

1 **BEFORE THE**
2 **ILLINOIS COMMERCE COMMISSION**

3 **BENCH SESSION**
4 **(PUBLIC UTILITY)**

5
6
7 **Springfield, Illinois**
8 **Wednesday, July 27, 2011**

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

13
14 **PRESENT:**

15 **MR. DOUGLAS P. SCOTT, Chairman**

16 **MS. LULA M. FORD, Commissioner**
 (Via teleconference)

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

19 **MR. SHERMAN J. ELLIOTT, Commissioner**

20 **MR. JOHN T. COLGAN, Acting Commissioner**

21 **SULLIVAN REPORTING COMPANY, by**
 Carla J. Boehl, Reporter
22 **CSR #084-002710**

1 PROCEEDINGS

2 CHAIRMAN SCOTT: Pursuant to the provisions of
3 the Illinois Open Meetings Act, I now convene a
4 regularly scheduled Bench session of the Illinois
5 Commerce Commission. With me in Springfield are
6 Commissioner Elliott and Acting Commissioner Colgan.
7 Joining us from Chicago are Commissioner Ford and
8 Commissioner O'Connell-Diaz. I am Chairman Scott.
9 We have a quorum.

10 Before moving into the agenda,
11 according to Section 1700.10 of Title II of the
12 Administrative Code this is the time we allow members
13 of the public to address the Commission. Members of
14 the public wishing to address the Commission must
15 notify the Chief Clerk's Office at least 24 hours
16 prior to the bench session. According to the Chief
17 Clerk's Office, we have no requests to speak at
18 today's bench session.

19 (The Transportation
20 portion of the proceedings
21 was held at this time and
22 is contained in a separate

1 transcript.)

2 CHAIRMAN SCOTT: We will move on to the Public
3 Utility agenda and start with the approval of the
4 minutes from the prior Commission meeting. We have
5 minutes from our June 22 Bench session. I understand
6 amendments have been forwarded. Is there a motion to
7 amend the minutes?

8 ACTING COMMISSIONER COLGAN: So move.

9 CHAIRMAN SCOTT: Is there a second?

10 COMMISSIONER ELLIOTT: Second.

11 CHAIRMAN SCOTT: It's been moved and seconded.
12 All in favor say aye.

13 COMMISSIONERS: Aye.

14 CHAIRMAN SCOTT: Any opposed?

15 (No response.)

16 The vote is five to nothing and the
17 amendments to the June 22 minutes are adopted.

18 Now is there a motion to approve the
19 minutes as amended?

20 ACTING COMMISSIONER COLGAN: So move.

21 CHAIRMAN SCOTT: Is there a second?

22 COMMISSIONER O'CONNELL-DIAZ: Second.

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

2 All in favor say aye.

3 COMMISSIONERS: Aye.

4 CHAIRMAN SCOTT: Any opposed?

5 (No response.)

6 The vote is five to nothing and the

7 June 22 Bench session minutes as amended are

8 approved.

9 Turning now to the Electric portion of

10 today's agenda, Items E-1 and E-2 (11-0546, 11-0547)

11 can be taken together. These items concern the

12 evaluation of ComEd and Ameren's experimental

13 residential real-time pricing programs. Staff

14 recommends entering Orders initiating these

15 proceedings.

16 Is there any discussion?

17 (No response.)

18 Is there a motion to enter the Orders

19 initiating the proceedings?

20 COMMISSIONER ELLIOTT: So move.

21 CHAIRMAN SCOTT: Is there a second?

22 ACTING COMMISSIONER COLGAN: Second.

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

2 All in favor say aye.

3 COMMISSIONERS: Aye.

4 CHAIRMAN SCOTT: Any opposed?

5 (No response.)

