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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
BENCH SESSION  
(PUBLIC UTILITY)  
Tuesday, July 28, 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 (via Teleconference)
  - MIGUEL DEL VALLE, Commissioner
  - JOHN R. ROSALES, Commissioner

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

1 CHAIRMAN SHEAHAN: Good morning. Are we ready to  
2 start in Springfield?

3 CHIEF CLERK: Yes, we are.

4 CHAIRMAN SHEAHAN: Pursuant to the Open Meetings  
5 Act, I call the July 28, 2015 Bench Session of the  
6 Illinois Commerce Commission to order.

7 Commissioners McCabe, Del Valle and  
8 Rosales are present with me in Chicago. We have a  
9 quorum. Commissioner Maye is participating by  
10 phone.

11 Commissioner Maye, are you there?

12 COMMISSIONER MAYE: Yes, I'm here.

13 CHAIRMAN SHEAHAN: I move to allow Commissioner  
14 Maye to participate by phone.

15 Is there a second?

16 COMMISSIONER McCABE: Seconded.

17 CHAIRMAN SHEAHAN: Is there any discussion?

18 (No response.)

19 All in favor, say aye.

20 (Chorus of ayes.)

21 Opposed, say nay.

22 (No response.)

1                   The ayes have it and Commissioner Maye  
2   is granted permission to participate by phone.  
3   Commissioner Maye is a little under the weather and  
4   so I'm going to introduce Nakhia Crossley, her new  
5   assistant.

6                   Why don't you stand up just for the  
7   benefit of the people here. Welcome aboard. We are  
8   excited that you are with us.

9                   We have also one request to speak,  
10   Laura Harmon, Senior Counsel of the Illinois Farm  
11   Bureau, regarding Docket No. 15-0278.

12                   Ms. Harmon, are you with us?

13           MS. HARMON:   Appearing by phone, yes, I am. I am  
14   sorry. Yes, I am.

15           CHAIRMAN SHEAHAN: Thank you. You may proceed.

16           MS. HARMON:   Good morning. My name is Laura  
17   Harmon and I'm the Senior Counsel for the Illinois  
18   Farm Bureau.

19                   On May 18th, the Illinois Farm Bureau  
20   and several other intervenors filed motions before  
21   this Commission seeking to dismiss Grain Belt  
22   Express' application for a certificate under

1 Section 8-406.1 that Grain Belt Express is not a  
2 public utility and not qualified to use the  
3 expedited review process.

4 What we are asking the Commission to  
5 do is to apply the law under 406.1 as clearly  
6 written. This is a legal issue of first impression.  
7 It is a jurisdictional and threshold issue, and this  
8 issue is not a technicality.

9 In 2010 the legislature amended the  
10 Public Utility Act to provide for a new special  
11 process for public utilities to seek expedited  
12 review for new high-voltage transmission line  
13 projects. Since 2010, 406.1 has been used solely by  
14 public utilities.

15 Grain Belt Express is the first  
16 applicant that is not a public utility seeking to  
17 use the expedited review process. To be clear, this  
18 Commission has never allowed a newly-formed new  
19 market entrant that's not a public utility to  
20 utilize the expedited review process.

21 406.1, which is the expedited review  
22 process, is not a replacement option or the same as

1 the review process provided for under the Public  
2 Utility Act under Section 406A and B. Again, 406.1  
3 is not 406A, nor a review process under a truncated  
4 time schedule.

5 As Staff and the Administrative Law  
6 Judge pointed out to the Commission, both the  
7 language, the process and also the authority granted  
8 under 406.1 versus 406A is different.

9 The issue and the language that's  
10 before this Commission is under 406.1 is a  
11 non-public utility may apply for a certificate under  
12 this section. The legislature clearly and expressly  
13 limited the use of this threshold expedited review  
14 process to a public utility as being qualified to  
15 use a special process is not in our concept.

16 Grain Belt Express compared this case  
17 to Rock Island Clean Line; however, this is not Rock  
18 Island Clean Line which this Commission decided in  
19 Docket 12-0560. Rock Island Clean Line is the first  
20 commercial line project filed before the Commission  
21 by the same parent company.

22 Rock Island Clean Line filed under

1 406, and, as the Staff and the Administrative Law  
2 Judge have pointed out to this Commission, 406.1  
3 contains no provisions under which a non-public  
4 utility may request and be granted authority to  
5 transact business as a public utility.

