

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION
3 PUBLIC UTILITIES REGULAR OPEN MEETING
4 Thursday, April 29, 2021
5 Chicago, Illinois

6
7 Met pursuant to notice via videoconference
8 at 11:30 a.m. at 160 North LaSalle Street, Chicago,
9 Illinois.

10
11 CARRIE ZALEWSKI, Chairwoman
12 (via Chicago Office)

13 D. ETHAN KIMBREL, Commissioner
14 (via Chicago Office)

15 MARIA S. BOCANEGRA, Commissioner
16 (via videoconference)

17 MICHAEL T. CARRIGAN, Commissioner
18 (via Springfield Office)

19
20
21 BRIDGES COURT REPORTING
22 BY: Stephen Mortensen,
 Notary Public

1 CHAIRWOMAN ZALEWSKI: Under the Open
2 Meetings Act and in accordance with the governor's
3 executive orders, I call the April 29, 2021,
4 Regular Open Meeting to order. Before we proceed,
5 for clarity of the record, I would ask everyone to
6 state their name before speaking and to speak
7 slowly and clearly so that the court reporter can
8 capture everything that is said. I have checked
9 that we have all four Commissioners present; we
10 have a quorum.

11 Today we have ten requests to
12 speak. Going in the order that we've received the
13 requests to speak, we'll hear from the following
14 ten people. First, Benjamin Theobald; second,
15 Arthur Paganini; third, Ronald Hamm; fourth, John
16 Keating; fifth, Beau Barber; sixth, Zach Carlson;
17 seventh, Lawrence Maushard; eighth, Jessica
18 Motsinger; ninth, Marc Girdler; and tenth, Allan
19 Max Axelrod.

20 Under 2 Illinois Administrative
21 Code, Section 1700.10, any person desiring to
22 address the Commission shall be allowed up to three

1 minutes. Only one person may speak on behalf of
2 any organization. Please note that the Commission
3 will not respond directly to any comments.

4 Any person wishing to provide
5 further comments may submit a written statement to
6 the Commission. The written comments may be
7 submitted by going to the ICC website,
8 ICC.Illinois.gov. Go to the e-Docket system and
9 for today's purposes, look for the Docket 20-0309.
10 And in that docket, click the "file a comment"
11 link. You can also call the ICC consumer services
12 division and the number is (800) 524-0795, and they
13 can help you submit your comments.

14 So first, we have Mr. Benjamin
15 Theobald. Mr. Theobald, are you there?

16 MR. THEOBALD: Yes. I am here.

17 CHAIRWOMAN ZALEWSKI: Great. Mr. Theobald,
18 you have three minutes. Please state and spell
19 your name and then Tanya Rabczak, my policy
20 advisor, will start the clock.

21 MR. THEOBALD: Yes. My name is Benjamin
22 Theobald, B-E-N-J-A-M-I-N, last name Theobald,

1 T-H-E-O-B-A-L-D. I'm a liaison or a member of the
2 Champaign-Urbana Democratic Socialists of America.
3 I'm speaking here today to request, once again,
4 that you extend or advise that Governor Pritzker
5 extend the -- put back in place the moratorium on
6 utilities, preventing any more water shutoffs.

7 On April 12, the Urbana City
8 Council passed a resolution, Resolution 2021-0407R,
9 a resolution declaring continued utility
10 disconnections in Illinois be a pandemic safety
11 risk. I won't read the whole thing, but I will
12 start where it says, "Whereas on March 20 of 2020,
13 the governor of the state of Illinois issued
14 Executive Order 2020-10 entitled, 'Executive Order
15 in response to COVID-19,' and has issued many
16 executive orders regarding the COVID-19 public
17 health emergency since that date."

