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BEFORE THE  
ILLINOIS COMMERCE COMMISSION  
REGULAR OPEN MEETING  
Wednesday, September 23, 2020  
Chicago, Illinois

Met pursuant to notice via videoconference  
at 1:30 p.m. at 160 North LaSalle Street, Chicago,  
Illinois.

PRESENT:

- CARRIE ZALEWSKI, Chairwoman
- D. ETHAN KIMBREL, Commissioner
- MICHAEL T. CARRIGAN, Commissioner
- SADZI M. OLIVA, Commissioner  
(via videoconference)
- MARIA S. BOCANEGRA, Commissioner  
(via videoconference)

BRIDGES COURT REPORTING  
BY: Stephen Mortensen,  
Notary Public

1 CHAIRWOMAN ZALEWSKI: Good afternoon,  
2 everybody. We are here in Chicago. We're in a  
3 conference room as we get our sound system updated  
4 in our main hearing room, so you may see a bit  
5 different setup.

6 I did confirm that Commissioner  
7 Bocanegra is on and can hear us and that  
8 Commissioner Oliva is on as well, and can hear us  
9 as well.

10 Commissioner Carrigan and Kimbrel  
11 are sitting next to me in Chicago.

12 Judge Teague-Kingsley, can you hear  
13 us?

14 JUDGE TEAGUE-KINGSLEY: Yes. I can, Madam  
15 Chairman.

16 CHAIRWOMAN ZALEWSKI: Great. Under the Open  
17 Meetings Act, in accordance with the governor's  
18 executive orders, I call the September 23, 2020,  
19 Regular Open Meeting to order.

20 Before we proceed, and for clarity  
21 of the record, I would ask everybody to state their  
22 name before speaking and to speak slowly and

1 clearly, so that the court reporter can capture  
2 everything that is said.

3 I already checked that all  
4 Commissioners are with us. So we have a quorum of  
5 five.

6 We have no request to speak under  
7 our Transportation Agenda.

8 There are no edits to the  
9 September 2, 2020, transportation Regular Open  
10 Meeting minutes.

11 Are there any objections to  
12 approving the minutes?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the  
15 minutes are approved.

16 Under our Railroad Items:

17 Item RR-1 concerns a public safety  
18 improvement project at a railway crossing. The  
19 order authorizes the project construction and  
20 approves project cost apportionment.

21 Are there any objections to  
22 approving the order?

1 (No verbal response.)

2 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
3 is approved.

4 Under our Motor Carrier Items:

5 Items MC-1 through MC-3 concern  
6 applications for renewal of Commercial Relocation  
7 Towing Licenses. The order finds that the  
8 applicants meet the requirements and grant the  
9 applications for renewal.

10 Are there any objections to  
11 considering these items together and approving the  
12 orders?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the  
15 orders are approved.

16 Item MC-4 concerns a Stipulated  
17 Settlement Agreement regarding alleged violations  
18 of the Illinois Commercial Transportation Law. The  
19 order accepts the Stipulated Agreement.

20 Are there any objections to  
21 approving the order?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
2 is approved.

3 Items MC-5 and MC-6 concern  
4 applications for new household goods property motor  
5 carrier authority. The orders grant the  
6 certificates of public convenience and necessity  
7 and find that the applicants meet the requirements.

8 Are there any objections to  
9 considering these items together and approving the  
10 orders?

11 (No verbal response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none, the  
13 orders are approved.

14 Item MC-7 concerns an application  
15 for renewal of an Operator Employment Permit to  
16 operate as a relocation tower. The order finds  
17 that the applicant is fit to hold the permit and  
18 grants the renewal.

19 Are there any objections to  
20 approving the order?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the order

1 is approved.

2 That concludes our Transportation  
3 Agenda.

4 Under our Public Utilities Agenda,  
5 there are edits to the September 2, 2020, Regular  
6 Open Meeting minutes. Are there any objections to  
7 approving the minutes as edited?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, the  
10 minutes are approved.

