

1                                   BEFORE THE  
2                                   ILLINOIS COMMERCE COMMISSION  
3                                   SPECIAL OPEN MEETING  
4                                   Wednesday, September 9, 2020,  
5                                   Chicago, Illinois

6  
7                   Met pursuant to notice via videoconference at  
8 1:00 p.m. at 160 North LaSalle Street,  
9 Chicago, Illinois.

10  
11 PRESENT:

- 12 CARRIE ZALEWSKI, Chairwoman  
13 MARIA BOCANEGRA, Commissioner (via videoconference)  
14 SADZI M. OLIVA, Commissioner (via videoconference)  
15 D. ETHAN KIMBREL, Commissioner  
16 MICHAEL T. CARRIGAN, Commissioner (via  
17 videoconference from Springfield office)  
18 JUDGE TEAGUE-KINGSLEY (via videoconference)

19  
20 BRIDGES COURT REPORTING (312.332.6345)

21 BY: HAILEY TREASURE, CSR

22 LICENSE No. 084-004897

1 CHAIRWOMAN ZALEWSKI: Before we begin, I just  
2 want to do a quick sound check to make sure that we  
3 can hear everyone.

4 Commissioner Bocanegra, can you hear  
5 us and can we hear you?

6 COMMISSIONER BOCANEGRA: I can hear you.  
7 Thank you.

8 CHAIRWOMAN ZALEWSKI: Thank you.

9 Commissioner Carrigan, you're in  
10 Springfield. I can see you. Can I just make sure  
11 your sound works?

12 COMMISSIONER CARRIGAN: I can hear you loud  
13 and clear.

14 CHAIRWOMAN ZALEWSKI: Thank you.

15 Commissioner Kimbrel is with me here,  
16 and then Commissioner Oliva, can you do a sound  
17 check?

18 COMMISSIONER OLIVA: Yes. Can you hear me?

19 CHAIRWOMAN ZALEWSKI: Yes, we can.

20 Commissioner -- or excuse me,  
21 Judge Teague-Kingsley, can you hear us?

22 JUDGE TEAGUE-KINGSLEY: Yes, I can, Madam

1 Chairman.

2 CHAIRWOMAN ZALEWSKI: Okay. I have 1:00 so I  
3 am going to go ahead and begin.

4 Under the Open Meetings Act and in  
5 accordance with the Governor's executive orders, I  
6 call the September 9th, 2020, special open meeting  
7 to order.

8 Before we proceed, for the clarity of  
9 the record, and since some commissioners are  
10 participating remotely, I would ask everyone to  
11 state their name before speaking and to speak  
12 slowly and clearly so that she can capture  
13 everything that is said.

14 I already checked that all  
15 commissioners are with us and so we have a quorum.

16 There are 16 requests to speak.

17 Under 2 Illinois Administrative Code  
18 Section 1700.10, any person desiring to address the  
19 Commission shall be allowed up to three minutes.  
20 However, subsection (d) of the same section  
21 requires that the total time for presentations at  
22 any meeting shall be limited to 30 minutes unless a

1 Commissioner moves for, and the Commission  
2 approves, a longer period.

3 To give everyone a fair chance to  
4 speak, I would like to make a motion to the  
5 Commissioners to allow extending the public  
6 speaking beyond 30 minutes, that will allow for all  
7 16 speakers to have their full three minutes to  
8 present to the Commission.

9 Is there a second?

10 COMMISSIONER KIMBREL: Second.

11 COMMISSIONER BOCANEGRA: This is Commissioner  
12 Bocanegra, I'll second that.

13 CHAIRWOMAN ZALEWSKI: Great. We have two  
14 seconds.

15 Are there any objections to extending  
16 the public speaking period beyond 30 minutes to  
17 allow all 16 speakers to present?

18 (No response.)

19 CHAIRWOMAN ZALEWSKI: Hearing none, the public  
20 speaking period is extended.

21 Before we proceed, I just wanted to  
22 make sure that everyone is aware that on

1 September 4th, 2020, the Commission sent a letter  
2 to the large state-regulated Illinois public  
3 utilities signed by all five commissioners  
4 requesting the utilities to cease disconnections  
5 until the winter moratorium ends, as customers  
6 continue to struggle with current -- with the  
7 current health emergency. The letter notes that  
8 "disconnection during this unprecedented time will  
9 have a disproportionate impact on the state's most  
10 vulnerable citizens; the elderly, persons with  
11 medical conditions, and those working and learning  
12 remotely." The letter urges the utilities to take  
13 immediate steps to cease residential customer  
14 disconnections for nonpayment until  
15 March 31st, 2021.

16 With that, let's proceed to the  
17 public comments. Going in the order that we  
18 received the requests to speak, we will hear from  
19 the following 16 people:

20 Robert Garcia, Suzanna Ibarra,  
21 Danielle Chynoweth, Allan Max Axelrod, Drake  
22 Materre, Sonny Garcia, Georgia de la Garza, Elias

1 Decker, Emiliano Vera, Beau David Barber, Frank  
2 Byrd, Chelsea Birchmier, Lena Walker, Tyrese  
3 Thomas, Zachary Carlson and Tony Keith Temple II.

4 Under 2 Illinois Administrative Code  
5 Section 1700.10, any person desiring to address the  
6 Commission shall be allowed up to three minutes and  
7 only one person can speak on behalf of any  
8 organization. Please note that the Commission will  
9 not respond directly to any comments.