18 Whereas over 81,000 households'
19 utility services were disconnected from September
20 24 through November of 2020, in Illinois. Whereas
21 from October 1 to October 29, undesirable
22 coronavirus metrics increased, including caseloads

1 of 151 percent, hospitalizations increased 73
2 percent, intensive care unit admissions increased
3 61 percent, patients on ventilators increased 63
4 percent, and deaths increased 82 percent. And
5 whereas over 313 households' utility services were
6 disconnected from September 24 through November of
7 2020, in the City of Urbana.

8 Whereas restrictions -- access to
9 utilities is based on ability to pay hinders the
10 public efforts in regards to other priorities
11 included. And whereas the governor of Illinois has
12 the authority from 20 ILCS 3305 Section 7 to enact
13 a mandatory moratorium on utility disconnections
14 from all providers including private corporations,
15 municipal utilities, cooperatives and all other
16 utility providers. Whereas the Bill HB2877, the
17 COVID Federal Emergency Relief Assistance Program
18 Act includes federal direct apportions to rent and
19 utility providers has already passed the house of
20 representatives. I believe it's also passed in
21 Bloomington, Sangamon County, and others.

22 And I'll just also say that the --

1 in Michigan, the Lansing Board of Water & Light,
2 that they will also not be -- they will also be
3 extending a moratorium, and I believe in Rhode
4 Island, in Providence, they've also extended a
5 moratorium through their school year through the
6 end of June, and so I am asking you -- well, that's
7 my time, but I beg to extend the moratorium. Thank
8 you.

9 CHAIRWOMAN ZALEWSKI: Thank you.

10 Next, Arthur Paganini.

11 MR. PAGANINI: Yeah. My name is Arthur
12 Paganini. That's spelled A-R-T-H-U-R. Last name
13 Paganini, P-A-G-A-N-I-N-I.

14 Okay. So I'm here, I'm
15 representing the Party For Socialism and Liberation
16 in Champaign-Urbana. I'm here with No Ameren
17 Shutoffs to ask the Commission to put pressure on
18 Governor Pritzker to impose a moratorium on utility
19 shutoffs.

20 I'll keep this short because
21 really what we want is very simple. Over the past
22 year, people have been suffering, and really

1 suffering a lot, not only because of the pandemic,
2 but really because the government that we relied on
3 did not help enough. And honestly, if it was just
4 this, it would be one thing, but at the same time,
5 you have these utility corporations like Ameren,
6 like Illinois American Water, they're profiting off
7 of us, like, right now. And honestly, I think that
8 it's unacceptable and I think the People of
9 Illinois think that it's unacceptable.

10 Like, just for example, Illinois
11 American Water, their profits, their share prices,
12 they've exploded in the past year. And at the same
13 time, right now, cases are rising and people are
14 dying. I just want to ask the Commission if you
15 think that this is acceptable, that a body of an
16 elected government of the people of Illinois, that
17 hundreds of thousands of its constituents are at
18 risk of losing power and running out of water,
19 like, while people are struggling to make ends meet
20 right now.

21 In the past, you've called a
22 moratorium before. You managed to get utility

1 shutoffs postponed, and it -- that really helps
2 people. And all that we're asking right now is
3 that you find it in yourselves to do it again.
4 That's all I have to say. Thank you for your time.

5 CHAIRWOMAN ZALEWSKI: Thank you,
6 Mr. Paganini.

7 Next is Ronald Hamm.

8 MR. HAMM: Yeah. That's me. Hello.

9 CHAIRWOMAN ZALEWSKI: Good morning.

10 MR. HAMM: My name is Ronald Hamm,

11 R-O-N-A-L-D H-A-M-M. Can you hear me?

12 CHAIRWOMAN ZALEWSKI: We can hear you. You
13 may proceed.

14 MR. HAMM: Okay. So to my knowledge, this
15 is the third time that I have had the unique
16 displeasure of having to speak to the maleficent
17 ghouls that operate the Illinois Commerce
18 Commission. I have tried to mention before how
19 you're making communities more unstable and how
20 that creates a cascade effect, but events have
21 transpired in my life that have made this
22 distinction much more pressing, let's say.