6 The vote is five to nothing and the
7 Orders are entered.

8 We will use this five to nothing vote
9 for the remainder of the Public Utility agenda unless
10 otherwise noted.

11 Items E-3 and E-4 (11-0548, 11-0549)
12 can be taken together. They concern 2009 reliability
13 reports concerning the reliability performance of
14 AmerenIP and the Mt. Carmel Public Utility Company
15 prepared by Staff pursuant to Section 16-125(D) of
16 the Public Utilities Act and Part 411.140 of the
17 Administrative Code. Staff recommends entry of
18 Orders adopting the reports.

19 Is there any discussion?

20 (No response.)

21 Any objections?

22 (No response.)

1 Hearing none, the Orders are entered.

2 Item E-5 concerns a filing by
3 MidAmerican Energy Company to modify Rate Number 57,
4 Cogeneration and Small Power Production Facilities,
5 to provide the avoided-cost energy credits. Staff
6 recommends not suspending the filing.

7 Commissioner Elliott, I understand you
8 have some questions for Staff?

9 COMMISSIONER ELLIOTT: Yes, Mr. Chairman. It
10 is not so much a question, but I do believe we have
11 someone here from Staff that may be able to address
12 this.

13 I see no reason to suspend the filing
14 or to hold this up. My only question regarding this
15 issue is whether it comports with similar filings of
16 the other regulated utilities, ComEd and Ameren. I
17 know that most of those in terms of avoided
18 production costs reference the MISO or PJM market
19 prices in some context. And in this case MidAmerican
20 is only referencing their production costs. And they
21 have recently joined the Midwest ISO as a market
22 member.

1 So I am just trying to get some
2 context. I would like Staff to explore whether or
3 not we should take a look at seeing whether they
4 should be referencing MISO market prices in any way,
5 shape or form, or if it just generally comports with
6 the others, if we are being consistent with our
7 approaches here.

8 So if I could have them take a look at
9 that with Commission support and report back to us,
10 if that's agreeable, and we can move forward on this
11 and then they can let us know what their options are
12 at some future point.

13 CHAIRMAN SCOTT: Is there any discussion from
14 Chicago?

15 COMMISSIONER FORD: I defer to my fellow
16 Commissioners.

17 COMMISSIONER O'CONNELL-DIAZ: So just so I am
18 clear, so we are going to vote on this today and then
19 we are going to get --

20 COMMISSIONER ELLIOTT: Yeah, I don't see any
21 reason to hold this up in any way. I just wanted to
22 make sure that we are doing things the same way

1 across the board. And circumstances with MidAm and
2 MISO have changed in the recent years and I just
3 wanted to make sure we are connecting all the dots
4 and just let Staff take a look at that.

5 COMMISSIONER O'CONNELL-DIAZ: Good point.

6 MR. HENDRICKSON: Certainly Ameren's tariff
7 references MISO LMP's prices.

8 COMMISSIONER ELLIOTT: We know ComEd does.

9 MR. HENDRICKSON: For PJM.

10 COMMISSIONER ELLIOTT: Right.

11 MR. HENDRICKSON: MidAmerican's does not
12 currently specifically state or address anything
13 related to MISO.

14 COMMISSIONER ELLIOTT: Right. So to the extent
15 that maybe we should, in the future you can come back
16 to us with --

17 MR. HENDRICKSON: I can look into that and see
18 if it needs to be.

19 CHAIRMAN SCOTT: Very good. Thank you.

20 COMMISSIONER ELLIOTT: Thanks, John.

21 CHAIRMAN SCOTT: Is there any additional
22 discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the filing is not
5 suspended.

6 Item E-6 is Docket Number 08-0264.

7 This is King's Walk Condominium Association's
8 complaint alleging overcharges by ComEd. ALJ Sainsot
9 recommends that the Commission enter an Interim Order
10 dismissing a set of the complaint allegations
11 pursuant to the statute of limitations in Section
12 9-252 of the Public Utilities Act.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Interim Order is
18 entered.

19 Items E-7 through E-9

20 (10-0722,11-0007, 11-0084) can be taken together.

21 These items all concern customer complaints filed
22 against AmerenIP and ComEd. In each case the parties

1 have apparently settled their differences and have
2 brought Joint Motions to Dismiss which the ALJs
3 recommend we grant.