10 First we have Robert Garcia.

11 Mr. Garcia, are you on?

12 MR. GARCIA: Yes. Can you hear me okay?

13 CHAIRWOMAN ZALEWSKI: We can hear you.

14 Mr. Garcia, you have up to three  
15 minutes. We are going to set our timer. My  
16 advisor, Alex, is going to hold up a card when you  
17 have one minute.

18 MR. GARCIA: Okay.

19 CHAIRWOMAN ZALEWSKI: Before you speak, if you  
20 could please state and spell your name and then we  
21 will start the timer.

22 MR. GARCIA: Sure. Robert Garcia.

1 R-o-b-e-r-t G-a-r-c-i-a.

2 Hello, my name is Robert Garcia. I'm  
3 with Progressive Voices of Central Illinois. Over  
4 the past several months we have heard about the  
5 many reasons why we urgently need an extended  
6 moratorium on utility shut-offs. We have already  
7 heard about the 400 percent increase in Illinois  
8 families who rely on power dependent DME, durable  
9 medical equipment, for life-saving treatment. We  
10 have already heard about how we have to wash our  
11 hands to stop the spread of COVID during a second  
12 wave that is worse than the first, and how we  
13 cannot do that if we shut-off water to families  
14 across the state. We have already heard about how  
15 poor families will see their children denied their  
16 constitutional right to an education without power  
17 during remote learning. So we already know the  
18 many, many reasons why we do, in fact, need an  
19 extended moratorium.

20 So instead, I'd like to touch briefly  
21 on the main excuses we keep hearing for allowing  
22 utility shut-offs. The first and most common

1 report we keep seeing in the news is that the  
2 original moratorium was already agreed -- that was  
3 already agreed to was already extended as part of  
4 the phased reopening plan with additional  
5 extensions beyond. That's just not a good excuse.  
6 It's basically an admission that the Commission  
7 once recognized a need for a shut-off moratorium,  
8 but now has refused to evaluate our current  
9 reality. It's an arbitrary expiration that refuses  
10 to acknowledge the current horror of our reality.

11 We're still seeing double-digit  
12 unemployment. The pandemic is worse now than it  
13 was then. Decisions of this magnitude should not  
14 be made on an arbitrary expiration basis. They  
15 should be made on a new analysis of current events,  
16 not just past events. Any such objective review of  
17 the facts today would reasonably deduce that we are  
18 not ready for shut-offs to resume in Illinois.

19 The second argument we hear is,  
20 "Well, there is already other assistance  
21 available." Yet, we have seen disturbing evidence  
22 that the financial assistance available is being



1 capped and is not enough to recover from the deep  
2 financial hole that too many families in Illinois  
3 find themselves in. These limits on available  
4 assistance do not rise to the level needed to fully  
5 pay off a bill and avoid disconnection. The  
6 evidence is abundant.

7           And we have seen repeatedly and  
8 consistently that when utilities claim they will  
9 work with residents, they're still demanding full  
10 payment. They have already issued a disturbingly  
11 high number of disconnect notices, which we have as  
12 evidence, because the aid available does not meet  
13 the past due balance. The aggressive payment plans  
14 pushed by utility companies are unreasonable, given  
15 the deep hole. The aid available is not, in fact,  
16 solving the problems. The evidence here is  
17 overwhelming. The financial hole we have dug our  
18 families in is too deep.

19           Last year, the average household  
20 received just \$600 in assistance from LIHEAP, the  
21 Low Income Home Energy Assistance Program, but even  
22 with additional funding already allocated to LIHEAP

1 this year, they are still not able to meet the  
2 utility balances, which are projected to be on  
3 average, four or more times of what LIHEAP has  
4 traditionally seen.

5 Please do the right thing.

6 Acknowledge the current evidence and enact an  
7 extended moratorium through March 31st, 2021, at  
8 which time further evaluation should be conducted  
9 of then current performance, both economically and  
10 medically. Thank you for your time and thank you  
11 for listening.

12 CHAIRWOMAN ZALEWSKI: Thank you, Mr. Garcia.  
13 Next, Ms. Suzanna Ibarra. Are you there,  
14 Ms. Ibarra?

15 MS. IBARRA: Suzanna Ibarra. That is  
16 S-u-z-a-n-n-a, last name I-b-a-r-r-a. I am  
17 co-chair of Our Revolution, Illinois. We have  
18 33,000 members from the top to the bottom of  
19 Illinois. Some of these members are definitely at  
20 risk of being shut-off, and let me just tell you  
21 that an inland hurricane hit where I live here in  
22 Joliet a couple of weeks ago. I spent five days

1 without power because power was knocked out to most  
2 of my area. It was the worst five days of my life.  
3 We could not keep fresh food in the house at all.  
4 We could not communicate with our loved ones  
5 because we couldn't charge all of our appliances.  
6 Furthermore, no remote learning can take place if  
7 you do not have power. Now, I did have water, but  
8 my neighbors down the street that were on a well  
9 did not have water. Being without power and, for  
10 some, water, who rely on power, is probably the  
11 worst thing you could possibly do to a person. And  
12 this company knows that they will eventually get  
13 their money. There will be a point where things  
14 are better, the epidemic is over and people start  
15 working again. This company will get their money,  
16 but be like some of the other states. Wisconsin is  
17 one of them, California is another. These states  
18 have given a moratorium until at least March 31st  
19 of 2021, if not longer, to be reevaluated based  
20 upon the epidemic that we're facing now.