11 Under our Electric Items:

12 Item E-1 concerns Ameren's filing  
13 to initiate Rider Optional Electric Vehicle  
14 Charging Program -- or Rider EVCP. This Rider will  
15 implement and administer optional charging programs  
16 available to customers who adopt electric  
17 transportation technology in the Ameren service  
18 territory. The staff of the Commission recommends  
19 suspending the filing for a full hearing process to  
20 review and consider the filing. The order suspends  
21 the filing.

22 Are there any objections to

1 approving the order?

2 (No verbal response.)

3 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
4 is approved.

5 Item E-2 concerns Docket 18-1624,  
6 which is the City of Mascoutah's petition for  
7 authority to exercise the right of eminent domain  
8 to acquire easements across two parcels of land for  
9 the construction of a transmission line.

10 The order adopts staff's  
11 recommendation to deny the City's request for an  
12 authority to exercise the right of eminent domain.  
13 Staff determined that an alternate route could be  
14 used for Mascoutah's proposed electric line,  
15 eliminating the need for the use of eminent domain  
16 authority.

17 There are substantive edits to the  
18 order proposed by Commissioner Bocanegra's office  
19 that reorganize the order for clarity.

20 Are there any comments from  
21 Commissioners on the edits?

22 COMMISSIONER BOCANEGRA: Chair, this is

1 Commissioner Bocanegra. Thank you.

2 I just want to echo what you just  
3 said. The edits arrive at the same conclusion that  
4 the administrative law judge recommended, however,  
5 it just simply clarifies some of the statutory  
6 provisions, the factors, and some of the other  
7 considerations including good faith. But thank  
8 you.

9 CHAIRWOMAN ZALEWSKI: Thanks for the  
10 clarification.

11 Is there a motion to adopt the  
12 edits?

13 COMMISSIONER BOCANEGRA: Bocanegra. So  
14 moved.

15 CHAIRWOMAN ZALEWSKI: Is there a second?

16 COMMISSIONER CARRIGAN: Second.

17 CHAIRWOMAN ZALEWSKI: Are there any  
18 objections to approving the edits to the order?

19 (No verbal response.)

20 CHAIRWOMAN ZALEWSKI: Hearing none, the edits  
21 are approved.

22 Are there any objections to



1 approving the order as edited?

2 (No verbal response.)

3 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
4 is approved.

5 Item E-3 concerns Docket 19-1121,  
6 which is ComEd's proposed revisions to the Parallel  
7 -- or excuse me -- the Rider Parallel Operation of  
8 Retail Customer Generating Facilities Community  
9 Supply -- or Rider POGCS.

10 ComEd seeks to offer the following  
11 services to community solar providers: First,  
12 Enrollment Inquiry Facilitation Service. Second,  
13 Billing and Remittance Service. And Third, Project  
14 Administration Service.

15 On August 12, 2020, ComEd filed a  
16 Notice of Withdrawal of its proposed revisions to  
17 Rider POGCS, noting that it engaged in negotiations  
18 with some of the parties that may lead to a revised  
19 proposal. ELPC-VS filed an objection to the  
20 withdrawal on August 13, 2020, stating that it  
21 would be imprudent not to complete this proceeding.

22 The order denies approval of

1 ComEd's proposed revisions of Rider POGCS. The  
2 Commission finds that there is value in finishing  
3 the docket. The order finds that some of the  
4 proposed services could be beneficial to ratepayers  
5 and community solar providers, but ComEd's proposal  
6 provides insufficient details to evaluate proposed  
7 services and charges. The order finds that, as  
8 proposed, the revisions are not just and  
9 reasonable. The Commission encourages parties to  
10 continue discussions on the proposal to improve the  
11 customer experience with community solar and  
12 further the overall goal of the act to increase use  
13 of renewable energy.

14 First, I'm going to call a vote on  
15 ComEd's request to withdraw. If you are in favor  
16 of denying the request to withdraw, please say  
17 "Aye," and if you are opposed and you want to grant  
18 it, please say "Nay."