1 Let me tell you about what
2 happened when the power got shut off at my house.

3 So at around 9:45 on Saturday,
4 this Saturday, the power was shut off at my house.
5 The people in this house were not given warning
6 that this was going to happen. We did not receive
7 any warning that this was going to happen. We have
8 been regularly paying our bills. There's a stack
9 of receipts from bills that dates all the way back
10 to September, and most of those bills had been
11 coming out of my account, so I can pull references
12 for those. There was no reason for this. We don't
13 know why this happened. And my sister, who is not
14 entirely mentally well, believed that it happened,
15 that the power was shut off at our house because of
16 my activism in this issue, and I got thrown out.

17 I am fine. But --

18 CHAIRWOMAN ZALEWSKI: Mr. Hamm --

19 MR. HAMM: -- my grandmother came and picked
20 me up.

21 CHAIRWOMAN ZALEWSKI: Mr. Hamm, I'm really
22 sorry.

1 Just stop the clock for a second,
2 Tanya.

3 If you could just go back to your
4 last point. I think you're cutting in and out. I
5 just want to make sure the court reporter catches
6 what you're saying. So she's going to put -- hold
7 on. I'll tell you in one second. 1:30. So if you
8 could just kind of back up to your last two
9 statements. I apologize. I think you're cutting
10 out a little bit.

11 MR. HAMM: I'm sorry. What was the last
12 thing you heard?

13 CHAIRWOMAN ZALEWSKI: I heard -- the court
14 reporter can read it back for us.

15 THE COURT REPORTER: Yes. This is your
16 court reporter. The last thing that I captured
17 was, you believe that this happened because of your
18 activism within the ICC and then you were thrown
19 out recently from your home.

20 MR. HAMM: My sister threw me out, yes.
21 That's not exactly what happened. That's not what
22 I said, but I will repeat myself. My sister

1 believes that the power got shut off, or she
2 believed at the time that the power got shut off
3 because of my activism with No Ameren Shutoffs, and
4 I got thrown out.

5 I'm fine. My grandmother came and
6 picked me up and she made me a Reuben. And that's
7 not the point. The point is that this demonstrates
8 a number of things that we were told was not going
9 to happen immediately happened, and we were told
10 that there would be adequate notice that shutoffs
11 would occur, and that did not happen. We were told
12 there were opportunities for people to prevent
13 shutoffs from happening, and that did not happen.
14 And we were told that shutoffs would be rare, but I
15 find that that stretches the limits of credulity
16 because again, we have been making regular
17 payments. I have a pile of receipts.

18 And this can't keep happening. We
19 can't keep begging people not to make the worst
20 situation in our lifetimes worse. How are you
21 making this worse? How do you not want to do
22 something about this? We need to get a moratorium

1 on shutoffs or there will be people out in the
2 street and will be in danger. And just -- people
3 getting thrown out of their houses. There was a
4 baby in my house. And so when they -- you can't
5 have a baby in a house without power.

6 THE COURT REPORTER: Excuse me, Mr. Hamm?

7 MR. HAMM: You're putting people in danger.
8 You're putting the kid in danger.

9 THE COURT REPORTER: Excuse me, Mr. Hamm,
10 can you hear me? This is the court reporter.

11 CHAIRWOMAN ZALEWSKI: Okay. Mr. Hamm, that
12 -- go ahead, Mr. Court Reporter.

13 THE COURT REPORTER: I was going to say I
14 lost his last few sentences there, but now I don't
15 know that I'm hearing him at all.

16 CHAIRWOMAN ZALEWSKI: I'm sorry. Repeat
17 that?

18 MR. HAMM: I muted myself after the time
19 ended.

20 THE COURT REPORTER: Yeah. Mr. Hamm.

21 MR. HAMM: What was the last thing you
22 picked up, if you need me to repeat it?

1 THE COURT REPORTER: Yeah. Let me -- yeah,
2 I kind of heard -- sorry. This thing keeps
3 bouncing back on me. Essentially, your grandmother
4 picked you up; she made you a sandwich. It kind
5 of, after that, started breaking up.