21           So I know you want to do the right  
22 thing for kids that need to learn desperately.

1 These are some of the most at risk people right now  
2 that need power. Please, I know you care about  
3 families; I know you care about babies; I know you  
4 care about elderly and those with medical problems  
5 that rely on their power. Please do the right  
6 thing.

7 Also, I want to comment that if you  
8 did sign the letter and all five commissioners  
9 signed the letter, it's very easy to screen share  
10 that with us. Let's see that letter and let's see  
11 what that letter looks like, and thank you so much  
12 for all of your time and all of your consideration.  
13 Have a great day.

14 CHAIRWOMAN ZALEWSKI: Thank you.

15 Third, is Danielle Chynoweth.

16 Ms. Chynoweth, are you on?

17 MS. CHYNOWETH: Yes, I am.

18 Greetings. My name is Danielle  
19 Chynoweth and I service the Cunningham Township  
20 supervisor in Urbana, Illinois. Our office serves  
21 about 2,000 low-income, very low-income residents  
22 per year. I also chair the board of the Champaign

1 Urbana Public Health District. Yes, we are home to  
2 the University of Illinois where we had more than  
3 1,000 new COVID cases in one week. I'm writing to  
4 ask for four things.

5           First, it is the responsibility and  
6 the duty of public officials to extend the  
7 moratorium of utility shut-offs until COVID cases  
8 are under control and people can get back to work.  
9 Anything less would be cruel and unusual punishment  
10 during a pandemic. Half of our participants are  
11 disabled and they face not only poverty and pain,  
12 but now panic. We have delivered soap, personally,  
13 to the homes of 2,000 people in Urbana. Imagine  
14 they have soap but no water to wash up. Our  
15 general assistance participants call hungry at the  
16 end of the month because \$6.40 per day in food  
17 stamps have not gone far enough. Imagine now that  
18 they can neither cook nor buy prepared food with  
19 food stamps. It has taken a Herculean effort to  
20 get the four children down the block from me just  
21 this way (indicating) to register and attend school  
22 regularly. Imagine if their power was turned off,

1 it could violate their right to education.

2           Extending the moratorium is an  
3 obvious essential, but it's not enough. You need  
4 to outlaw late fees. It's not that people won't  
5 pay, it's that they can't. People did not choose  
6 to survive a pandemic. They did not choose to lose  
7 their jobs. Late fees provide zero incentive in a  
8 pandemic. They just keep families in a hole of  
9 debt.

10           Third, please negotiate fair and  
11 reasonable utility prices always, but especially  
12 now. Utilities should not be making profits on the  
13 backs of unemployed families who are trying to keep  
14 their children in school and their hands clean.  
15 It's time for everyone to tighten their belt.

16           Please -- and fourth, please provide  
17 additional utility support to fill this gap.  
18 People need support to pay their bills.

19           Ultimately, I want to say the fact  
20 that we're having this conversation shows that the  
21 public should take over these utilities as the  
22 private sector has shown it is not able to provide

1 this life-saving support at times of pandemic, and  
2 we expect that this will continue to escalate with  
3 additional pandemics and climate change.

4 Thank you for your time and your  
5 service. We appreciate you.

6 CHAIRWOMAN ZALEWSKI: Thank you. Fourth,  
7 Mr. Allan Max Axelrod. You have three minutes. If  
8 you could state and spell your name, please, before  
9 beginning.

10 MR. AXELROD: Yes. My name is Allan Max  
11 Axelrod. That is A-l-l-a-n M-a-x A-x-e-l-r-o-d.  
12 I'm the campaign lead of No Ameren Shut Offs, an  
13 organization that has formed since July of this  
14 year of over two-dozen grassroots groups throughout  
15 central and southern Illinois, even now spreading  
16 to Chicago. This is a zero-dollar budget  
17 completely all-volunteer campaign in response to  
18 the human rights crisis. And I want to thank you  
19 for the letter that you had sent out. I want to  
20 enumerate some shortfalls in that letter that you  
21 all may not be aware of that we have to be very  
22 diligent of.

1 I had a phone call with a member of a  
2 lobbying group who informed me that the utility  
3 companies, after December of 2021, will be able to  
4 start sending the overdue balances to credit  
5 agencies and debt collectors. A pandemic is not  
6 the time to harass people over bills that it's not  
7 their fault they can't pay. It is not the time to  
8 damage the fragile credit ratings of already  
9 struggling and vulnerable households.

10 Further, I want to my highlight the  
11 fact that you all definitely are aware of the  
12 shortcomings of your authority, and I need to  
13 impress upon you the urgency with which you need to  
14 appeal to the Governor by name, and this is  
15 something that the Macon County democrats realized  
16 when we had approached them two weeks ago. They  
17 held an emergency vote over the weekend and they  
18 went forward with our resolution and then added a  
19 bunch of language themselves, which rightfully  
20 pointed out that suspending utility shut-offs was  
21 not enough. There have already been disconnections  
22 that must be reinstated, including water without



1 fees to the families that are struggling. They  
2 called on the Governor, specifically, to  
3 enumerate -- to meet those demands of suspending  
4 utility shut-offs and reinstating essential  
5 services through the duration of the pandemic.