6           The second important distinction  
7 between 406.1 and 406 is that the award of authority  
8 under 406.1 can compel this Commission to enter an  
9 Order under Section 503 which authorizes or directs  
10 the construction of a high-voltage transmission  
11 line.

12           In essence, 503 is a fast track to  
13 granting eminent domain authority and, as this  
14 Commission is well aware in considering granting 503  
15 authority to Rock Island Clean Line, which is a  
16 similar project filed by the same parent company,  
17 the same business plan, and considering whether to  
18 grant 503 authority, this Commission did not grant  
19 503 authority to Rock Island Clean Line and still  
20 has not granted 503 authority to Rock Island Clean  
21 Line; thus, if this Commission grants an Order under  
22 406.1 to Grain Belt Express, it will be compelled to

1 grant an Order which it refused to grant and has not  
2 granted to Rock Island Clean Line.

3 Grain Belt Express will not be  
4 prejudiced by granting the motion in the proceeding  
5 as recommended by the Administrative Law Judge.  
6 Based upon the latest round of testimony that was  
7 recently filed in this case will create at least an  
8 additional round of testimony which traditionally  
9 occur at the normal review process.

10 This Commission's ruling on June 16th  
11 is contrary to the clear and plain language of the  
12 statute, the legislative history, the 406.1 and  
13 Commission precedent. It's not in its best interest  
14 to create public issues that, in effect, could force  
15 us to re-litigate this entire proceeding.

16 On behalf of the Illinois Farm Bureau,  
17 we respectfully request that you grant a motion to  
18 allow this case to proceed as recommended by the  
19 Administrative Law Judge. Thank you.

20 CHAIRMAN SHEAHAN: Thank you, Ms. Harmon.

21 We will now move into our Regular  
22 Public Utility Agenda. There are edits to the

1 Minutes of our June 24th and July 8th 2015 Public  
2 Utility Bench Session Minutes.

3 Are there any objections to approving  
4 of the minutes of the 24th and 8th as amended?

5 (No response.)

6 Hearing none, the minutes as edited  
7 are approved.

8 Moving onto our Electric Agenda, Item  
9 E-1 concerns ComEd's provisions to the Basic  
10 Electric Service Hourly Pricing Rate and Purchased  
11 Electricity Rider.

12 Are there any objections to not  
13 suspending the filing?

14 (No response.)

15 Hearing none, the filing is not  
16 suspended.

17 Item E-2 concerns ComEd's filing to  
18 cancel its 2014 Refund Application Mechanism Rider.

19 Are there any objections to not  
20 suspending the filing?

21 (No response.)

22 Hearing none, the filing is not



1 suspended.

2                   Item E-3 concerns revisions to ComEd's  
3 Treatment of Underground Cable Service for certain  
4 residential customers.

5                   Commissioner McCabe, I believe you  
6 have some questions.

7           COMMISSIONER McCABE: Yes. Good morning, Scott.

8           MR. STRUCK: Good morning.

9           COMMISSIONER McCABE: I wondered whether you or  
10 the analysts had an overview of the current way that  
11 non-standard underground service is handled.

12           MR. STRUCK: Sure. What ComEd proposes to do  
13 here is to change the way it handles replacing  
14 underground service cable in excess of a hundred  
15 feet that's divided for standard service.

16                   What's behind this is that ComEd began  
17 installing conventional underground service about  
18 50 years ago that was starting to reach the end of  
19 its service life and it appears a situation where  
20 most of the reconnections are underground and  
21 overhead.

22                   The way this works is ComEd currently

1 provides up to a hundred feet of underground service  
2 cable to a residential customer as standard service.  
3 Anything in excess of that, the customer use for  
4 utility installation.

5 The company currently also seeks to  
6 recover the cost to replace the cable, the  
7 non-standard portion of the individual residential  
8 customer, when that cable reaches the end of its  
9 useful life.

10 What ComEd proposes to do with this  
11 filing is to revise the treatment of this  
12 residential underground service cable so that while  
13 the customer was looking to repay the cost of the  
14 initial installation at the time it was installed,  
15 the company will then maintain to replace that cable  
16 as part of its provisional standard service.

17 In other words, the company would  
18 still seek to recover the initial cost of the  
19 installation from the customer at that premise but  
20 then replace the cable, and any maintenance costs  
21 involved, the company would treat that as  
22 outstanding rather than standard service rather than

1 charging the individual customer.

