameren work towards bringing a choice and
7 competition to Ameren customers.

8 And I quote what I feel is in the
9 edits. The Commission hearing orders Ameren
10 Illinois to conduct workshops with Staff and the
11 interested stakeholders to determine how and when
12 residential gas customers in the service territory
13 will have access to the Gas Supplier Choice Program.

14 Again, the workshops will provide a
15 solution to the question of how and when there will
16 be a program and not if.

17 Customer Choice is the policy of the
18 State of Illinois, and the Commission has repeatedly
19 reiterated its support for a cost-effective plan in
20 the Ameren territory.

21 My support for this edit aside, I'm
22 disappointed in Ameren's leadership on this issue,

1 and though we have been discussing this Choice
2 Program for years and have been ordered to implement
3 this program by 2014, the company failed to execute
4 what we were told would be a cost-effective way to
5 bring choice to its customers.

6 This, in my opinion, is unacceptable.
7 Ameren should not understand this Order to mean that
8 a utility can avoid state policy and Commission
9 directive by simply dragging its feet and refusing
10 to produce timely and reliable cost estimates for
11 the programs.

12 The policy of the State of Illinois
13 and the Commission remains bringing choice and
14 competition to Ameren customers, and that's what
15 these workshops will produce. Thank you.

16 COMMISSIONER MAYE: May I add one other thing. I
17 just want to further stress that as a result of
18 these workshops and as indicated in edits of the
19 Order that this Commission staff went after seeking
20 a referral at this time whether or not we will
21 continue the program and under what circumstances so
22 this Commission would have discretion in full to

1 determine how we go forward. Thank you.

2 CHAIRMAN SHEAHAN: Any other discussion?

3 (No response.)

4 The edits have been moved and
5 seconded. All in favor, say aye.

6 (Chorus of ayes.)

7 Opposed, say no.

8 (No response.)

9 The ayes have it. The edits are
10 adopted.

11 I would like to entertain a motion to
12 approve the Order as edited.

13 COMMISSIONER McCABE: So moved.

14 CHAIRMAN SHEAHAN: Is there a second?

15 COMMISSIONER MAYE: Seconded.

16 CHAIRMAN SHEAHAN: It's been moved and seconded.

17 Is there any discussion?

18 (No response.)

19 All those in favor, say aye.

20 (Chorus of ayes.)

21 Opposed, say nay.

22 (No response.)

1 The vote is unanimous. The Order as
2 edited is approved.

3 Item G-9 concerns Amendments to the
4 Minimum Safety Standards for the Transportation of
5 Gas and for Gas Pipeline Facilities to Incorporate
6 Changes required by Federal Regulations in filing
7 various documents.

8 Are there any objections to approving
9 the proposed Order?

10 (No response.)

11 Hearing none, the Order is approved.

12 Item G-10 concerns a citation issued
13 to the Village of Thebes for the failure to maintain
14 its obligations under the Illinois Gas Pipeline
15 Safety Act.

16 Are there any objections to approving
17 the proposed order?

18 (No response.)

19 Hearing none, the Order is approved.

20 Item G-11 is Viridian Energy's
21 Application for Authority to Operate as an
22 Alternative Gas Supplier.

1 Are there any objections to approving
2 the proposed Order?

3 (No response.)

4 Hearing none, the Order is approved.

5 Moving onto our Telecommunications
6 Agenda, Item T-1 concerns NextG's Petition for
7 Confidential Treatment of its 2011 Gross Revenue Tax
8 Return.

9 Is there a motion to dismiss the
10 proceeding?

11 COMMISSIONER McCABE: So moved.

12 CHAIRMAN SHEAHAN: Is there a second.

13 ACTING COMMISSIONER ROSALES: Seconded.

14 CHAIRMAN SHEAHAN: All those in favor, say aye.

15 (Chorus of ayes.)

16 Opposed, say nay.

17 (No response.)

18 The ayes have it. The Motion to
19 Dismiss the proceeding is granted.

20 Item T-2 is Millennium 2000's
21 Application for ETC Designation pursuant to the
22 Telecommunications Act.

1 Commissioner McCabe, I believe you
2 have a statement.

3 COMMISSIONER McCABE: I just want to thank Judge
4 Riley for his work on this Order on Rehearing.

5 CHAIRMAN SHEAHAN: Is there any objection to
6 approving the proposed Order?

7 (No response.)

8 Hearing none, the Order is approved.

9 Item T-3 is Fiber Technologies
10 Networks' Application for a Certificate of Authority
11 to Operate as a Reseller and Facilities-based
12 Carrier of Local Exchange and Interexchange
13 Telecommunications Service throughout Illinois.

14 Is there any objection to approving
15 the proposed Order?

16 (No response.)

17 Hearing none, the Order is approved.

18 Items T-4 and 5 are Petitions for
19 Confidential Treatment of various reports.

20 Are there any objections to
21 considering these items together and entering the
22 proposed Orders?

1 (No response.)

2 Hearing none, the Orders are entered.

3 Items T-6 and 7 are Petitions for
4 Cancellation of Certificates of Service Authority.

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

8 (No response.)

9 Hearing none, the Orders are entered.

10 Moving onto our Miscellaneous Agenda,
11 Item M-1 concerns RCN's Application for State-Issued
12 Authorization to Provide Cable Service.

13 Is there any objection to approving
14 the proposed Order?

15 (No response.)

16 Hearing none, the Order is approved.

17 Under other business, we have an item
18 on our agenda regarding the Commission's Request for
19 Rehearing of FERC's June 9, 2015 Order Approving
20 PJM's Capacity Performance Tariff Provisions. This
21 item involves potential litigation, so we will enter
22 into closed session for our discussion.

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Is there a motion to enter into closed

1 session?

2 ACTING COMMISSIONER ROSALES: So moved.

3 CHAIRMAN SHEAHAN: Is there a second?

4 COMMISSIONER McCABE: Seconded.

5 CHAIRMAN SHEAHAN: All those in favor, say aye.

6 (Chorus of ayes.)

7 Opposed, say nay.

8 (No response.)

9 The ayes have it, and we will clear
10 the room for our discussion in closed session.

11 (Whereupon, Pages 18 to 24
12 were held in closed
13 session.)

14 We are back in open session now.

15 We have had a discussion of PJM's
16 Capacity Performance Tariff Provisions.

17 Is there a motion to approve the
18 comments and direct Staff to forward them to the
19 FERC?

20 COMMISSIONER McCABE: So moved.

21 CHAIRMAN SHEAHAN: Is there a second?

22 ACTING COMMISSIONER ROSALES: Seconded.

1 CHAIRMAN SHEAHAN: Is there any discussion?

2 (No response.)

3 All those in favor, say aye.

4 (Chorus of ayes.)

5 Opposed, say nay.

6 (No response.)

7 The ayes have it and the comments are
8 approved.

9 Judge Kimbrel, do we have any other
10 matters to come before the Commission today?

11 JUDGE KIMBREL: No, Mr. Chairman.

12 CHAIRMAN SHEAHAN: Commissioners, do we have any
13 other business to discuss this morning?

14 (No response.)

15 Hearing none, we stand adjourned.

16 (Whereupon, the above matter
17 was adjourned.)

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