6           So thank you very much for the  
7 letter. That is a milestone. That's much  
8 appreciated. I hope that you will understand that  
9 there is a lot more to this issue, and I just want  
10 to say that if we don't do everything that we  
11 possibly can, because this feels like if you give  
12 them an inch, they ask for a mile. Since Ameren,  
13 Missouri, has allowed shut-offs to residents, they  
14 have had an upward trend in their caseload. This  
15 is a very real and neighboring issue to us that is  
16 already here because water shut-offs have already  
17 happened.

18           So, please, use every tool in your  
19 disposal that it is coming to public communication  
20 or what have you, to make sure that the Governor  
21 also uses what emergency powers he has at his  
22 disposal to address the critical health crisis that

1 this whole issue has always represented. Thank  
2 you.

3 CHAIRWOMAN ZALEWSKI: Thank you.

4 Drake Materre, you also have three  
5 minutes. If you could state and spell your name,  
6 then you can begin.

7 MR. MATERRE: Drake Materre. That is  
8 D-r-a-k-e M-a-t-e-r-r-e, and I am the senior  
9 project manager of Natural Path Nutrition  
10 Incorporated, a community health organization based  
11 out of Chicago, and I am also a graduating senior  
12 from the University of Illinois in community  
13 health, so I know what I'm talking about with how  
14 the utility shut-offs pertains to public health.

15 In the midst of a pandemic that  
16 prioritizes the need for hygiene, utility  
17 shut-offs, especially cutting off water, does not  
18 make any sense. I talked with J.B. Pritzker about  
19 the lack of social distance and the lack of PPE in  
20 homeless shelters and advised him -- and emailed  
21 him as well to extend the moratorium on evictions  
22 or to force public housing, but you cannot just

1 have a blanket or a solution that only stops  
2 evictions if it does not stop utility shut-offs.  
3 How are people going to wash their hands? As  
4 Robert Garcia said earlier, how are people going to  
5 wash their hands in a pandemic that prioritizes  
6 hand washing?

7 Another issue is that houses that  
8 have utility shut-offs, like water shut-offs, that  
9 can allow CPS or DCFS to come in and take children  
10 away, and I understand how the elites that run  
11 these state governments, that run these  
12 corporations, they are all in a war or battle to  
13 see who can come out on top in controlling the  
14 Coronavirus.

15 J.B. Pritzker, you are a billionaire  
16 and you definitely -- and I'd like to thank him for  
17 listening to what I have to say, and the CUPHD for  
18 implementing those ordinance changes, but how can  
19 you be a Governor for the people if you may end up  
20 being a Governor that aids in the removal of  
21 children from families, the same way that Trump has  
22 removed has removed children from families? I ask

1 that J.B. Pritzker, Illinois Commerce Commission do  
2 what's right.

3 The thing -- the fact that we're even  
4 discussing utility shut-offs in the middle of a  
5 pandemic is an issue. Even without a pandemic, I  
6 don't believe that necessary utilities should even  
7 be paid for. Water is a human right. Electricity  
8 is a human right. Public housing, housing that is  
9 fit for human beings, that is a human right. Not  
10 housing, but housing that is fit for human beings,  
11 the children, especially, predominantly black and  
12 brown children that need electricity for internet  
13 access for schooling and education. There is a lot  
14 that is at stake here with these utility shut-offs  
15 and I close with that. Thank you.

16 CHAIRWOMAN ZALEWSKI: Thank you.

17 Next, Sonny Garcia. Is Sonny Garcia  
18 on the line?

19 (No response.)

20 CHAIRWOMAN ZALEWSKI: Okay. Next is Georgia  
21 de la Garza.

22 MS. de la GARZA: Yes. Hi, and it's

1 G-e-o-r-g-i-a, just like the state, small d-e,  
2 space, small l-a, space, capital G-a-r-z-a.

3 Thank you very much for letting us  
4 speak with you today. I am on the board of Our  
5 Illinois Revolution. I'm president of Shawnee  
6 Hills and Hollers, a writer, and an editor for  
7 Women for Justice and I'm also on the committee for  
8 the Catholic Campaign for Human Development.

9 First, I want to say that working for  
10 the catholic campaign for human development in the  
11 Belleville diocese, I have to say that our churches  
12 are so overburdened now with people coming in and  
13 asking for utility money because they're being  
14 shut-off, they're getting notices and they're in a  
15 panic because their kids are in school. I think  
16 that's a really important thing, to think about the  
17 burden that it puts on our churches who also work  
18 with different organizations and that we feel like  
19 we're just burdening, you know, it's like a domino  
20 affect ^ CHECK of burden.

21 I got to plug in here real quick.  
22 I'm so sorry, my plug came undone.

1           And I also want to give you, you  
2 know, I'm really well known to give science and  
3 data comments because I work on the frontlines of  
4 environmental atrocities that we have here,  
5 especially in Illinois, but I want to say that  
6 today I'm going to give you a personal story.

7           On the 12th I was diagnosed with  
8 COVID and I had a very serious case of it. I'm in  
9 recuperating right now. It's a struggle. It's a  
10 struggle. This thing is still fighting in me. I  
11 have a heart condition, it's messing with my heart;  
12 it's messing with my lungs; it's messing with my  
13 brain. It's -- COVID dreams are real. I'm going  
14 to tell you, I still haven't gotten my smell or my  
15 taste back. I'm under extreme fatigue. I fight  
16 every day for energy.