2                   The company's reasoning is that  
3 typically due to a long service life of the cable,  
4 the current residential customer is unaware that  
5 there's a cost to replace the non-standard portion  
6 and generally is not prepared to pay that cost, and  
7 in some cases those costs can be significant, and  
8 then at the time the customer is not able to pay the  
9 replacement, the company's left with costly  
10 maintenance, increasing unreliable cable subject to  
11 defects because it's beyond its life.

12                   In addition, also sometimes in the  
13 case of a fault situation when they go out to do the  
14 repairs, it's difficult to distinguish between how  
15 much of that relates to the standard portion and how  
16 much relates to the non-standard portion.

17                   Another observation would be that even  
18 if the company's proposal of the initial customer  
19 who makes the decision to request the non-standard  
20 service causes the cost to be incurred paying for  
21 that service, that would change the company's  
22 proposal.

1                   The reason they give for it, just as  
2   an overview context, ComEd estimates it has  
3   approximately 2000 residential customers with  
4   non-standard underground cable, and that would be  
5   about 2000 residential customers out of about  
6   3 1/2 million.

7           COMMISSIONER McCABE:   Thank you.

8                   Do we have any -- do we know the  
9   number of customers?  Do we have any sense of what  
10  the costs?

11          MR. STRUCK:  Yes.  In about approximately the  
12  last year or so ComEd has had 12 customers who have  
13  had a cable fault situation and it cost ComEd about  
14  \$42,000 to go out and repair those fault situations.  
15  An estimate of the cost to replace the cable for  
16  each of those 12 customers is estimated about \$2,000  
17  of replacement for a total of 120,000 for all 12.

18          COMMISSIONER McCABE:  Thank you.  And could we  
19  see a similar tariff in the future for overhead  
20  lines?

21          MR. STRUCK:  I think that's a possibility, and my  
22  understanding is that ComEd is not willing to pursue

1 that at least at this time. I think a couple of  
2 things behind that is that the cost for the  
3 underground service is a lot more exclusive as far  
4 as the cost of the components and the cost of the  
5 installation, and also I think there's additional  
6 complications with above ground wires on the  
7 customer's premises and locating those in relation  
8 to trees and other things that complicates above  
9 ground that aren't there with underground at this  
10 point.

11 COMMISSIONER McCABE: Thank you very much.

12 CHAIRMAN SHEAHAN: Is there a motion to not  
13 suspend the filing?

14 COMMISSIONER ROSALES: So moved.

15 CHAIRMAN SHEAHAN: Is there a second?

16 COMMISSIONER McCABE: Seconded.

17 CHAIRMAN SHEAHAN: All those in favor of not  
18 suspending the filing, say aye.

19 (Chorus of ayes.)

20 Opposed, say nay.

21 (No response.)

22 The ayes have it and the filing is not

1 suspended.

2 Item E-4 concerns an Order initiating  
3 a proceeding against Sperian Energy Corp., an ARES,  
4 to show cause as to why the Commission should not  
5 revoke its certificate for alleged violations of the  
6 Public Utilities Act and its obligations as a Retail  
7 Electric Supplier.

8 Commissioner Del Valle, I believe you  
9 have a statement.

10 COMMISSIONER DEL VALLE: Yes. Thank you,  
11 Mr. Chairman, just a very brief statement.

12 This proceeding before us is neither  
13 the first nor I assume the last time we'll need to  
14 investigate an ARES for their marketing practices.  
15 This is the third ARES before the Commission in 2015  
16 previously addressed by our Consumer Services  
17 Division now at the Commission.

18 I'm deeply concerned this is the sign  
19 of what may be a systematic problem in our retail  
20 market, and if that is the case, it begs the  
21 question what is it going to take to put a stop to  
22 this behavior in our retail market.

1 Thank you, Mr. Chairman.

2 CHAIRMAN SHEAHAN: Thank you. Are there any  
3 objections to approving the proposed Order.

4 Hearing none, the Order is approved.

5 Item E-5 concerns a citation filed  
6 against Aurora Energy for failure to maintain its  
7 status as an agent, broker, or consultant in  
8 Illinois.

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

11 (No response.)

12 Hearing none, the Order is approved.

13 Item E-6 concerns Ameren's Petition  
14 for Approval of the Fourth Amended Utility Money  
15 Pool Agreement.

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

18 (No response.)