6 MR. HAMM: Oh, damn it. Should I just
7 repeat everything that I said after -- my point is
8 that shutting off utilities, they're -- we were
9 told that there would be a process, right? We were
10 told that there will be a process for utilities
11 being shut off and that process is not being
12 followed. And, like, I know that this process
13 isn't being followed because it wasn't followed on
14 my end. Shutoffs are happening immediately and, as
15 far as I can tell, without warning. And while --
16 you -- we were told that they will be rare, that's
17 not true, because how does this happen with -- to
18 me who's been making payments since, at least,
19 September? And you're putting people in danger
20 because you're putting them in dangerous
21 situations.

22 CHAIRWOMAN ZALEWSKI: Okay. Thank you,

1 Mr. Hamm.

2 Next, we have John Keating.

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Second call for John
5 Keating. If you're on, you need to unmute
6 yourself, Mr. Keating. And I believe he just
7 dropped off. John Keating?

8 (No verbal response.)

9 CHAIRWOMAN ZALEWSKI: Last call for John
10 Keating.

11 Okay. Next, Beau Barber.

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

13 CHAIRWOMAN ZALEWSKI: We can hear you. It's
14 a little quiet, so perhaps if you can turn up your
15 volume or just speak a little louder, but you are
16 coming through.

17 MR. BARBER: Is this better?

18 CHAIRWOMAN ZALEWSKI: That's better. Thank
19 you.

20 MR. BARBER: Okay. My name is Beau Barber,
21 spelled B-E-A-U, and then my last name,
22 B-A-R-B-E-R. And I am a precinct committee person

1 in the Champaign Democrat -- Champaign County
2 Democratic Party for the Ogden 1 Precinct. So I'm
3 here to -- like the other callers before me, ask
4 you to put in place, you know, to put in place a
5 complete non-means-tested moratorium.

6 Along with other counties, my
7 party -- my county's party, the Champaign County
8 Democratic Party, also passed a similar resolution
9 as to what Ben -- the speaker, Ben Theobald had
10 mentioned earlier. We've been heavily hit by power
11 and water shutoffs, almost somewhat seemingly
12 disproportionately compared to, like, Lake County,
13 which is, like, over -- like, two, three times the
14 county that I live in. And they -- we have about
15 maybe, like, what -- about 300 more than them.

16 Like, we have about -- had --
17 we've had 3,000 shutoffs since September and
18 they've had about 2,700, but they have, like, three
19 times the population. I mean, I can probably take
20 a stab at the answer knowing some demographics with
21 the fact that Lake County is a lot richer, but,
22 like, are we just going to be okay with the fact

1 that, you know, Champaign County is maybe not as
2 rich as Lake County? That's kind of like -- that's
3 just kind of like, "Well, poor people are poor and
4 they're going to lose their power."

5 Just like the previous speaker,
6 and I can, you know, I can understand maybe he was
7 speaking kind of fast, but also like, if I was in
8 his situation, I'd be speaking fast. I have ADHD
9 and also, like, just anxiety. I'd be -- I'll be
10 honest, I would not be as pleasant as Ronald was
11 and Ronald was being rather pleasant.

12 And also just, you know, it's
13 important, because, like, I've also looked at Aqua
14 Illinois, one of their compliance reports that
15 talked about the number of arrearages, and there
16 was over 16,000 people that are a month like --
17 that are a month or more behind on paying bills,
18 for just Aqua Illinois and only 834 have received,
19 you know, like, some financial assistance or had
20 their bills eliminated. And that's around 5
21 percent, and compared to last year around the same
22 time for March, there was 19,000 people shut off.

1 But looking at the cumulative sum
2 owed, on average there was -- you know, based on
3 the data that they show there, on average, there
4 was only about \$90 per household, like, \$90 of debt
5 that were owed per household. Now, it's 132.