17           While I was laying down totally  
18 isolated and quarantined, my water was shut-off and  
19 I was in a panic. I was like, "Why is my water  
20 shut-off?" And I tried so hard to call the water  
21 department, who was obviously very overtasked and  
22 very rude, and I kept saying, "I can hardly lift my

1 head. I'm in a real high fever right now. I was  
2 going to get in the shower; I can't take a shower  
3 right now to bring my fever down. This is so  
4 inhumane. I can't believe it."

5           It's not like I didn't have the money  
6 to pay my water, it's that I had been sick,  
7 hospitalized and then home sick and they were very  
8 rude and said, "Can't help you." They totally shut  
9 me down. That was here in Carbondale. I kept  
10 trying to get on their website -- and their website  
11 to pay the bill online because they wouldn't take  
12 my payment over the phone, and it kept failing.  
13 The website is atrocious and everybody knows it's a  
14 failure. It took me almost five hours to get -- to  
15 pay that bill and to get the water turned on, but I  
16 don't think that would have happened. I'm really  
17 good friends with our county treasurer and I ended  
18 up calling her and we were both crying because we  
19 were thinking about, "How about the people that  
20 don't have the money to pay this bill?"  
21 Ironically, the next day, my electric went out.

22           CHAIRWOMAN ZALEWSKI: Sorry, Ms. --

1 MS. de la Garza: My electric went out. I had  
2 to call --

3 CHAIRWOMAN ZALEWSKI: That's time. Thank you.

4 Okay. Next is Elias Decker.

5 MR. DECKER: Hello. Can you hear me?

6 CHAIRWOMAN ZALEWSKI: We can barely hear you  
7 so when you speak, please speak up. Thank you.

8 MR. DECKER: Sure. All right. My name is  
9 Elias, E-l-i-a-s Decker, D-e-c-k-e-r. I'm an  
10 organizer and member of the Party for Socialism and  
11 Liberation, which is a constituent part of the  
12 group that Allan Max Axelrod mentioned earlier, the  
13 No Ameren Shut Off group, which is a grassroots  
14 organization fighting against the shut-offs we have  
15 been talking about all day.

16 I want to open up by, first of all,  
17 acknowledging the work and thanking you for the  
18 letter that you sent. It demonstrates to me, to  
19 us, to the -- just the people of Illinois that you  
20 hear them and care about the issues, and so I would  
21 like to stress a couple points actually that Allan  
22 already made. I won't take too long, but I want to



1 stress the need for reinstating service that has  
2 already been shut-off, and the need to not pawn off  
3 peoples' unpaid bills, their back bills to credit  
4 companies that will then haunt them much further  
5 than March 21st, even if we do go that far. That  
6 is absolutely necessary, and if we do not have a  
7 moratorium or some sort of preventive measure to  
8 end -- or to prevent unpaid bills going to credit  
9 companies, then a moratorium extending to the 21st  
10 of March, 2021, will not be nearly enough in terms  
11 of actually, physically, helping people continue to  
12 pay their water -- or rather, sorry, receive their  
13 water, electricity, gas, et cetera.

14 A lot of people have given their  
15 testimonies, their experiences, so I won't belabor  
16 the point, but as a student, as someone who has  
17 several siblings who are currently in grade and  
18 high school, and someone who grew up in a community  
19 of teachers, I want to emphasize the absolutely  
20 need for the continuation of internet and  
21 electricity in this pandemic of remote learning. I  
22 have had many people -- or teachers, specifically,

1 express to me that despite working full-time,  
2 despite getting their full pay, they may not be  
3 able to pay their electricity bills. How can they  
4 teach after doing their full job without  
5 electricity with which to connect to the students  
6 that need them to be the future leaders, to be the  
7 future people in this call on both sides of the  
8 call?

9           The teachers and the students and  
10 everyone else that has been mentioned by -- like I  
11 said, I'm just emphasizing the teachers and the  
12 students absolutely need your support, your action.  
13 And, so, again, I would just like to finish by  
14 imploring you to push to reinstate service for  
15 services that have already been discontinued, even  
16 though you may not have the full authority within  
17 yourself to be able to do even personal measures,  
18 speak to the Governor, ask to reinstate service,  
19 and do not send unpaid bills, back dues, late fees,  
20 et cetera, to credit companies and that would make  
21 any sort of continuation of this moratorium to  
22 March or June or even the year 2022 effectively

1 ^ CHECK irrelevant.

2 Thank you. That's all I have to say.

3 CHAIRWOMAN ZALEWSKI: Thank you. Next is  
4 Emiliano Vera.

5 MR. VERA: Hi. My name is Emiliano Vera. I  
6 am the -- I'm the present committee person for the  
7 McDonough County Democratic party. I'm a founding  
8 member of the Western Illinois Democratic  
9 Socialists of America, and most importantly, I'm an  
10 educator in the Bushnell-Prairie City Public School  
11 System.

12 As an educator, I know that internet  
13 access at homes is spotty enough in rural areas  
14 because another utility that we depend completely  
15 on private companies to provide impurely is  
16 internet. So we need every student, definitely, to  
17 have electricity at home so that they can keep  
18 attending and learning school virtually. We, in  
19 our rural area, have also already seen people  
20 getting shut-off from the local power cooperative,  
21 and we need the Illinois Commerce Commission to not  
22 just call voluntary actions by a couple of large

1 utilities companies good enough. We need strong,  
2 mandated action with every ounce of power that you  
3 have as an organization, and if you don't have that  
4 power, you need to talk to the people who are  
5 responsible for being able to prevent utility  
6 shut-offs more forcefully, because we need this.

