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BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH (OPEN) SESSION
(PUBLIC UTILITY)
Tuesday, August 12, 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

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

4 MR. MATRISCH: Yes.

5 CHAIRMAN SHEAHAN: Pursuant to the Open Meetings
6 Act, I call the August 12, 2015 Bench Session of the
7 Illinois Commerce Commission to order.

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

12 Commissioner Maye, are you with us?

13 CHIEF CLERK: I'm not sure if she is on the line
14 yet.

15 CHAIRMAN SHEAHAN: Let's proceed without her and
16 then when she joins we will have a vote to allow her
17 participation.

18 We have no requests to speak and we
19 will, therefore, move into our Regular
20 Transportation Agenda.

21 There are several non-substantive
22 edits to the Minutes of our July 8th --

1 (Brief interruption.)

2 Commissioner Maye, is that you?

3 COMMISSIONER MAYE: That's me. Sorry about that.

4 CHAIRMAN SHEAHAN: No worries.

5 I would like to move to allow
6 Commissioner Maye to participate by phone. Is there
7 a second?

8 COMMISSIONER ROSALES: Seconded.

9 CHAIRMAN SHEAHAN: Is there discussion?

10 (No response.)

11 All those in favor, say aye.

12 (Chorus of ayes.)

13 Any opposed, say nay.

14 (No response.)

15 The ayes have it and Commissioner Maye
16 is granted permission to participate by phone.

17 Moving onto our Public Utility Agenda,
18 we have no minutes to approve.

19 Item E-1 concerns MidAmerican's
20 Modification to its Qualifying Facility,
21 Cogeneration and Small Power Production Facilities
22 Rate.

1 Is there any objection to not
2 suspending the filing?

3 (No response.)

4 Hearing none, the filing is not
5 suspended.

6 Item E-2 concerns a Modification to
7 ComEd's Energy Efficiency and Demand Response
8 Adjustments Rider.

9 Is there any objection to not
10 suspending the filing?

11 (No response.)

12 Hearing none, the filing is not
13 suspended.

14 Item E-3 concerns Modifications to
15 Ameren's Utility Consolidated Billing and Purchase
16 of Receivables Internal Audits.

17 Is there any objection to not
18 suspending the filing?

19 (No response.)

20 Hearing none, the filing is not
21 suspended.

22 Item E-4 concerns a billing

1 complaint filed against ComEd. I believe
2 Commissioner del Valle has a statement to make
3 regarding this item.

4 COMMISSIONER del VALLE: Yes. Thank you,
5 Mr. Chairman.

6 These customers were wrongfully billed
7 in their incorrect weight classification for over
8 15 years. They only discovered this error in 2007.

9 By 2009, they had initiated a formal
10 complaint when they filed the complaint here,
11 because it was filed two months too late, Section
12 9-252 of the PUA and Section 9-252.1, having two
13 years statute of limitations for consumer
14 complaints; however, for any other contract for
15 service you have written agreements providing a 5
16 year to 10-year Statute of Limitations respectfully.

17 It does not make any sense that
18 customers of a utility have a shorter window to seek
19 restitution.

20 I will be voting no on this Order, but
21 I also want to encourage our Staff, our legislative
22 folks and our policy folks to explore putting

1 together and suggesting legislation that will
2 address this because an Order changing it, of
3 course, would be an amendment to the statute. Thank
4 you.

5 CHAIRMAN SHEAHAN: Thank you, Commissioner.

6 Is there a motion to approve the
7 proposed Order?

8 COMMISSIONER McCABE: So moved.

9 CHAIRMAN SHEAHAN: Is there a second?

10 COMMISSIONER ROSALES: Seconded.

11 CHAIRMAN SHEAHAN: Is there any further
12 discussion?

13 (No response.)

14 All those in favor of approving the
15 proposed Order, say aye.

16 COMMISSIONER ROSALES: Aye.

17 CHAIRMAN SHEAHAN: Aye.

18 COMMISSIONER McCABE: Aye.

19 CHAIRMAN SHEAHAN: Opposed, say nay.

20 COMMISSIONER del VALLE: Nay.

21 CHAIRMAN SHEAHAN: The ayes have it and the
22 motion approving the proposed Order dismissing the

1 complaint is granted.

