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BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITY SPECIAL OPEN MEETING
Wednesday, March 18, 2020
Chicago, Illinois

Met pursuant to notice at 1:00 P.M., at 160
North LaSalle Street, Chicago, Illinois.

PRESENT:

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

SULLIVAN REPORTING COMPANY, by
BRAD BENJAMIN, CSR
LICENSE NO. 084-004805

1 CHAIRWOMAN ZALEWSKI: Good afternoon.

2 Are we ready to proceed in
3 Springfield?

4 COMMISSIONER CARRIGAN: Chairman, Mike
5 Carrigan. Yes, we are. I can hear you loud and
6 clear.

7 CHAIRWOMAN ZALEWSKI: Thank you.

8 Under the Open Meetings Act, I call
9 the March 18th, 2020, Special Open Meeting to order.
10 Commissioners Bocanegra, Kimbrel, and Oliva are with
11 me in Chicago and at a healthy distance from each
12 other. And Commissioner Carrigan is joining us from
13 Springfield. We have a quorum.

14 Before we proceed, I'd like to
15 indicate that, due to the emergency measures
16 implemented in response to the COVID-19 pandemic, the
17 Governor's Executive Order 2020-07, we expect more
18 remote participation from the general public. Due to
19 that, I would ask that every Commissioner -- to state
20 their name before speaking for the benefit of the
21 public.

22 With that, let's continue our meeting.

1 We have no requests to speak.

2 We're now moving on to our Public
3 Utilities Agenda. There are no minutes to review on
4 the Public Utility Agenda.

5 Under the Electric items, Item E-1
6 concerns Docket 17-0123, which is an investigation
7 into non-RES third-party warrant process for access
8 to customer Advanced Metering data.

9 We'll hold this item for later
10 disposition.

11 Under Item E-2, this concerns Docket
12 18-0880, which is a complaint against ComEd as to
13 billing charges for a vacant building. The Order
14 denies the complaint, finding the complainant
15 responsible for their energy usage. The Order
16 directs ComEd to remove the late fees and interest
17 and set up a deferred payment arrangement with the
18 complainant.

19 Are there any objections to approving
20 the Order?

21 (No response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the Order

1 is approved.

2 Items E-3 and E-4 concern Dockets
3 19-1011 and 20-0115, which are complaints against
4 Spark Energy. The parties in both dockets filed
5 Stipulations and Joint Motions to Dismiss,
6 stipulating that all the matters in dispute were
7 resolved and requesting that the Commission dismiss
8 the complaints with prejudice.

9 Are there any objections in
10 considering these items together and granting both
11 Motions to Dismiss?

12 (No response.)

13 CHAIRWOMAN ZALEWSKI: Hearing none, the Motions
14 are granted and the complaints are dismissed with
15 prejudice.

16 Item E-5 concerns Ameren's Petition
17 for Reconciliation under Rider EUA, Electric
18 Uncollectible Adjustment, and Rider GUA, Gas
19 Uncollectible Adjustments, for 2016. The Order
20 approves the reconciliation as set in the Appendices
21 to the Orders, finding that the costs during the
22 reconciliation period were prudently incurred.

1 The Attorney General's office proposed
2 several adjustments to the Ameren collection
3 practices due to a concern of growing uncollectibles.
4 The Order rejects the AG proposals.

5 There are, however, substantive
6 amendments proposed by my office. The proposed edits
7 note that the Commission is concerned with the AG's
8 contention of a growing trend in long-term
9 uncollectibles but finds that the AG's proposal can
10 be best addressed in a broader forum, such as a
11 rulemaking proceeding and workshop, to allow for a
12 broader group of stakeholders to express their views.
13 The Commission finds that the AG's proposal highlight
14 a broader concern of overall growing uncollectibles
15 and require improvement of overall collection
16 practices in all Illinois utilities.

17 I move the edits.

18 Is there a second?

19 COMMISSIONER BOCANEGRA: Second.

20 CHAIRWOMAN ZALEWSKI: Are there any objections
21 to approving the proposed edits to the Order?

22 (No response.)

1 CHAIRWOMAN ZALEWSKI: Hearing none, the edits
2 are approved.

3 Are there any objections to approving
4 the Order as edited?

5 (No response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
7 is approved.

8 I note that on this Agenda the
9 Commission will address and vote on a Notice of
10 Inquiry under Item M-1 to collect information on
11 affordability of utility services that will look into
12 some of the AG's proposals in the broader forum that
13 includes all utilities and other stakeholders.

14 Item E-6 concerns Docket 19-0774,
15 which is a Petition for Approval of a Territorial
16 Agreement that Provides for Exclusive Electric
17 Service Areas in Sangamon County. The Agreement is
18 between Menard Electric Cooperative and the Village
19 of Riverton and defines the geographic areas in which
20 each party will provide retail electric service in
21 Sangamon electric -- excuse me -- Sangamon County,
22 Illinois. The Order approves the Agreement and the

1 Service Area Map, finding that they meet the
2 requirements of the Illinois law.

3 Are there objections to approving the
4 Order?

5 (No response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
7 is approved.