7 Thank you for the letter, but we, and  
8 every working family in Illinois, needs you to  
9 fight tooth and nail for us, not represent the  
10 interest of utilities corporations that you're  
11 supposed to be regulating. These companies are  
12 making money off the constant fear of millions of  
13 working people as they hold access to basic human  
14 rights hostage. Even Trump already put in place an  
15 eviction moratorium that goes until 2021.

16 Once again, thank you for the  
17 suggestions, but we need firm regulation that  
18 restricts utility shut-offs as well as evictions.  
19 Please don't let me say that my Illinois Commerce  
20 Commission, in a heavily Democratic state, has done  
21 less for the people of this state than Trump did.  
22 That would be embarrassing.

1 Thank you so much and please fight  
2 for us.

3 CHAIRWOMAN ZALEWSKI: Thank you. Beau David  
4 Barber.

5 MR. BARBER: Hi. Can you hear me?

6 CHAIRWOMAN ZALEWSKI: We can hear you.

7 MR. BARBER: So, hi, my name is Beau David  
8 Barber. That's B-e-a-u and then D-a-v-i-d, and  
9 finally, B-a-r-b-e-r. So with the notices --  
10 shut-off notices to begin basically on what,  
11 Friday, September 11th, that day already has two  
12 meanings to me.

13 One, I turn 27 on Friday, that's my  
14 birthday, but it is also the same day that the  
15 September 11th terrorists attacks happened and  
16 several thousand people lost their lives, and  
17 several more lost their lives in the ensuing  
18 fallout and debris that gave several people  
19 cancers, including several firefighters and public  
20 service workers that were there at the scene. It's  
21 not about me or the fact that I don't like to  
22 celebrate my birthday anymore, but it's the fact

1 that just -- it would be the most greatest of  
2 injustices to consider the amount of lives lost  
3 that day and then add an entire tally of another  
4 thousands upon thousands of people on to that list  
5 on the same day, essentially sending them --  
6 writing them a death warrant by shutting off their  
7 services. Because in the best case, in the  
8 absolute best case here that happens, which is very  
9 unlikely, peoples' lives are ruined. So students'  
10 access to education is, you know, shut-off,  
11 peoples' remote access to work is shut-off. People  
12 now have to go into work during the pandemic when  
13 they could be working from home.

14 In the worst case, and the most  
15 likely thing to happen, people will die, and this  
16 is already demonstrated by what happened in  
17 Missouri when they shut-off. COVID cases start  
18 rising. It's just unbelievable to me that we would  
19 let this happen. People will die from this. That  
20 is not a joke. That is not an embellishment.  
21 People will die based on the -- if we let -- if we  
22 let these companies sign off shut-offs. We need to

1 do -- you need to do everything -- you need to do  
2 everything you can to talk to the Governor. You  
3 need to convince him that we need to reinstate  
4 peoples' services and enforce a moratorium on this  
5 because several people will die, and this is not a  
6 joke.

7           Okay. I appreciate this letter, but  
8 we need to do something more because if nothing is  
9 done then they will be sent out and it's -- there's  
10 a whole thing of -- people say to me all the time,  
11 "I'm sorry your birthday is on 9/11." I'm tired of  
12 hearing it, but, again, it's not about me, because  
13 what's going to happen is the moratoriums -- the  
14 eviction notices, the -- sorry. The shut-offs will  
15 go out, people will lose power, some people will be  
16 evicted because of it. That's a way around the  
17 eviction moratorium, and people will say, "Well,  
18 sorry that happened to you. There's nothing we  
19 could do," and I wouldn't want to be someone that  
20 says, "sorry," because I already get sorry a lot  
21 that your birthday is on 9/11.

22           We can't be sorry. We have to be

1 better. We have to be better because we can't let  
2 this happen, and that's all I have to say.

3 CHAIRWOMAN ZALEWSKI: That's time. Thanks,  
4 Mr. Barber. Next is Frank Byrd.

5 MR. BYRD: Yes. This is Frank Byrd.  
6 F-r-a-n-k- B-y-r-d. I'm an elected official here  
7 in Jackson County. I'm the county clerk and  
8 recorder, and today I would like to thank the  
9 Illinois Commission for allowing me to speak.

10 The people are faced with  
11 unprecedented challenges during the Coronavirus  
12 pandemic. We must implore that the public  
13 utilities keep peoples' utilities on. People are  
14 suffering through illness or job loss due to  
15 COVID-19. I also have learned of an individual  
16 that was ill with COVID-19, she was on earlier, her  
17 name is Georgia de la Garza. Her water was  
18 shut-off, like she said. She was so sick and  
19 practically voiceless. She reached out to my  
20 friend, Liz Hunter, who was the County treasurer.  
21 The mayor was called and the water was turned back  
22 on. We should allow and show empathy to people



1 that are going and struggling through this  
2 pandemic. It is an unprecedented time.

3 I'm hoping as an elected office  
4 holder that my voice has some substance. We need  
5 to extend the moratorium. Please, please utility  
6 companies, do the right thing and extend this. We  
7 are stronger together than we are apart.