19 Hearing none, the Order is approved.

20 Item E-7 concerns Ameren's motion to  
21 withdraw its Petition for Approval of the Fourth  
22 Amended Utility Money Pool Agreement.

1                   Are there any objections to approving  
2 the motion to withdraw?

3   (No response.)

4                   Hearing none, the motion to withdraw  
5 its petition is granted.

6                   The disposition of Item E-8 will be  
7 postponed to a future meeting.

8                   Item E-9 concerns an Investigation of  
9 ComEd's Supply Rate Subsidies for Non-residential  
10 Space Heat and Lighting Customers.

11                   Are there any objections to approving  
12 the proposed Order dismissing the proceeding?

13   (No response.)

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

16                   Item E-10 involves a complaint filed  
17 against ComEd regarding billing in Cherry Valley,  
18 Illinois.

19                   Commissioner Del Valle, you have some  
20 questions on this?

21           COMMISSIONER DEL VALLE: Yes, Mr. Chairman, I  
22 have a few procedural questions about stipulated



1 agreements between residential complainants and  
2 retailers.

3 JUDGE HILLIARD: I misunderstood. I thought this  
4 was another case.

5 CHAIRMAN SHEAHAN: Ethan, who's the judge on  
6 this?

7 JUDGE KIMBREL: Jessica Cardoni. She was  
8 handling it.

9 CHAIRMAN SHEAHAN: Yes, she just had a baby.

10 JUDGE KIMBREL: Yes. She sent me a text message  
11 30 minutes after she had the baby and said that she  
12 would do anything to avoid questions.

13 (laughter.)

14 CHAIRMAN SHEAHAN: Do we have another judge?

15 JUDGE KIMBREL: No. It was originally my docket  
16 and it was reassigned to her, but I'm prepared to  
17 answer.

18 COMMISSIONER DEL VALLE: I think these are  
19 general questions.

20 JUDGE KIMBREL: I was shocked. I didn't know  
21 what was going on when Judge Hilliard came.

22 COMMISSIONER DEL VALLE: Thank you. When a

1 customer is in a formal complaint procedure before  
2 the Commission and the utility approaches them to  
3 settle, what role, if any, does Staff or the ALJs  
4 have in those conversations and who usually  
5 initiates the settlement discussions? Do you know?

6 JUDGE KIMBREL: Yes. Staff is not normally  
7 involved in the formal complaint process and they  
8 certainly wouldn't provide any legal advice, the  
9 same with the ALJ. The ALJ would explain to them --  
10 to the parties. They would try and help the parties  
11 meet on common ground so that eventually they could  
12 settle, if at all possible, but these conversations  
13 would probably be initiated by the utility.

14 COMMISSIONER DEL VALLE: So for residential  
15 customers who may have limited knowledge on how all  
16 of this works, and I guess it is most customers who  
17 are also without legal representation, because of  
18 the cost or otherwise, does anyone on the Commission  
19 Staff discuss or explain the settlement process to  
20 the customer at any stage between the first contact  
21 with the formal complaint through to the joint  
22 dismissal? Is it clear to the customer that they

1 will be on their own during that process?

2 JUDGE KIMBREL: It's certainly clear to the  
3 complainant that they would be on their own if they  
4 showed up without counsel, and this process would be  
5 thoroughly explained to them by the ALJ from the  
6 initial hearing -- prior to the initial status right  
7 before the ALJ would introduce the parties and leave  
8 them in the room to hopefully discuss the issues and  
9 find some basis to settle if at all possible.

10 COMMISSIONER DEL VALLE: So that explanation  
11 includes what a stipulated agreement is?

12 JUDGE KIMBREL: Normally that would come at the  
13 end. If they come to a settlement, then the parties  
14 would -- I think the counsel for the utility would  
15 explain to the complainant what exactly they're  
16 signing and then the ALJ will follow up and also  
17 explain to them what exactly they signed and that  
18 they were agreeing to dismiss the case.

19 COMMISSIONER DEL VALLE: So the ALJ follows up?

20 JUDGE KIMBREL: Say that again.

21 COMMISSIONER DEL VALLE: The ALJ follows up?

22 It's not just from the utility's lawyer?

1 JUDGE KIMBREL: No. No.

2 COMMISSIONER DEL VALLE: Do the ALJs ask for or  
3 require confirmation of an executed settlement  
4 agreement before the proposal to dismiss the case?