2 Item E-5 concerns ComEd's petition to
3 determine the applicability of Section 6-125(e)
4 liability to events caused by the June 10, 2010
5 storm.

6 Is there any objection to approving
7 the proposed Order?

8 (No response.)

9 Hearing none, the Order is approved
10 and the Motion to Dismiss is granted.

11 Item E-6 is a complaint filed against
12 ComEd as to non-emergency vegetation management
13 activities in Bolingbrook, Illinois.

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

16 (No response.)

17 Hearing none, the Order is approved
18 and the Motion to Dismiss is granted.

19 Item E-7 concerns a complaint filed
20 against Starion Energy regarding a refund request.

21 Is there any objection to granting the
22 parties' Joint Motion to Dismiss?

1 (No response.)

2 Hearing none, the Motion to Dismiss is
3 granted and the complaint is dismissed.

4 Item E-8 concerns TERM Power's
5 petition for the Confidentiality Treatment of its
6 Part 451 Compliance Report.

7 Are there any objections approving the
8 proposed Order?

9 (No response.)

10 Hearing none, the Order is approved.

11 Item E-9 involves Synergy Renewable
12 System's Application Requesting a Certificate of
13 Service Authority as an Installer of Distributed
14 Generation Facilities under the Public Utilities
15 Act.

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

18 (No response.)

19 Hearing none, the Order is approved.

20 Moving onto our Gas Agenda, Item G-1
21 involves Illinois Gas Company's Reconciliation of
22 Revenues Collected under its Gas Adjustment Charges

1 with Actual Costs Prudently Incurred.

2 Is there any objection to approving
3 the proposed Order?

4 (No response.)

5 Hearing none, the Order is approved.

6 Items G-2 and 3 involve the Approval
7 of Agreed Penalties for Violations of the Illinois
8 Gas Pipeline Safety Act.

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

12 (No response.)

13 Hearing none, the Orders are approved.

14 Item T-1 concerns Frontier's Petition
15 for the Confidential Treatment of its Annual
16 Interconnection Report.

17 Is there any objection to approving
18 the proposed Order?

19 (No response.)

20 Hearing none, the Order is approved.

21 Item T-2 concerns Call One's
22 Application to Expand its existing Certificate of

1 Local and Interexchange Authority to Operate as a
2 Facilities-Based Carrier of Telecommunications
3 Services in the State of Illinois.

4 Is there any objection to approving
5 the proposed Order?

6 (No response.)

7 Hearing none, the Order is approved.

8 Item T-3 involves a complaint filed
9 against AT&T regarding charges in Chicago, Illinois.

10 Is there any objection to granting the
11 parties' Joint Motion to Dismiss?

12 (No response.)

13 Hearing none, the motion is granted
14 and the complaint is dismissed.

15 Item T-4 involves Universal Telephone
16 Assistance Corporation's Petition for Determination
17 of the Amount and Form of Supplemental Assistance to
18 be provided by Local Exchange Telecommunications
19 Carriers pursuant to the Illinois Administrative
20 Code.

21 Is there any objection to approving
22 the proposed Order?

1 (No response.)

2 Hearing none, the Order is approved.

3 Moving onto our Water and Sewage
4 Agenda, our consideration of Item W-1 will be
5 postponed to a future meeting.

6 Item W-2 concerns Aqua's Petition for
7 an Order and Certificate of Public Convenience and
8 Necessity pursuant to Section 8-406 of the Public
9 Utilities Act for the Authorization of Construction,
10 Operation, and Maintenance of a Water Transmission
11 Main Line in Will County, Illinois.

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

14 (No response.)

15 Hearing none, the Order is approved.

16 Item W-3 concerns Illinois-American
17 Water's Application for the Issuance of a
18 Certificate of Public Convenience and Necessity to
19 Provide Water Services to areas in La Salle and
20 Livingston Counties and for the Approval of the
21 Purchase of Certain Assets in the
22 Dana/LongPoint/Reading/Ancona Public Water District.