4 Is there any discussion?

5 (No response.)

6 Any objections?

7 (No response.)

8 Hearing none, the Joint Motions to
9 Dismiss are granted.

10 Item E-10 (11-0329) concerns Jeff
11 Grady's complaint against Ameren Illinois. ALJ
12 Albers recommends that we enter an Order granting
13 Ameren Illinois' Motion to Dismiss.

14 Is there any discussion?

15 (No response.)

16 Any objections?

17 (No response.)

18 Hearing none, the Order is entered.

19 Items E-11 and E-12 (11-0468, 11-0474)
20 can be taken together. These items concern customer
21 complaints filed against ComEd. In each case the
22 parties have apparently settled their differences and

1 have brought Joint Motions to Dismiss which ALJ Benn
2 recommends we grant.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the Joint Motions to
8 Dismiss are granted.

9 Item E-13 (11-0213) concerns James
10 Smith's complaint against ComEd. Judge Riley
11 recommends that we enter an Order dismissing the case
12 with prejudice.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

17 Hearing none, the Order is entered.

18 Items E-14 through E-20 (11-0152,
19 11-0304, 11-0408, 11-0428, 11-0429, 11-0450, 11-0463)
20 can be taken together. These items are applications
21 for Licensure as an Agent, Broker and Consultant
22 under Section 16-115(C) of the Public Utilities Act.

1 In each case ALJ Yoder recommends that the Commission
2 enter an Order granting the requested certificate.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

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

9 E-21 (11-0479) is Clearview Electric
10 Incorporated's application for a Certificate of
11 Service Authority under Section 16-115 of the Public
12 Utilities Act to operate as an alternative retail
13 electric supplier. ALJ Yoder recommends that we
14 enter an Order granting the requested Certificate of
15 Service Authority.

16 Commissioner Colgan, I understand you
17 have a few questions for Judge Yoder?

18 ACTING COMMISSIONER COLGAN: Yeah, I do.

19 CHAIRMAN SCOTT: Okay. Is the Judge
20 available?

21 Good morning.

22 JUDGE YODER: Good morning.

1 ACTING COMMISSIONER COLGAN: In reviewing this
2 application for the ARES Certificate of Authority, I
3 came up with a few questions. I think the whole
4 Commission in general really believes that we are
5 encouraged about the development of the competitive
6 market, and we want to see a robust and healthy
7 market there. But as companies come into this
8 marketplace, I think it is -- I feel responsible, and
9 I know others do, too, that we make sure we are
10 bringing good players into the market.

11 And after reading your memo I dug into
12 the record, Attachment D, and found a decision that
13 was entered by the Connecticut Commission against
14 this company for violations of nine state statutes,
15 including not maintaining records, confirming
16 customer's desire to be switched, not cooperating
17 with Commission investigation, not filing quarterly
18 reports, not filing any annual report regarding
19 renewable energy, not meeting filing requirements
20 that indicate the company's capability to exchange
21 data with the electric distribution company,
22 complying with maintenance of customer complaint

1 records, complying with the filing requirements
2 regarding disclosure of information, not complying
3 with the requirement regarding posting of rates and
4 charges, resource mix percentages and err emissions,
5 and not complying with a requirement to provide
6 timely notice regarding change of contact
7 information.

8 And then I was pretty struck by a
9 comment they made in the civil penalties section
10 where they say, "In general Clearview's multiple
11 violations of regulatory requirements as set forth in
12 this notice indicate a broad and intentional
13 disregard for regulatory, public policy, protection
14 and disclosure measures. Clearview's failure to
15 comply is so extensive that the department can only
16 conclude that it never had an intention of observing
17 any customer protection, regulatory or market
18 discipline measures."

19 So I see that you are recommending
20 that we allow this company to come into the Illinois
21 marketplace, and I am kind of picking up that you
22 feel like they have corrected these violations and

1 have changed their ways as a company. But I would
2 like to just kind of get your thoughts on that.