5 JUDGE KIMBREL: No. The ALJs simply are waiting  
6 for the motion to dismiss along with the joint  
7 stipulation but not the actual agreement, no.

8 COMMISSIONER DEL VALLE: For those where the  
9 executed settlement is not presented, on what basis  
10 does the ALJ determine, other than the contents of  
11 the motion to dismiss, that the parties have  
12 resolved their differences? Are there copies of  
13 settlement agreements retained by the Commission in  
14 some form?

15 JUDGE KIMBREL: No. The copies of the agreement  
16 are not. What we do, if the motion is in the joint  
17 stipulation, that's what the ALJ is waiting for.  
18 Once the parties say they agree and once we see  
19 that's been filed on e-docket, and that's when we  
20 present the matter to the Commission.

21 COMMISSIONER DEL VALLE: Thank you.

22 CHAIRMAN SHEAHAN: Is the joint stipulation

1 signed by both parties?

2 JUDGE KIMBREL: Yes.

3 CHAIRMAN SHEAHAN: Are there any other questions?

4 (No response.)

5 Are there any objections to approving  
6 the proposed Order granting ComEd's motion to  
7 dismiss?

8 (No response.)

9 Hearing none, the proposed Order is  
10 approved and the complaint is dismissed.

11 Item E-11 involves a proceeding to  
12 approve a Community Solar Pilot Program utilizing  
13 Virtual Net Metering in the service territory of  
14 ComEd.

15 I believe Commissioner Del Valle would  
16 like to make a statement then propose an edit.

17 COMMISSIONER DEL VALLE: Thank you, Mr. Chairman.

18 While I'm assuming this will not be  
19 adopted, I would like to proceed with my edits. It  
20 doesn't change the Order's conclusion but the edits  
21 direct Staff to conduct informal workshops to  
22 evaluate ComEd's consideration of the community

1 Solar Program as required under Section 16-107.5;  
2 whereas, the Order without my edits leaves the  
3 question of ComEd's consideration and the merits of  
4 its conclusion in the dark, my edits would shine  
5 light on the process to ensure that ComEd has taken  
6 its obligation seriously and ensures that the  
7 consideration is done in a manner that provides for  
8 accountability and transparency in the process.

9 Virtual Net Metering and Community  
10 Solar Pilot are programs that promise significant  
11 benefits to ratepayers who participate as well as to  
12 the environment in Illinois.

13 So let's get going. We cannot let  
14 maneuvering get in the way of progress. We must  
15 move forward without delay so that the ratepayers  
16 can move quickly to enjoy what I feel is inevitable.  
17 We can talk about this a bit in the future, and the  
18 future is now. ComEd's obligation to consider such  
19 promising programs under the law should be done in  
20 transparency, and that's what my edit accomplishes.

21 CHAIRMAN SHEAHAN: Any seconds?

22 (No response.)

1                   There is no second and the motion  
2 fails for lack of a second.

3                   I move to approve the proposed Order  
4 granting ComEd's Motion to Dismiss.

5                   Is there a second to that motion?

6           COMMISSIONER ROSALES:   Seconded.

7           CHAIRMAN SHEAHAN:   Is there any discussion?

8                                   (No response.)

9                   All those in favor of approving the  
10 proposed Order, say aye.

11                                   (No response.)

12                   Opposed, say nay.

13           COMMISSIONER DEL VALLE:   Nay.

14           CHAIRMAN SHEAHAN:   The vote is 4 to 1 and the  
15 Order is approved.

16                   E-12 involves a complaint filed  
17 against ComEd regarding billing in Darien, Illinois.

18                   Is there any objection to granting the  
19 parties joint motion to dismiss?

20                                   (No response.)

21                   Hearing none, the motion is granted  
22 and the complaint is dismissed.

1                   Item E-13 concerns Nordic Energy  
2 Services' Petition for the Confidential Treatment of  
3 its Part 451 Compliance Report.

4                   Are there any objections to approving  
5 the proposed Order?

6   (No response.)

7                   Hearing none, the Order is approved.

8                   Item E-14 concerns Ameren  
9 Transmission's petition for approval to exercise  
10 eminent domain over certain properties involving its  
11 Illinois Rivers Project.

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

14   (No response.)

15                   Hearing none, the Order is approved.

16                   Items E-15 and 16 concern joint  
17 petitions seeking approval of the release of  
18 commercial customers pursuant to Sections 2 and 6 of  
19 the Electric Supplier Act.