6 I also just want to ask, you know
7 -- I believe, like, they're not letting in-person
8 people -- people speak in person. They are doing
9 it remotely. I can understand that safety and I
10 really appreciate it because, you know, doing
11 remote means I can call in from where I live in,
12 you know, Champaign County, but also I'd ask, are
13 you alone in your room in the Council Chamber,
14 Council Member Carrigan, because otherwise that's
15 kind of a safety risk and has me concerned. So
16 thank you.

17 CHAIRWOMAN ZALEWSKI: Thank you, Mr. Barber.

18 Next is Zach Carlson.

19 MR. CARLSON: Hopefully, you all hear me.

20 CHAIRWOMAN ZALEWSKI: We can hear you.

21 MR. CARLSON: Wonderful. So my name is Zach
22 Carlson, Z-A-C-H C-A-R-L-S-O-N. And I want to

1 start by just -- thanks for taking the time to
2 listen today. Again, my name is Zach Carlson, and
3 I am the chair of the Bloomington-Normal Communist
4 Party, United States.

5 I'm here to speak on the impending
6 utility shutoffs epidemic. This Commission, in
7 conjunction with Attorney General Kwame Raoul,
8 created a utility shutoff moratorium in March of
9 2020, that lasted until August. That moratorium
10 was constantly moved back until heating season,
11 December 1 until March 31. This was at a time when
12 there was less than 100 active cases in McLean
13 County. Now they are over 550.

14 At its peak, there was over 1500,
15 10 percent of our county. This past Monday, the
16 Bloomington City Council passed another resolution
17 asking for a utility shutoff moratoriums from the
18 state. I ask on behalf of Bloomington-Normal and
19 McLean County, that this body create another
20 shutoff moratorium.

21 Currently, there is HB2877 in the
22 Illinois legislature. This piece of legislation

1 will really help the working people of this state
2 at a time of great economic uncertainty. However,
3 it has not yet passed. Additionally, unemployment
4 only counts those who still -- are still looking
5 for work. While the official count is down, it
6 does not count those who have been unemployed and
7 then given up hope, no longer looking for official
8 or proper work, still unable to pay their bills,
9 and are at risk.

10 We need protections. All of our
11 programs lead to LIHEAP. The need far outweighs
12 what they are able to give. We just found out this
13 past September where the numbers far outweighed
14 what they could traditionally give. Utility
15 shutoffs are only evictions by other means.
16 Bloomington-Normal, as well as almost the entire --
17 almost statewide, there's a housing shortage, a
18 rental shortage, and a rental moratorium about to
19 end. We are sprinting towards crisis all the while
20 there is still a global pandemic.

21 I ask this body, once again, to
22 create another moratorium to do their part in

1 abating this crisis and help the working people of
2 Illinois. Thank you.

3 CHAIRWOMAN ZALEWSKI: Thank you.

4 Lawrence Maushard.

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Second call for
7 Lawrence Maushard. Doing a quick scan of names,
8 and I do not see Mr. Maushard.

9 Jessica Motsinger.

10 MS. MOTSINGER: Do you hear me all right?

11 CHAIRWOMAN ZALEWSKI: We can hear you.

12 MS. MOTSINGER: Okay. Thank you very much.

13 Thank you for having this meeting, and thank you
14 for having us all get the chance to speak. And as
15 you can see, a lot of people are in crisis right
16 now still. The pandemic is still going on; people
17 are still having issues with employment. I know,
18 for a fact, that I'm in a position where I'm
19 helping a couple of elderly folks that have found
20 themselves now looking at their utilities being
21 shut off.

22 I'm in Belleville, Illinois; we're

1 in St. Clair County. Other than Cook County, we
2 have the most utility shutoffs in the state. In my
3 county, we have East St. Louis, Cahokia; we have
4 Belleville and every -- we've got Air Force and
5 military folks. It is not just what you would
6 typically consider poor folk that are suffering.
7 We're looking at a lot of people with limited or
8 set incomes that are being affected right now.