19 Commissioner Bocanegra?

20 COMMISSIONER BOCANEGRA: Bocanegra. Aye.

21 CHAIRWOMAN ZALEWSKI: Commissioner Carrigan?

22 COMMISSIONER CARRIGAN: Aye.

1 CHAIRWOMAN ZALEWSKI: Kimbrel?

2 COMMISSIONER KIMBREL: Aye.

3 CHAIRWOMAN ZALEWSKI: Commissioner Oliva?

4 COMMISSIONER OLIVA: Nay.

5 CHAIRWOMAN ZALEWSKI: I vote "Aye" as well,  
6 so the four ayes have it and the request to  
7 withdraw is denied.

8 Next, I will call a vote on the  
9 approval of the order. If you are in favor of  
10 approving the order, say "Aye," and if you are  
11 opposed, say "Nay."

12 Commissioner Bocanegra?

13 COMMISSIONER BOCANEGRA: Aye.

14 CHAIRWOMAN ZALEWSKI: Commissioner Carrigan?

15 COMMISSIONER CARRIGAN: Aye.

16 CHAIRWOMAN ZALEWSKI: Commissioner Kimbrel?

17 COMMISSIONER KIMBREL: Aye.

18 CHAIRWOMAN ZALEWSKI: Commissioner Oliva?

19 COMMISSIONER OLIVA: Nay.

20 CHAIRWOMAN ZALEWSKI: I vote "Aye," so the  
21 four ayes have it and the order is approved.

22 Items E-4 through E-11 concern

1 citations for a failure to comply with Part 454 of  
2 the Commission's Rules. In these proceedings,  
3 staff of the Commission determined that the  
4 companies are now in compliance with Part 454 and  
5 have motioned to dismiss the citations.

6 Are there objections to considering  
7 these items together in granting the motions to  
8 dismiss?

9 (No verbal response.)

10 CHAIRWOMAN ZALEWSKI: Hearing none, the  
11 motions are granted.

12 Item E-12 concerns Docket 20-0200,  
13 which is a complaint against ComEd regarding an  
14 infected light box and false tampering charges.  
15 Complainant has failed to appear at any of the  
16 hearings in this proceeding and ComEd has made an  
17 oral motion to dismiss. The order dismisses the  
18 proceeding without prejudice for want of  
19 prosecution.

20 Are there any objections to  
21 approving the order?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
2 is approved.

3 Item E-13 concerns interim order in  
4 Docket 20-0309 -- excuse me -- 0389, which is the  
5 Commission's investigation into Ameren's annual  
6 process and formula for calculating the value of  
7 distributed generation rebates. There is a dispute  
8 in this proceeding regarding whether the total  
9 generating capacity of Ameren's net metering  
10 customers has reached the statutorily defined 3%  
11 threshold. Therefore, the Commission finds that an  
12 investigation is warranted into whether ComEd's  
13 tariff Rider NM should be amended to comport with  
14 Section 16-107.5 of the Public Utilities Act. The  
15 Commission notes that this investigation should be  
16 done expeditiously. The interim order now directs  
17 staff to present the Commission with an order  
18 initiating an investigation as soon as practicable.

19 Are there any objections to  
20 improving -- excuse me -- to approving the interim  
21 order?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the  
2 interim order is approved.

3 Item E-14 concerns an application  
4 for certification to install distributed generation  
5 in Illinois. The order approves the certification,  
6 finding that the applicant meets the requirements.

7 Are there any objections to  
8 approving the order?

9 (No verbal response.)

10 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
11 is approved.

12 Item E-15 concerns a request for  
13 confidential treatment of a petitioner's reports.  
14 The order grants the protection, finding that the  
15 information is highly proprietary and confidential.

16 Are there any objections to  
17 approving the order?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
20 is approved.

21 Items E-16 through E-18 concern  
22 applications for certificates of service authority

1 to act as agents, brokers, and consultants in  
2 Illinois. The orders grant the certificates,  
3 finding that the applicants meet the requirements.