3 JUDGE YODER: Sure. The Commission, I think it
4 was about a year and a half ago or so, directed us to
5 start asking about complaints and complaint histories
6 in other jurisdictions, and in fact we have now added
7 it to the application for ARES, AGS and ABCs. So
8 this was all obviously in their application. It
9 appeared -- you know, otherwise they were clear.

10 It appeared from a review of this that
11 obviously Clearview did have problems back in like
12 late 2009 and very early 2010 when the Connecticut
13 proceeding began, and they also had a brief
14 proceeding with the Texas Public Utility Commission.

15 There is obviously no objective
16 requirement for looking at complaints and
17 determining, you know, you have had 20 before, you
18 are not managerially or technically qualified to be
19 able to be certified as an ARES in this application.
20 So it is obviously subjective.

21 It appeared from a review of the
22 complaint history that they had had a problem

1 obviously in that period, and then going forward they
2 appeared to have corrected those. Connecticut also
3 in their order indicated that they believed that
4 Clearview had instituted staffing and policy changes
5 responsive to the matters investigated in that
6 proceeding, and the complaints had decreased and they
7 have taken efforts to more closely comply with
8 licensing requirements.

9 So overall, viewing the application,
10 it appeared that Clearview has addressed their issues
11 that had arisen in that brief period of time, which
12 like some of them were from marketers that they
13 weren't clearly or adequately overseeing. Obviously,
14 that is still Clearview's requirement to oversee
15 those. But in a subjective overview of what they had
16 done in response to those, these proceedings and to
17 the complaints that had arisen, decreasing -- several
18 months they had none, one month I think they had two
19 complaints. They are a fairly large company. As a
20 subjective call in my opinion they had addressed
21 their complaint history adequately.

22 ACTING COMMISSIONER COLGAN: Okay. Reading

1 through the finding that they were in violation of
2 nine state statutes, it creates a big concern that
3 they are a company that might not be that interested
4 in all the requirements that they would have to
5 follow in Illinois. I know that the Staff here is
6 plenty busy without having to track a company that's
7 not a good player.

8 And I respect your point of view and I
9 saw those indicators that you mentioned, too. But,
10 you know, I think we need to keep an eye on this
11 company as they come in. I mean, they have had
12 problems in the past and I am not -- well, maybe I
13 would like to hold this, if we could, for a week or
14 until I have had a chance to look at it a little bit
15 closer.

16 COMMISSIONER O'CONNELL-DIAZ: Mr. Chairman?

17 JUDGE YODER: Yeah, they had to re-publish so
18 the deadline is not until August 28.

19 CHAIRMAN SCOTT: Yes, Commissioner
20 O'Connell-Diaz.

21 COMMISSIONER O'CONNELL-DIAZ: I would like to
22 address this through the record in this because I

1 consider the flagging of it by Commissioner Colgan to
2 have brought it to my radar screen. I noticed that
3 our Staff was not involved in the -- did not file an
4 appearance in this. So I might suggest if we could
5 get one of our Staff personnel to take a look-see at
6 this.

7 I notice that the deadline date is the
8 28th of August, and I think that may assuage the
9 concerns that we have with regard to their activities
10 in other states and how can we be assured that they
11 will comport and not act in the manner that they did,
12 albeit two years ago, but they were acting like that.
13 So that might ease the Commission's comfort in
14 granting this or denying it, based upon our expert
15 Staff.

16 And I am not suggesting that Judge
17 Yoder does not have an appropriate review before us,
18 but for comfort levels that might be a way, a route,
19 for us to go.

20 COMMISSIONER ELLIOTT: No, I may --

21 JUDGE WALLACE: Commissioner, if I could just
22 interject. Apparently, I am off camera so you can

1 just see my hand.

2 We don't go to hearing on these, and
3 we do get Staff from Finance and Staff from
4 Engineering and also Steve Hickey assists us on
5 these. So they are given Staff review. With a
6 45-day deadline we have determined a long time ago we
7 simply don't have time to go to hearing.