8 Thank you so much.

9 CHAIRWOMAN ZALEWSKI: Thank you.

10 Chelsea Birchmier.

11 MS. BIRCHMIER: Hi. My name is Chelsea  
12 Birchmier, C-h-e-l-s-e-a B-i-r-c-h-m-i-e-r.

13 My name is Chelsea Birchmier and I'm  
14 a graduate employee and the co-president of the  
15 Graduate Employees Organization, or the GEO, at the  
16 University of Illinois at Urbana-Champaign. The  
17 GEO is the union representing over 2,700 teaching  
18 and graduate assistants at the University of  
19 Illinois at Urbana-Champaign.

20 I wanted to share some data on how  
21 utility shut-offs might affect ^ CHECK graduate  
22 workers employed by the U of I. The majority of

1    them are not earning a living wage.  Last year the  
2    GEO surveyed over 400 graduate employees.  We found  
3    that 56 percent of graduate employees were rent  
4    burdened, meaning they spent between 30 to 50  
5    percent of their income on housing and utilities.  
6    24 percent were severely rent burdened, meaning  
7    they spent more than 50 percent of their income on  
8    housing and utilities.  Combined, that means that  
9    80 percent of graduate employees surveyed at the  
10   University of Illinois at Urbana-Champaign were  
11   either rent and utility burdened or severely rent  
12   and utility burdened.  This data, as well as  
13   testimonies we have heard from graduate workers,  
14   demonstrate that if there is a utility shut-off,  
15   many graduate workers could be negatively impacted  
16   and unable to fully participate in their work  
17   duties.  The education of thousands of  
18   undergraduate students could be jeopardized if even  
19   a handful of graduate workers are unable to teach  
20   because their electricity, gas, or water has been  
21   shut-off.

22                                    The University of Illinois is the

1 largest employer in Champaign Urbana. Utility  
2 shut-offs could seriously disrupt the work of not  
3 just graduate employees, but many workers on campus  
4 including building and food service workers,  
5 faculty, nontenured track faculty, the workers who  
6 are administering and processing COVID-19 tests on  
7 campus, clerical workers and more. A disruption in  
8 the work of the largest employer in our county  
9 means a serious disruption in our local economy,  
10 which is already being decimated by the pandemic.

11 Graduate workers at the University of  
12 Illinois at Urbana-Champaign need access to  
13 utilities more than ever in a pandemic where many  
14 of us are working remotely. During COVID-19,  
15 access to utilities are essential to completing our  
16 work and many of us are not paid enough to be able  
17 to afford those essential utilities right now. The  
18 graduate employees organization that UIUC calls  
19 upon the Illinois Commerce Commission to use your  
20 power and urge the Governor to extend the  
21 moratorium on utility shut-offs, reinstate  
22 disconnected utilities and stop the accumulation of

1 late fees immediately to protect peoples' jobs,  
2 health and lives. Thank you.

3 CHAIRWOMAN ZALEWSKI: Thank you. Next is Lena  
4 Walker.

5 MS. WALKER: Hi, yes. My name is Lena Walker  
6 spelled L-e-n-a W-a-l-k-e-r. I am a graduate  
7 student and graduate worker at the University of  
8 Illinois at Urbana-Champaign. I'm also a member of  
9 the Graduate Employees Organization Solidarity  
10 Committee. I'm here today to urge the ICC and  
11 Governor Pritzker to take urgent and decisive  
12 action to prevent utility shut-offs in the state of  
13 Illinois.

14 If we are going to get through this  
15 pandemic together, not as a society divided by  
16 those who have the wealth to protect themselves and  
17 those who are abandoned at crisis, we must ensure  
18 that all people have the resources they need to  
19 make smart, safe decisions with regards to public  
20 health. As Danielle and others have already  
21 mentioned, here in Champaign Urbana we're facing a  
22 wave of Coronavirus cases that has already far

1 surpassed what the University projected when they  
2 decided to reopen campus and bring tens of  
3 thousands of students back in to this community.

4 As a TA, I'm already dealing with  
5 multiple students who have tested positive and are  
6 struggling to engage with remote learning while in  
7 quarantine. There are students that have opted to  
8 move home out of concern for their safety and are  
9 relying on their household utilities to attend  
10 classes and complete assignments. Universities are  
11 very much the pride of the state. They provide  
12 thousands of jobs and opportunities for both  
13 students and community members. We also struggle  
14 to make these universities accessible to low-income  
15 youth, which in 2019, made up more than 40 percent  
16 of public school students in the state who  
17 qualified for free and reduced lunches.

18 If these students are unable to  
19 attend school because of power or water has been  
20 shut-off, it will be a shameful disregard to all  
21 the hard work and sacrifice these young people and  
22 their families have made to have an opportunity to

1 study in one of our institutions of higher  
2 learning.

3 Furthermore, it's utterly backwards  
4 to only offer support to struggling people during  
5 boom times when it's easy to get to court in  
6 Springfield or Chicago for the funding that people  
7 need. It's now young people are struggling that  
8 the state has an obligation to stand up to those  
9 that are the most vulnerable and do what's right.

10 I want to thank the Commission for  
11 sending their letter to utilities requesting the  
12 moratorium on disconnections until the end of the  
13 winter moratorium period, but it's not enough. We  
14 must be sure that the state's most vulnerable  
15 residents are protected from the disastrous  
16 consequences of these shut-offs and the ongoing  
17 pandemic. Thank you.

18 CHAIRWOMAN ZALEWSKI: Thank you. Next is  
19 Tyrese Thomas.

20 (No response.)