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



1 (No response.)

2 Hearing none, the Orders are approved.

3 Item E-17 involves the approval of  
4 ComEd's reconciliation of revenues collected under  
5 its Environmental Cost Recovery Adjustment Rider.

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

8 (No response.)

9 Hearing none, the Order is approved.

10 Item E-18 involves an application  
11 requesting a Certificate of Service Authority as an  
12 Installer of Distributed Generation Facilities under  
13 the Public Utilities Act.

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

16 (No response.)

17 Hearing none, the Order is approved.

18 Item E-19 involves a petition filed by  
19 the Illinois Department of Transportation for  
20 approval to exercise eminent domain over certain  
21 properties owned by ComEd in Cook County.

22 Are there any objections to approving

1 the proposed Order?

2 (No response.)

3 Hearing none, the Order is approved.

4 Item E-20 involves three Motions for  
5 Reconsideration regarding Clean Line's Grain Belt  
6 Transmission Project.

7 I move that we deny all of the Motions  
8 to Reconsider.

9 Is there a second?

10 COMMISSIONER ROSALES: Seconded.

11 CHAIRMAN SHEAHAN: Is there any discussion?

12 (No response.)

13 All those in favor, say aye.

14 (Chorus of ayes.)

15 Opposed, say nay.

16 COMMISSIONER DEL VALLE: Nay.

17 CHAIRMAN SHEAHAN: The vote is 3 to 2 and the  
18 Motions to Reconsider are denied.

19 Item G-1 concerns Ameren's filing to  
20 clarify its natural gas tariffs and conditions to  
21 comply with its Code Part 280 Implementation Plan.

22 Is there any objection to suspending

1 the filing?

2 (No response.)

3 Hearing none, the filing is suspended.

4 Item G-2 involves Nicor Advanced  
5 Energy's motion to withdraw its Request for the  
6 Confidential Treatment of its 2011 Dekatherm Report.

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

9 (No response.)

10 Hearing none, the Order is approved.

11 Item G-3 involves Nicor's  
12 Reconciliation of Revenues collected under its  
13 Energy Efficiency and On-Bill Financing Programs.

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

16 (No response.)

17 Hearing none, the Order is approved.

18 Item G-4 involves a complaint against  
19 Nicor as to billing charges in Lyons, Illinois.

20 Are there any objections to approving  
21 the proposed Order and dismissing the complaint?

22 (No response.)

1                   Hearing none, the Order is approved  
2 and the complaint is dismissed.

3                   Item G-5 involves Liberty Utility's  
4 Application for a Certificate of Public Convenience  
5 and Necessity of provide natural gas service in  
6 Williamson County, Illinois.

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

9   (No response.)

10                   Hearing none, the Order is approved.

11                   Item G-6 involves a complaint against  
12 Hudson Energy Services as to overbilling in  
13 Westmont, Illinois.

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

16   (No response.)

17                   Hearing none, the Order is approved  
18 and the complaint is dismissed.

19                   Item G-7 involves a complaint filed  
20 against Spark Energy regarding unauthorized charges  
21 in Chicago.

22                   Are there any objections to granting

1 the parties' joint motion to dismiss?

2 Hearing none, the motion is granted  
3 and the complaint is dismissed.

4 Moving onto our Telecommunications  
5 Agenda, Item T-1 concerns VanCo's Application for a  
6 Certificate of Authority to Operate as a Reseller of  
7 Long Distance and Local Exchange Telecommunications  
8 in the State of Illinois.

9 Is there a motion to dismiss the  
10 proceeding?

11 COMMISSIONER ROSALES: So moved.

12 CHAIRMAN SHEAHAN: Is there a second?

13 COMMISSIONER McCABE: 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 and the motion is  
19 dismissed and the petition is granted.

20 Item T-2 involves Frontier  
21 Communication's request for termination of certain  
22 conditions imposed pursuant to the Commission's

1 final Order in the proceeding.

2 Are there any objections to approving  
3 the proposed Order granting the requested relief?

4 (No response.)

5 Hearing none, the Order is approved.

6 Item T-3 is Linkup Telecom's motion to  
7 withdraw its Application for Designation as an  
8 Eligible Telecommunications Carrier in the State of  
9 Illinois.

10 Are there any objections to granting  
11 its motion to withdraw.

12 Hearing none, the Order is approved.

13 Item T-4 is Cypress Communication's  
14 Petition for Decertification and Discontinuation of  
15 Services in Illinois.