8 So it is all a -- everyone looks at
9 them. If we see something wrong, we send out a
10 ruling saying this is wrong. So I am unclear at this
11 point what other Staff we could assign.

12 COMMISSIONER ELLIOTT: Well, just to follow up
13 on the point that Commissioner O'Connell-Diaz raised,
14 I think that when Commissioner Colgan raised this
15 issue with me and we discussed the points in the
16 Connecticut issue, it seemed to me that from a
17 managerial point at that particular time they weren't
18 very conversant in regulatory compliance and didn't
19 seem to have dedicated staff that was responsible to
20 meet those types of regulatory requirements.

21 It might be worthwhile, and perhaps if
22 they have rectified that situation and, you know,

1 brought in staff to dedicate to these types of
2 regulatory compliance issues in the state, that we
3 make just an inquiry to the company to see whether
4 they do have dedicated staff, who that staff person
5 is and, you know, just develop a contact list for who
6 is responsible for maintaining regulatory
7 requirements and compliance issues in Illinois.

8 COMMISSIONER O'CONNELL-DIAZ: Well, to that
9 point, what I would suggest is someone from our
10 Office of Retail Market Development would be the
11 appropriate personnel, with no disrespect to those,
12 Mr. Hickey and the others, that have been involved in
13 it up to this point of time.

14 And I think it is hampering to us that
15 there isn't a transcript, but this is how the
16 legislation is and this is how we have it. So we
17 have to work within those confines. Because if there
18 was a transcript, then we would know everything that
19 Judge Yoder had done in his thorough review, and that
20 wasn't clear from looking at the e-Docket because you
21 can't read a transcript.

22 We still have time under the 45-day

1 time period, and so I would suggest that it would be
2 someone from our Retail Market Development to do
3 exactly what Commissioner Elliott just suggested.

4 COMMISSIONER FORD: And just a frame of
5 reference, we still have jurisdiction. Even if we
6 grant it, we could always come back in and bring them
7 before us again and take the certificate. So we
8 still have jurisdiction.

9 COMMISSIONER O'CONNELL-DIAZ: She just got her
10 law degree a few months ago. And that's absolutely
11 correct.

12 CHAIRMAN SCOTT: No, I was going to say I think
13 the suggestion to hold it and then along the lines of
14 Commissioner O'Connell-Diaz and Commissioner Elliott,
15 what you were suggesting makes a lot of sense just
16 from a comfort level standpoint on this since there
17 has been a track record, even if it looks like they
18 may have cleared it up. That makes sense to me.

19 ACTING COMMISSIONER COLGAN: Yes, I think
20 exactly what Commissioner Elliott said, it is clear
21 that somebody was asleep at the wheel. They didn't
22 have people assigned to make sure that these things

1 happen. Didn't even maybe read the mail when they
2 got notice that they hadn't done anything.

3 But, you know, I would like for -- I
4 would like the assurance that, when they sign off on
5 that litany of things that they have agreed to do in
6 the Illinois market, it was not just a perfunctory
7 check the boxes all yes and move on and then get out
8 into this marketplace. And by the time we find out
9 what's going on, they have -- you know, and I am not
10 accusing this company of anything, other than a bad
11 player could do a lot of damage in a short period of
12 time. So I would appreciate those assurances.

13 JUDGE YODER: Just so I'm clear, do the
14 Commissioners anticipate a report being filed by the
15 Office of Retail Market Development or how is it that
16 you want that information communicated to the
17 Commission?

18 COMMISSIONER O'CONNELL-DIAZ: Is the record
19 closed? Is that the problem?

20 JUDGE YODER: No.

21 JUDGE WALLACE: We can handle this by sending
22 out an ALJ ruling from Judge Yoder seeking additional

1 information. I am really unclear what our other
2 office would add at this time. Since you have laid
3 out your concerns, we can handle it just, you know,
4 within the record that is. I mean, that's what we
5 normally do. We send out rulings saying respond to
6 something and then they do. You know, we just have
7 never gone to hearing.