21 CHAIRWOMAN ZALEWSKI: Tyrese Thomas.

22 (No response.)

1 CHAIRWOMAN ZALEWSKI: Next is Zachary Carlson.

2 MR. CARLSON: Yes. I'm here. My name, as you  
3 said, is Zachary Carlson. Z-a-c-h-a-r-y  
4 C-a-r-l-s-o-n. There is little I can say right now  
5 that hasn't been said before, so I just want to  
6 reiterate a lot of those.

7 Am I good to go?

8 CHAIRWOMAN ZALEWSKI: Yes, you can go ahead.

9 MR. CARLSON: All right. Cool. Thank you.

10 So, again, I just want to reiterate a  
11 lot of these speakers as there is nothing more I  
12 can particularly say that they haven't said  
13 already, that we do need -- we need an  
14 intervention, we need help for those most  
15 vulnerable.

16 I'm from the Bloomington-Normal area.  
17 Similarly, as someone said before, U of I has  
18 experienced a thousand cases in a week. ISU has  
19 done similar. We are up to 1,300 almost 1,400  
20 cases now. The Governor just visited today, he  
21 wasn't able to hear us out as far as trying to get  
22 his attention on the issue, instead focus on the

1 census, which isn't -- not that it isn't important,  
2 but there are things that need to be done right  
3 now. You can't count the census if you have no  
4 power. I think that's a pretty cut-and-dry  
5 observation.

6           So I would just implore you all to do  
7 everything in your power to get him to act, to use  
8 every tool in your arsenal to help prevent these  
9 shut-offs, reverse some of the damage that has  
10 already been done and fight for us, right? I mean,  
11 I'm more than just a worker and a student and a  
12 community member, you know? I'm a person and these  
13 people are -- poor people affected ^ CHECK are also  
14 persons, right? They have families, they have  
15 things to do. We all want to be safe and secure.  
16 We all want to be stable, and having that -- the  
17 specter of shut-offs over our heads and when  
18 shut-offs go into evictions, that's not good for  
19 anyone.

20           So, again, this is a people issue,  
21 and, again, I ask that you do everything in your  
22 arsenal to do so. I appreciate the letter. I



1 appreciate the work you have done, but we need  
2 more. Thank you.

3 CHAIRWOMAN ZALEWSKI: Thank you. And finally  
4 is Tony Keith Temple II.

5 (No response.)

6 CHAIRWOMAN ZALEWSKI: Mr. Temple, are you  
7 there?

8 (No response.)

9 CHAIRWOMAN ZALEWSKI: Okay. Thank you  
10 everyone for the public comments. I just want to  
11 mention for the benefit of the public, the letter  
12 that I referenced that were signed by the five  
13 commissioners is on our website, our website  
14 ICC.Illinois.gov and there's a COVID-19-specific  
15 link and it's on that COVID-19-specific page.

16 So this concludes our public comments  
17 and we're going just to move on to our agenda.

18 We have no transportation agenda.

19 We have one item on our public  
20 utilities agenda.

21 Item 1 concerns Docket 19-1121, which  
22 is ComEd's proposed revision to the Rider Parallel

1 Operation of Retail Customer Generating Facilities  
2 Community Supply, or rider POGCS.

3 ComEd seeks to offer the following  
4 services to community solar providers.

5 1) Enrollment Inquiry Facilitation Service;  
6 2) Billing and remittance service; and 3) project  
7 administration service.

8 On August 12th, 2020, ComEd filed a  
9 notice of withdrawal of its proposed revisions to  
10 rider POCGS noting that it engaged in negotiations  
11 with some of the parties that may lead to a revised  
12 proposal. ELPC/VS filed an objection to the  
13 withdrawal on August 13th, 2020, stating that it  
14 would be imprudent not to complete this proceeding.

15 The ALJ's proposed order rejects  
16 revisions to rider POGCS. The proposed order was  
17 served on August 14th, 2020, to allow the  
18 commissioners the ability to issue an order within  
19 the timeline of this case if they decide to proceed  
20 with it. The ALJs, however, believe that there  
21 could be value in continued negotiations. In  
22 particular, the proposed order found that the

1 billing and remittance service could have value for  
2 both rate payer and community solar providers if it  
3 be were better designed. At the same time, the  
4 ALJs note that the issuance of a commission order  
5 would resolve some of the issues in this docket and  
6 could possibly lead to more productive negotiations  
7 that will result in a comprise that the commission  
8 can approve.

9 On August 27th, ComEd also filed a  
10 conditional request for oral argument in its Brief  
11 Exceptions, if the Commission does not dismiss this  
12 proceeding based on the withdrawal.

13 The Commission today grants ComEd's  
14 request for oral argument to address the motion to  
15 withdrawal and the propriety of further  
16 proceedings. The Commission will decide on the  
17 motion to withdrawal after the oral arguments are  
18 completed.

19 Are there any objections to granting  
20 the request for oral argument?

21 (No response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 request for oral argument is granted. A due notice  
2 of the oral argument will be issued.

3 This concludes our Public Utilities  
4 Agenda.

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

7 JUDGE TEAGUE-KINGSLEY: No, Madam Chairman.

8 CHAIRWOMAN ZALEWSKI: Thank you.

9 Do any of the commissioners have any  
10 other business to discuss?

11 (No response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none and without  
13 objection, the meeting is adjourned. Thank you.

14 (Whereupon, the above-entitled  
15 matter was adjourned.)

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