4 Are there any objections to  
5 considering these items together and approving the  
6 orders?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the  
9 orders are approved.

10 Item E-19 concerns MidAmerican's  
11 petition to enter into a contract with an  
12 affiliated interest to purchase wind power  
13 equipment. The staff of the Commission has  
14 reviewed this petition and recommends approval.  
15 The order grants the petition.

16 Are there any objections to  
17 approving the order?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
20 is approved.

21 Items E-20 and E-21 concern  
22 petitions to cancel certificates to install energy

1 efficiency measures. The petitioners no longer  
2 provide energy efficiency installation services in  
3 Illinois. The orders cancel the certificates.

4 Are there any objections to  
5 considering these items together and approving the  
6 orders?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the  
9 orders are approved.

10 Items E-22 through E-29 concern  
11 applications for Certifications to install Energy  
12 Efficiency Measures in Illinois. The orders grant  
13 the certificates, finding that the applicants meet  
14 the requirements.

15 Are there any objections to  
16 considering these items together and approving the  
17 orders?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the  
20 orders are approved.

21 Moving on to our Gas items:

22 Item G-1 concerns Nicor Gas'



1 petition to reconcile revenues under Rider 30.  
2 Nicor Gas recovers Energy Efficiency and on-bill  
3 financing program costs via Rider 30. The order  
4 approves the reconciliation, as set in the appendix  
5 to the order, finding that the costs during the  
6 reconciliation period were prudently incurred.

7 Are there any objections to  
8 approving the order?

9 (No verbal response.)

10 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
11 is approved.

12 Item G-2 concerns Docket 18-1092,  
13 which is the engineering review of the Peoples Gas  
14 iron and ductile iron pipeline system. On  
15 March 18, 2020, the Commission issued an order on  
16 reopening in this proceeding to consider, in  
17 compliance with its January 10, 2018, final order  
18 in Docket No. 16-0376 and its July 25, 2018,  
19 final order in this docket, a year-long study  
20 concerning Peoples Gas System Modernization  
21 Program, or SMP, performed by Kiefner and  
22 Associates, Inc. On July 31, 2020, Peoples Gas

1 filed Kiefner's final report as a compliance filing  
2 in this docket.

3 In its order on reopening, the  
4 Commission found that this proceeding should be  
5 reopened for the limited purpose of considering the  
6 recommendations of the final Kiefner report and to  
7 accommodate additional filings the Commission  
8 directed.

9 EDF/CUB and the Illinois Public  
10 Interest Research Group submitted comments on some  
11 of the recommendations and staff provided a staff  
12 report commenting on sufficiency of the Peoples Gas  
13 responses.

14 In this second order on reopening,  
15 the Commission directs Peoples Gas to implement the  
16 measures described in its response to the Kiefner's  
17 final report as modified by the staff  
18 recommendations contained in the staff report.  
19 Peoples Gas agrees with, or supports the majority  
20 of the final Kiefner report's recommendation. The  
21 Commission finds that, subject to the additional  
22 recommendations offered by staff, Peoples Gas will

1 adequately implement the recommendations.

2           The Commission finds that the most  
3 significant of Kiefner's recommendations is that  
4 Peoples Gas replace all cast iron and ductile iron  
5 pipes by 2030, which is ten years earlier than the  
6 current target date of 2040, that Peoples Gas  
7 considers reasonably achievable. The Commission  
8 agrees with Peoples Gas, that accelerating the SMP  
9 by ten years, as suggested by Kiefner, would lead  
10 to additional problems and costs for ratepayers,  
11 potentially doubling their current \$300 million per  
12 year spending.

13           Meanwhile, the Commission urges  
14 Peoples Gas to consider the EDF/CUB recommendation  
15 for incorporating a system-wide advanced leak  
16 detection using the result in Peoples Gas'  
17 prioritization methodology. The Commission also  
18 finds merit in Illinois PIRG's recommendation for  
19 reporting on updates on implementation of the  
20 recommendations of the Kiefner study.