8 COMMISSIONER ELLIOTT: That's fine.

9 COMMISSIONER COLGAN: Yeah.

10 COMMISSIONER ELLIOTT: Procedurally that's fine
11 with me. You have a sufficient idea of the questions
12 they asked, I think.

13 CHAIRMAN SCOTT: Thanks, Judge. So that will
14 be held then for this morning then.

15 So we'll move to Items E-22 and E-23
16 (11-0494, 11-0503). Those can be taken together.
17 These regard North Shore Consulting and Summit Energy
18 Services' petitions for confidential treatment of
19 portions of their 2010 ABC recertification reports.
20 ALJ Yoder recommends that we enter Orders granting
21 the requested relief.

22 Is there any discussion?

1 (No response.)

2 Any objections?

3 (No response.)

4 Hearing none, the Orders are entered
5 and the requested relief is granted.

6 Item E-24 (11-0513) is Southwestern
7 Electric Cooperative, Inc., and Ameren Illinois'
8 Joint Petition for approval of Amendment Number 12 of
9 the Service Area Agreement dated August 20, 1970,
10 between Southwestern Electric Cooperative, Inc., and
11 Ameren Illinois. Chief Judge Wallace recommends that
12 we enter an Order approving the petition.

13 Is there any discussion?

14 (No response.)

15 Any objections?

16 (No response.)

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

19 Item E-25 (11-0358) concerns Ameren
20 Illinois' proposed tariff language pertaining to the
21 purchase of uncollectible receivables pursuant to
22 Section 16-118 Sub E of the Public Utilities Act.

1 Before the Commission today is a Resuspension Order
2 further suspending the proposed tariff language for
3 six months.

4 Is there any discussion?

5 (No response.)

6 Any objections?

7 (No response.)

8 Hearing none, the Resuspension Order
9 is entered.

10 Turning now to Natural Gas, Items G-1
11 through G-3 (10-0032, 11-0050, 11-0149) can be taken
12 together. These items concern customer complaints
13 filed against Just Energy, Nicor and Peoples Gas. In
14 each case the parties have apparently settled their
15 differences and have brought Joint Motions to Dismiss
16 which the ALJs recommend we grant.

17 Is there any discussion?

18 (No response.)

19 Any objections?

20 (No response.)

21 Hearing none, the Joint Motions to
22 Dismiss are granted.

1 Item G-4 (11-0477) concerns Peoples
2 Gas' petition for an Order authorizing the purchase
3 of certain securities and resale of those securities
4 pursuant to Section 7-102 of the Illinois Public
5 Utilities Act. Apparently, Peoples Gas has decided
6 not to proceed with these actions, and ALJ Hilliard
7 recommends granting the Motion to Withdraw.

8 Is there any discussion?

9 (No response.)

10 Any objections?

11 (No response.)

12 Hearing none, the Motion to Withdraw
13 is granted.

14 Item G-5 (11-0520) will be held for
15 consideration at a future date.

16 Moving now to Telecommunications, Item
17 T-1 (10-0701) will be held for consideration at a
18 future date, but I understand, Commissioner Elliott,
19 you had a few questions regarding this item?

20 COMMISSIONER ELLIOTT: Yeah, this one has been
21 a real puzzle to me, looking through the record. And
22 being a non-lawyer, I would prefer to hold this. And

1 if I could get the Office of General Counsel to
2 provide a legal assistant, preferably someone with
3 federal pre-emption experience.

4 MS. STEPHENSON SCHROEDER: Yeah. Well, Tom
5 Stanton will be your assistant.

6 COMMISSIONER ELLIOTT: I am sorry? Tom
7 Stanton?

8 COMMISSIONER O'CONNELL-DIAZ: Mary Stephenson
9 is responding to your question. There is no room at
10 the table right now.