9 I know here in my county, we pay a
10 sewage bill and a water bill. If we miss any of
11 those, we will either have a lien put on our
12 property and both the water and the sewage will be
13 turned off. Electric, you end up getting the late
14 fees and it takes a while to get it turned on. In
15 the state of Illinois, as you guys know, in
16 juvenile court, if a mother has her electric or her
17 utilities shut off, that is in the negligence code
18 and that is reason or grounds that they can take
19 their children away.

20 There is an immense amount of
21 cascading effects and consequences that occur in
22 everyday lives. People are so stressed out; it is

1 not over. I represent a lot of chronically ill
2 people and disabled folks. And I'm telling you
3 right now this isn't just a few individuals that
4 you can laugh off or whatever. This is actually
5 happening to a great percentage of Illinois'
6 citizens.

7 Again, I am pleading with you.
8 HB2877, the rent and utility relief bill, has got
9 over 23 co-sponsors, state senators co-sponsoring
10 this bill. This is going to pass; this is going to
11 help everybody. Please extend the moratorium. Do
12 not put more families and citizens at risk. It
13 really doesn't hurt anybody. Just please think of
14 the citizens.

15 This isn't a laughing matter.
16 This is serious and it affects a lot, a lot of
17 people, people that you know. They may not tell
18 you about it, but they're dealing with their own
19 personal crises that have been going on for a year
20 now and it's still not over.

21 Thank you very much for your time,
22 and have a good day.

1 CHAIRWOMAN ZALEWSKI: Thank you,
2 Ms. Motsinger.

3 Next, Marc Girdler.

4 MR. GIRDLER: Hi.

5 CHAIRWOMAN ZALEWSKI: Hi, Mr. Girdler.

6 MR. GIRDLER: How are you today?

7 CHAIRWOMAN ZALEWSKI: I'm well. If you just
8 state and spell your name and then we'll begin the
9 clock.

10 MR. GIRDLER: Certainly. My name is Marc
11 Girdler, M-A-R-C G-I-R-D-L-E-R. I am with the
12 Decatur area Club for the Communist Party. And I'm
13 also an elected official here in Decatur; I'm a
14 precinct committee person. And at our last
15 meeting, the Macon County Democrats passed
16 unanimously a resolution to encourage utility
17 shutoff moratoriums to be reinstated and extended.

18 I've been here several times now
19 to tell you about how difficult and complicated it
20 can be to get the available relief here in Decatur.
21 And every time it's gotten worse since the last
22 time I spoke to you. Things in Decatur have gotten

1 so bad as far as how the city of Decatur is
2 distributing relief on rent and utilities, that the
3 Washington Post has taken an interest and is
4 considering coming to town to cover the story.

5 Our city manager has said that our
6 city is facing potential insolvency. We are alone
7 here trying to survive on what little help we're
8 getting and that help is almost impossible to get
9 for many people. I don't understand why this is
10 even a hard decision for you to make. You've made
11 it -- you've increased your own safety protocol
12 since the last meeting. You should increase our
13 safety as well and the safety of everyone in
14 Illinois. It's a no-brainer.

15 You need to bring back the utility
16 moratorium and extend it -- and I also want to say
17 that we've had people here talking about life and
18 death matters. We've had someone here talking
19 about the devastation that these shutoffs have
20 caused in their personal lives. And, Mr. Carrigan,
21 I don't think you should be playing on your phone
22 while people are giving these personal accounts,

1 because this is really harming people's lives and
2 it might be just another meeting to you, but this
3 is our lives.

4 Thank you for your time.

5 CHAIRWOMAN ZALEWSKI: Mr. Allan Max Axelrod.

6 (No verbal response.)

7 CHAIRWOMAN ZALEWSKI: Allan Max Axelrod. I
8 do not see on, but I am going to call John Keating
9 again because when I did call his name, I saw that
10 he was connected, but I think he had technical
11 difficulties. So, Mr. Keating, if you're able to
12 unmute, then please proceed.