8 Items E-7 through E-11 concern
9 applications for certificates to install Distributed
10 Generation Facilities in Illinois. The Orders grant
11 the certificates, finding that the applicants meet
12 the requirements.

13 Are there any objections to
14 considering these items together and approving the
15 Orders?

16 (No response.)

17 CHAIRWOMAN ZALEWSKI: Hearing none, the Orders
18 are approved.

19 Item E-12 concerns Docket 19-1121,
20 which is the resuspension of the ComEd's proposed
21 revisions to the Rider POGCS, the Parallel Operation
22 of Retail Customer Generating Facilities Community

1 Supply. The Commission suspended proposed revisions
2 until April 9th, 2020. The Commission's
3 investigation has not been concluded and requires
4 further suspension for an additional six months to
5 October 9th of 2020.

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

8 (No response.)

9 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
10 is approved.

11 Items E-13 through E-15 concern
12 Petitions for Approval of Release of Ameren's
13 Commercial Customers. The Orders grant the
14 petitions.

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

18 (No response.)

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

21 Items E-16 and E-17 concern
22 applications for licenses to operate as Retail

1 Electric Agents, Brokers, and Consultants in
2 Illinois. The Order grants the license -- it grants
3 the license, finding that the applicants meet the
4 requirements.

5 Are there any objections to
6 considering these items together and approving the
7 Orders?

8 (No response.)

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

11 Item E-18 concerns a petition to
12 cancel a certificate to operate as a Retail Electric
13 Agent, Broker, and Consultant in Illinois. The Order
14 cancels the certificate.

15 Are there any objections to approving
16 the Order?

17 (No response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
19 is approved.

20 Items E-19 and E-20 concern requests
21 for confidential treatment of information in the
22 petitioners' reports. The Orders grant the

1 protection, finding that the information is highly
2 proprietary and confidential.

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

6 (No response.)

7 CHAIRWOMAN ZALEWSKI: Hearing none, the Orders
8 are approved.

9 Items E-21 through E-27 concern
10 applications for Certifications to install Energy
11 Efficiency Measures in Illinois. The Orders grant
12 the certificates, finding that the applicants meet
13 the requirements.

14 Are there any objections to
15 considering these items together and approving the
16 Orders?

17 (No response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the Orders
19 are approved.

20 Under our Gas items: Item G-1 concerns
21 Nicor's filing to revise reporting of its annual
22 energy efficiency plan, or EEP, statement of

1 activity. The proposed revision is to Rider 30 and
2 deletes language requiring Nicor to file an EEP
3 statement of activity annually by March 20th. The
4 EEP filing is no longer needed as per Section 6.7 of
5 the Illinois Energy Efficiency Policy Manual
6 Version 2.0. Nicor will still have to file an annual
7 report for reconciliation purposes. The Commission
8 staff recommends not suspending the filing.

9 Are there any objections to not
10 suspending the filing?

11 (No response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none, the filing
13 is not suspended.

14 Item G-2 concerns Ameren's filing for
15 a general rate increase and revisions to other terms
16 and conditions of service. The Commission staff has
17 recommended that the Commission suspend the filing
18 for further investigation.

19 Are there any objections to suspending
20 the filing?

21 (No response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the filing

1 is suspended.

2 Item G-3 concerns Docket 18-1092,
3 which is the Engineering review of the Peoples Gas
4 cast iron and ductile iron pipeline system.
5 Commission staff recommends reopening Docket 18-1092
6 for the purpose of considering the recommendation of
7 the Final Kiefner Report.

8 The Order reopens the docket and
9 directs Peoples Gas to file a response to the Final
10 Kiefner Report. The Order also directs Staff to
11 convene workshops to discuss the Report and the
12 Peoples Gas response.

13 Are there any objections to approving
14 the Order?

15 (No response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
17 is approved.

18 Item G-4 concerns North Shore and
19 Peoples Gas' request for reconciliation of revenues
20 collected under their Rider VBA, or Volume Balancing
21 Adjustment, for the calendar year 2018. The Order
22 approves the reconciliation as set in the Appendices

1 to the Order, finding that the costs during the
2 reconciliation period were prudently incurred.

3 Are there any objections to approving
4 the Order?

5 (No response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
7 is approved.

8 Item G-5 concerns Ameren's request for
9 reconciliation of revenues collected under their
10 Rider ICTA, or Invested Capital Tax Adjustment, for
11 the calendar year 2017. The Order approves the
12 reconciliation as set in the Appendix to the Order,
13 finding that the costs during the reconciliation
14 period were prudently incurred.

15 Are there any objections to approving
16 the Order?

17 (No response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
19 is approved.

20 Items G-6 concerns a request for
21 confidential treatment of information in the
22 petitioner's report. The Order grants the

1 protection, finding that the information is highly
2 proprietary and confidential.

3 Are there any objections to approving
4 the Order?

5 (No response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
7 is approved.