11 MS. STEPHENSON SCHROEDER: Yes, we can provide
12 somebody. And Tom Stanton has that expertise and he
13 will be your assistant.

14 COMMISSIONER ELLIOTT: Thank you. Then I will
15 direct some questions to Tom.

16 CHAIRMAN SCOTT: That item will be held for
17 consideration at a future date.

18 Item T-2 (11-0246) concerns Global
19 Crossing Telemanagement's petition for cancellation
20 of its Certificate of Authority to provide basic
21 local exchange telecommunication services. ALJ
22 Teague recommends entering an Order granting the

1 petition.

2 Is there any discussion?

3 (No response.)

4 Any objections?

5 (No response.)

6 Hearing none, the Order is entered,
7 and the petition is granted.

8 Items T-3 through T-5 (11-0414,
9 11-0432, 11-0451) can be taken together. These items
10 each concern petitions by telecommunication carriers
11 for Certificates of Service Authority under Section
12 13-401 through 13-404 of the Public Utilities Act.
13 In each case the ALJ recommends entry of an Order
14 granting the requested authority.

15 Is there any discussion?

16 (No response.)

17 Any objections?

18 (No response.)

19 Hearing none, the Orders are entered
20 and the certificates are granted.

21 Item T-6 (11-0368) is Chicago Jack
22 Services' complaint against Primus

1 Telecommunications. The parties have apparently
2 settled their differences and have brought a Joint
3 Motion to Dismiss which ALJ Benn recommends that we
4 grant.

5 Is there any discussion?

6 (No response.)

7 Any objections?

8 (No response.)

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

11 Item T-7 (11-0093) is a Motion to
12 Dismiss the citation proceeding against Raza Telecom.
13 ALJ Teague recommends granting the motion.

14 Is there any discussion?

15 (No response.)

16 Any objections?

17 (No response.)

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

20 Items T-8 through T-11 (11-0237,
21 11-0238, 11-0240, 11-0241) can be taken together.
22 They regard the revocation of certificates for

1 failure to file Annual Reports. ALJ Benn recommends
2 entering Orders revoking the certificates.

3 Is there any discussion?

4 (No response.)

5 Any objections?

6 (No response.)

7 Hearing none, the Orders are entered
8 and the certificates are revoked.

9 Items T-12 through T-14 (11-0292,
10 11-0315, 11-0349) can be taken together. These items
11 concern petitions for confidential and/or proprietary
12 treatment of the petitioners' 2007 Annual Reports.
13 In each case ALJ Baker recommends that the Commission
14 enter an Order granting the requested relief for a
15 period of two years from the initial filing dates for
16 the petition.

17 Is there any discussion?

18 (No response.)

19 Any objections?

20 (No response.)

21 Hearing none, the Orders are entered
22 and the protective relief is granted.

1 Item T-15 (11-0444) is Illinois
2 Consolidated Telephone Company's petition for consent
3 and approval of the Equipment Location Agreement with
4 Illinois Network Alliance, LLC, pursuant to Section
5 7-102 of the Public Utilities Act. Chief Judge
6 Wallace recommends that we enter an Order approving
7 the petition subject to the conditions agreed to by
8 the parties.

9 Is there any objection?

10 (No response.)

11 Any objections?

12 (No response.)

13 Hearing none, the Order is entered and
14 the Equipment Location Agreement is approved.

15 We have one Petition for
16 Reconsideration today. Item PR-1 (11-0083) is Big
17 River Telephone Company's Petition for
18 Reconsideration of an Arbitration Agreement with AT&T
19 Illinois in Docket 11-0083. Chief Judge Wallace
20 recommends denying the petition.

21 Is there any discussion?

22 (No response.)

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Any objections?

(No response.)

Hearing none, the petition is denied.

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

JUDGE WALLACE: That's all today, Mr. Chairman.

CHAIRMAN SCOTT: Thank you very much, sir.

Hearing none, this meeting stands adjourned.

MEETING ADJOURNED