13 MR. KEATING: I am. And I am here. Thank
14 you very much for circling back to me. I
15 appreciate it.

16 CHAIRWOMAN ZALEWSKI: Sure.

17 MR. KEATING: My name is John Keating. I am
18 the co-founder of Education and Action Together and
19 the co-chair of the Sangamo Valley Green Party.
20 I've spoken to you folks before in person and one
21 of the things that I wanted to highlight, it
22 appears that nobody from the Chicago portion of the

1 Commission is actually in chamber. And in the
2 e-mail that I received after I requested to speak
3 to the Commission in person, it reads that at the
4 direction of --

5 It says, "Please note: At the
6 direction of the Commission, all public comments
7 will be presented by Webex, due to the continuing
8 COVID restrictions. No in-person presentations
9 will be permitted."

10 If you're not comfortable with me
11 being there sitting in the same room with you, why
12 are you comfortable with de-housing Illinois
13 families and causing them to create multi-family
14 and multi-generational housing units?

15 One of the big things -- we're on
16 the last leg of this pandemic. We can see the
17 light at the end of the tunnel, but it affects us
18 differently here in Sangamon County and the
19 Chicagoland area than it's affecting downstate
20 Illinois. Chicago can't get enough vaccines
21 because people are actually taking them, but right
22 now in Jersey County, they're having vaccines sit

1 on the shelves for weeks because they can't get
2 enough people to actually get the vaccine and put
3 an end to this.

4 So while you're comfortable in
5 Chicago and we're doing fairly well with it here in
6 Sangamon County, despite the rising case numbers,
7 downstate Illinois is dying. They're not anywhere
8 near the end of this pandemic and you're -- by
9 shutting off utilities, there's an eviction
10 moratorium nationwide. But when you shut
11 somebody's utilities off, that makes their house
12 uninhabitable. They move in with friends and
13 family and they create these situations where the
14 spread of COVID is much more likely.

15 Putting older people at risk,
16 putting anybody in their lives that they're coming
17 into contact with -- and to sit there in your own
18 homes and me in mine because it's dangerous for me
19 to be sitting in the same room as you, but allowing
20 people to be forced to move in with friends and
21 relatives, it's unconscionable and I don't think
22 that you understand what the working poor are going

1 through in this state. I think that you're sitting
2 there looking at this as a data issue, and not a
3 people issue. You're looking at this as a profit
4 and loss statement and not a life or death issue.
5 Thank you very much for your time.

6 CHAIRWOMAN ZALEWSKI: Thank you.

7 I now see Allan Max Axelrod and I
8 know there's been technical difficulties, and so
9 you know, I don't know if Mr. Axelrod -- if you're
10 able to unmute. You can proceed because I see that
11 you're now on, and I'm not sure if you were on when
12 I called your name. I apologize.

13 MR. AXELROD: That's totally all right.

14 Thank you so much. Can you hear me?

15 CHAIRWOMAN ZALEWSKI: We can hear you.

16 MR. AXELROD: All right. My name, Allan Max
17 Axelrod, A-L-L-A-N M-A-X A-X-E-L-R-O-D. I'm the
18 campaign lead at No Ameren Shutoffs, a zero-dollar,
19 all-volunteer group of over four dozen
20 organizations and counting, spanning the state of
21 Illinois, north and south, east and west. We have
22 won four utility shutoff moratoria and you have

1 heard from us every single time.

2 We've been distributing your
3 literature across this state and we'll be
4 continuing to do so to make sure that people stay
5 safe within the current policy. But we see,
6 through the preponderance of the evidence, that
7 there is not enough done. The \$80 million unlocked
8 by the governor through his executive order last
9 week, which the chairman of this body had even been
10 quoted in, is not enough.