8 There are no Telecommunications items.

9 Under our Water and Sewer items:
10 Item W-1 concerns Aqua Illinois' Filing to revise
11 its -- its serv- -- excuse me -- its sewer service
12 tariff to implement a franchise agreement with the
13 Village of Grant Park. The Commission staff
14 recommends not suspending the Filing.

15 Are there any objections to not
16 suspending the Filing?

17 (No response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the Filing
19 is not suspended.

20 Moving on to our Miscellaneous items:

21 Item M-1 concerns a notice of inquiry regarding
22 the -- regarding energy affordability. The

1 Commission is interested in evaluating what
2 information is available regarding affordability of
3 utility services to energy consumers, what the
4 current state of affordability of utility service is,
5 and the impact on affordability of current programs
6 and measures. The Order initiates a notice of
7 inquiry to gather information on these matters.

8 Are there any objections to approving
9 the Order and initiating the Notice of Inquiry?

10 (No response.)

11 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
12 is approved.

13 I'd like to quickly add affordability
14 was a persistent issue before the COVID-19 emergency
15 health crisis began. Commissioner Oliva, Commission
16 Staff, and my office had been working on this for
17 some time.

18 The intention of the NOI is that we
19 gather important information about the number of
20 disconnections under various consumer circumstances,
21 credit, and collection practices, and even a uniform
22 definition of affordability and low-income.

1 I'd also note that, in light of the
2 current circumstances, parties are required to submit
3 initial comments 60 days from the day upon which the
4 declaration of the Governor announcing the end of the
5 COVID-19 state of public health emergency. And
6 finally note that Commission administrative rules
7 provide a mechanism for the request for more time to
8 file if necessary.

9 Okay. Item M-2: M-2 concerns an
10 Emergency Interim Order imposing temporary measures
11 in response to the COVID-19 virus.

12 Earlier in March, Governor J.B.
13 Pritzker issued a declaration under Sections 4 and 7
14 of the Illinois Emergency Management Agency Act,
15 finding that, as a result of the global COVID-19
16 epidemic, a public health crisis exists in the state
17 of Illinois within the meaning of the Act and
18 declaring all 102 counties within the State to be
19 disaster areas. The Governor and the Attorney
20 General requested the Commission act within its
21 jurisdiction to ensure that during the declared
22 public health emergency all people have continued

1 access to essential utility service regardless of
2 ability to pay.

3 The Order directs the Illinois gas,
4 electric distribution, water and sewer utilities to
5 cease disconnections for non-payment and to suspend
6 the imposition of late payment fees or penalties on
7 an interim basis and, until May 1, 2020, or until the
8 Governor announces the end of the COVID-19 state of
9 emergency if the state of emergency continues past
10 May 1st.

11 The Order also directs the utilities
12 to implement temporary flexible credit and
13 collections procedures to ensure that customers
14 remain connected to essential utility services when
15 the energy status ends. The Order directs Utilities
16 to file a response to this Order identifying how they
17 will comply with the Commission directive.

18 Are there any objections to approving
19 the Order?

20 (No response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the Order
22 is approved.

1 I would like to thank the utilities
2 for working to ensure that community health is
3 preserved during this epidemic. Many utilities have
4 self-imposed shutdown moratoriums and late fees, and
5 I applaud them.

6 The Order also asks Utilities to track
7 all prudently incurred expenses incurred from
8 implementing measures in response to the COVID-19
9 pandemic. This request will ensure a proper
10 foundation to enable a meaningful future Commission
11 review of reasonableness and prudence of such
12 spending, as required by the Act.

13 There are no Petitions for Rehearing.

14 Under Other Business: Item O-1
15 concerns approval of Batches, Contracts, and
16 Confirmations under the Illinois Adjustable Block
17 Program.

18 Are there any objections to approving
19 the Program Administrator's Submissions?

20 (No response.)

21 CHAIRWOMAN ZALEWSKI: Hearing none, the
22 Submissions are approved.

1 This concludes our Public Utilities
2 Agenda.

3 Judge Teague Kingsley, do we have any
4 matters to come before the Commission today?

5 JUDGE KINGSLEY: No, Madam Chairman.

6 CHAIRWOMAN ZALEWSKI: Thank you.

7 Finally, I want to thank everyone for
8 their flexibility as we navigate these unchartered
9 waters. We're grateful for the Governor's leadership
10 as evidenced by the recently executed Executive Order
11 to allow Commissioners to participate in open
12 proceedings via telephone. Everyone's safety is of
13 paramount concern.

14 Lastly and equally importantly, I
15 would like to extend my heartfelt thanks and
16 appreciation to the Commission's dedicated staff, who
17 worked tirelessly over the weekend to ensure the --
18 that the Commission's operations continue.

19 Do any of the Commissioners have any
20 other business to discuss?

21 (No response.)

22 Please note: The Emergency Special

1 Open Meeting was noticed for 1:30. So that's when
2 we'll start the Emergency Open Meeting.

3 With no other objection, this meeting
4 is adjourned. Thank you.

5 (Whereupon the above
6 matter was adjourned.)

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