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

18 (No response.)

19 Hearing none, the Order is approved.

20 Items T-5 and T-6 concerns  
21 Applications for Certificates of Local and  
22 Interexchange Authority to Operate as Resellers of

1 Facilities-Based Carriers of Telecommunications  
2 Services throughout Illinois.

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

6 (No response.)

7 Hearing none, the Orders are entered.

8 Moving onto our Water and Sewer  
9 Agenda, Item W-1 concerns Del-Mar Water Company's  
10 Petition for the Approval of its Annual  
11 Reconciliation for and the resulting change in its  
12 surcharge for purchased water.

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

15 (No response.)

16 Hearing none, the Order is approved.

17 Item W-2 concerns Aqua Illinois'  
18 Petition requesting a Certificate of Public  
19 Convenience and Necessity to Operate a Water  
20 Distribution System; Approval of an Asset Purchase  
21 Agreement with the Village of Norridge; and the  
22 Approval of Rate, Accounting entries and

1 Depreciation.

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

4 (No response.)

5 Hearing none, the Order is approved.

6 Item W-3 concerns Aqua Illinois' and  
7 the Attorney General's requests for Oral Argument  
8 regarding Approval of Amendments to the Commission's  
9 Part 656 Qualifying Plant Surcharge.

10 Is there a motion to deny the requests  
11 for Oral Argument?

12 COMMISSIONER ROSALES: So moved.

13 CHAIRMAN SHEAHAN: Is there a second?

14 COMMISSIONER McCABE: Seconded.

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

16 (Chorus of ayes.)

17 Opposed, say nay.

18 (No response.)

19 The ayes have it and the requests are  
20 denied.

21 Item W-4 concerns Aqua Illinois'  
22 Petition for Approval of an Asset Purchase



1 Agreement, Issuance of a Certificate of Public  
2 Convenience and Necessity to Operate a Water System,  
3 and for the Issuance of an Order Approving Rates,  
4 Accounting Entries and Tariff Language.

5 Are there any objections to entering  
6 the Interim Order?

7 (No response.)

8 Hearing none, the Interim Order is  
9 approved.

10 Moving onto our Petitions for  
11 Rehearing section of our agenda, PR-1 concerns a  
12 Complaint filed against North Shore Gas Company as  
13 to billing in Riverwoods, Illinois.

14 Are there any objections to denying  
15 the application request for rehearing?

16 (No response.)

17 Hearing none, the Application request  
18 for rehearing is denied.

19 Moving onto other business, we have an  
20 item on our agenda concerning ICC's Reply Comments  
21 in FERC Docket Nos. EL15-70, 71 and 72 regarding  
22 various complaints as to MISO's 2015-2016 capacity



1                   We are back in open session, so let's  
2   open the doors.

3           MR. VANDER LAAN:   Excuse me, sir.  You didn't  
4   vote on the MISO comments.

5           CHAIRMAN SHEAHAN:  We can't do that in closed  
6   session, Bill, so we are going to do that right now.

7           MR. VANDER LAAN:  Very good.  Thank you.

8                               (Whereupon, the following  
9                               proceedings commenced in  
10                              open session.)

11          CHAIRMAN SHEAHAN:  So we have been in closed  
12   session.  We have been discussing the two FERC  
13   docket items that I mentioned, actually several FERC  
14   docket items.

15                   I would like to entertain a motion to  
16   approve the ICC's reply comments regarding various  
17   complaints as to MISO's capacity auction results.

18          COMMISSIONER ROSALES:  So moved.

19          CHAIRMAN SHEAHAN:  Is there a second?

20          COMMISSIONER McCABE:  Seconded.

21          CHAIRMAN SHEAHAN:  Any discussion?

22                               (No response.)

1 All those in favor of approving the  
2 reply comments, say aye.

3 (Chorus of ayes.)

4 Opposed, say nay.

5 (No response.)

6 The ayes have it. The comments are  
7 approved.

8 Judge Kimbrel, do we have any other  
9 items for consideration this morning?

10 JUDGE KIMBREL: No, Mr. Chairman. That's all.

11 CHAIRMAN SHEAHAN: Commissioners, do we have any  
12 other items of business to discuss?

13 (No response.)

14 I'm hearing none, the meeting is  
15 adjourned. Thank you.

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

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