1 Is there any objection to entering the
2 Interim Order?

3 (No response.)

4 Hearing none, the Interim Order is
5 entered.

6 Moving onto the Petition for
7 Rehearing, Item PR-1 concerns Applications for
8 Rehearing filed by intervenors regarding the Merger
9 of Wisconsin Energy and Peoples Gas.

10 Is there a motion to deny the
11 Application for Rehearing?

12 COMMISSIONER McCABE: So moved.

13 CHAIRMAN SHEAHAN: Is there a second?

14 COMMISSIONER ROSALES: Seconded.

15 CHAIRMAN SHEAHAN: Any discussion?

16 (No response.)

17 All those in favor of denying the
18 Application for Rehearing, say aye.

19 COMMISSIONER McCABE: Aye.

20 COMMISSIONER ROSALES: Aye.

21 CHAIRMAN SHEAHAN: Aye.

22 Opposed, say nay.

1 COMMISSIONER del VALLE: Nay.

2 CHAIRMAN SHEAHAN: Commissioner Maye, did you
3 vote on this item?

4 (No response.)

5 Commissioner Maye.

6 (No response.)

7 We may have lost her. The vote is 3
8 to one and the Applications for Rehearing are
9 denied.

10 We have an item on our agenda
11 regarding ICC's Reply Comments in FERC Docket No.
12 ER10-1791-003. This item involves potential
13 litigation and so we will enter closed session for a
14 brief discussion.

15 Is there a motion to enter closed
16 session?

17 COMMISSIONER McCABE: So moved.

18 CHAIRMAN SHEAHAN: Is there a second?

19 COMMISSIONER MAYE: Mr. Chairman, I apologize.
20 This is Commissioner Maye. I am having a hard time
21 on this line today. This line is not working very
22 well.

1 I do also move to deny for the record.

2 CHAIRMAN SHEAHAN: Not too late.

3 For the record then, the vote is 4 to
4 one on Item PR-1 concerning the Application for
5 Rehearing. Thank you.

6 We are considering the motion to go
7 into closed session. All of those in favor, say
8 aye.

9 (Chorus of ayes.)

10 Opposed, say nay.

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12 (No response.)

13 We are in closed session -- we will
14 clear the room --

15 COMMISSIONER ROSALES: Mr. Chairman, I move to
16 second.

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1 CHAIRMAN SHEAHAN: Thank you -- for a very brief
2 discussion of this item in closed session and we
3 will come back in open session for action.

4 (Whereupon, Closed Session
5 commenced from Pages 10
6 to Page 14.)

7 We are back in open session.

8 Is there a motion to approve the ICC
9 Reply Comments regarding the Allocation of MISO
10 Multi-Value Project Costs to PJM?

11 COMMISSIONER McCABE: So moved.

12 CHAIRMAN SHEAHAN: Is there a second?

13 COMMISSIONER ROSALES: Seconded.

14 COMMISSIONER MAYE: Seconded.

15 CHAIRMAN SHEAHAN: All those in favor -- I should
16 ask if there's any discussion?

17 (No response.)

18 All those in favor of approving, say
19 aye.

20 (Chorus of ayes.)

21 Opposed, say nay.

22 (No response.)

1 The ayes have it and the comments are
2 approved.

3 Judge Kimbrel, are there any other
4 matters to come before the Commission today?

5 JUDGE KIMBREL: Nothing further, Mr. Chairman.

6 CHAIRMAN SHEAHAN: I have an item of other
7 business. On a personal note, I want to acknowledge
8 the passing of a dear friend to many of us who was
9 also a vital member of the energy community in
10 Illinois for many years. Leslie Koczur passed
11 unexpectedly this weekend at her home in Hinsdale.
12 I would ask you to keep Leslie and her family in
13 your thoughts and prayers.

14 Knowing Leslie well, she would not
15 want us to make a fuss, but perhaps some time soon
16 we can all get together and have a drink to
17 celebrate her life and positive impact on others
18 which I'm sure she would have enjoyed. Thank you.

19 If there's no other business, we will
20 stand adjourned.

21 (Whereupon, the above matter
22 was adjourned.)