21           Are there any objections to  
22 approving the order?

1 (No verbal response.)

2 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
3 is approved.

4 Item G-3 concerns  
5 Docket No. 20-0059, which is a complaint against  
6 Nicor Gas Company about billing charges.  
7 Complainant has failed to appear at any of the  
8 hearings in this proceeding and Nicor motioned to  
9 dismiss. The order dismisses the proceeding without  
10 prejudice for want of prosecution.

11 Are there any objections to  
12 approving the order?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
15 is approved.

16 Under our Telecommunications Items:  
17 Item T-1 concerns Sprint  
18 Communications' Petition on behalf of Nextel  
19 Partners to cancel Nextel Partners' Certificate of  
20 Service Authority due to merger of Nextel into  
21 Sprint. The order cancels the certificate, finding  
22 that the discontinuance of service will not deprive

1 customers of any necessary telecommunications  
2 service, and is not otherwise contrary to the  
3 public interest.

4 Are there any objections to  
5 approving the order?

6 (No verbal response.)

7 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
8 is approved.

9 Under our Water and Sewer Items:

10 Item W-1 concerns Illinois American  
11 Water's application for Commission approval of the  
12 purchase and operation of Jerseyville Water and  
13 Wastewater System assets. The order grants the  
14 certificate and approves the purchase of assets.  
15 The order finds that the company demonstrated a  
16 need for the service to the proposed certificated  
17 areas. The order also finds that the company is  
18 capable of efficiently managing and supervising the  
19 service.

20 Are there any objections to  
21 approving the order?

22 (No verbal response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
2 is approved.

3 Item W-2 concerns Utility Services'  
4 application to implement a Qualifying  
5 Infrastructure Plant Surcharge Rider, or Rider QIP.  
6 Utility Services of Illinois, Inc. has provided  
7 evidence supporting its request for approval and  
8 implementation of a QIP Surcharge Rider, showing  
9 that its infrastructure requires necessary updates.  
10 Staff of the Commission has reviewed the filing and  
11 has made recommendations to Utility Services.  
12 Utility Services has accepted those  
13 recommendations. The order grants Utility  
14 Services' Application and finds the QIP Surcharge  
15 reasonable.

16 Are there any objections to  
17 approving the order?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
20 is approved.

21 Item W-3 concerns Illinois American  
22 Water's petition to reconcile revenues under Rider

1 Variable Income Tax, or Rider VIT. The order  
2 approves the reconciliation as set in the appendix  
3 to the order, finding that the costs during the  
4 reconciliation period were prudently incurred.

5 Are there any objections to  
6 approving the order?

7 (No verbal response.)

8 CHAIRWOMAN ZALEWSKI: Hearing none, the order  
9 is approved.

10 We have no Miscellaneous Items.

11 We have no Petitions for Rehearing.

12 Under our Other Business items:

13 Item O-1 concerns approval of  
14 Batches, Contracts, and Confirmations under the  
15 Illinois Adjustable Block Program.

16 Are there any objections to  
17 approving the Program Administrator's Submissions?

18 (No verbal response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the  
20 submissions are approved.

21 Item O-2 concerns approval of the  
22 IPA September 2020 Solicitation of Bids to Sell

1 Zonal Resource Credits to Ameren.

2 Are there any objections to  
3 approving the Procurement Administrator's  
4 Recommendations on Selection of Winning Bids?

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the  
7 Recommendations are approved.

8 This concludes our Public Utilities  
9 Agenda.

10 Judge Teague-Kingsley, do we have  
11 other matters to come before the Commission today?

12 JUDGE TEAGUE-KINGSLEY: No, Madam Chairman.

13 CHAIRWOMAN ZALEWSKI: Do any of the  
14 Commissioners have any business to discuss?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, and  
17 without objection, the meeting is adjourned.

18 Thank you.

19 (Whereupon, the above-entitled  
20 matter was adjourned.)

21

22