11 That provides the equivalent of
12 \$1,000 to 80,000 households, when the attorney
13 general noted that there are 80,000 -- or sorry,
14 800,000 households at risk of utility shutoffs.
15 That's why in response to the executive order,
16 Bloomington City Council doubled down on their
17 initiative and passed a resolution calling on the
18 governor to act. That's why the Macon County
19 Democrats passed a resolution asking for the
20 governor to act. And that's why, despite all the
21 animus, despite the fact that several public
22 officials have gone on record with wild QAnon

1 conspiracies, the Champaign County Democrats went
2 on record calling for the governor to act.

3 Why won't you? What I saw in that
4 press release was a desperate attempt to write the
5 first draft of history. But you don't get much
6 more than that because we have media attention on
7 this issue. We have numerous public bodies paying
8 attention to this issue. We are organizing on this
9 issue because the corporations have made very clear
10 the bad faith that they intend to engage in.

11 During the utility shutoffs
12 moratorium for power utilities, the water utility
13 still shut people off and refused to give the
14 Champaign Urbana Public Health District the shutoff
15 notices. And now that the requirements for the
16 power utilities has lifted to send shutoff notices,
17 they're refusing to do so as well. We don't know
18 the communities that are being shut off with
19 precision like we did last time, which hinders our
20 ability to help people.

21 You are in privileged positions
22 with a unique ability to provide pressure on this

1 issue, and the fact that you have not done so
2 publicly is condemnation when the people start to
3 write the history of what happened during this
4 pandemic. Why is it, that despite the cynicism of
5 many other politicians, they've acted and you've
6 not? I really want you to answer that question.
7 Have a good day.

8 CHAIRWOMAN ZALEWSKI: Thank you. This
9 concludes our requests to speak.

10 We're going to move on to our
11 Public Utilities Agenda.

12 There are edits to the April 1,
13 2021, Regular Open Meeting Minutes. Are there any
14 objections to approving the minutes as edited?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the
17 minutes are approved.

18 Under the Electric Items. Item E-1
19 concerns MidAmerican's filing to implement a new
20 greater electric, incremental, uncollectible
21 adjustment per Rider UAE to recover the incremental
22 differences between the actual uncollectibles and

1 the uncollectible amount included in the electric
2 rates. The Commission Staff reviewed the filing
3 and recommends not suspending it. Are there any
4 objections to not suspending the filing?

5 (No verbal response.)

6 CHAIRWOMAN ZALEWSKI: Hearing none, the
7 filing is not suspended.

8 Item E-2 through E-5 concerns
9 Applications for Certifications to Operate as an
10 Installer of Distributed Generation Facilities in
11 Illinois. The orders grant the certificates,
12 finding that the applicants meet the requirements.
13 Are there any objections to considering these items
14 together and approving the orders?

15 (No verbal response.)

16 CHAIRWOMAN ZALEWSKI: Hearing none, the
17 orders are approved.

18 Item E-6 concerns the complaint
19 against ComEd about underground high voltage line
20 relocation. Complainant failed to appear at the
21 hearings and the respondent made a motion to
22 dismiss for want of prosecution. The order

1 dismisses the complaint. Are there any objections
2 to approving the order?

3 (No verbal response.)

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

6 Items E-7 through E-9 concern
7 Applications for a Certification to Install,
8 Maintain, or Repair Electric Vehicle Charging
9 Station Facilities in Illinois. The orders grant
10 the certificates, finding that the applicants meet
11 the requirements. Are there any objections to
12 considering these items together and approving the
13 orders?

14 (No verbal response.)

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

17 Item E-10 concerns an Application
18 for a Certificate to Install New Utilities Sale
19 Solar Project. The order grants the certificate,
20 finding that the applicant meets the requirements.
21 Are there any objections to approving the order?

22 (No verbal response.)

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

3 Items E-11 and E-12 concern
4 petitions for a waiver or determination of no
5 viability associated with electrical outages that
6 occurred in Ameren service territory during storms
7 on July 1 of 2020, and August 11 -- excuse me,
8 August 10 of 2020. The orders grant the waivers,
9 finding that the distribution systems were
10 appropriately designed, constructed, and
11 maintained, that the customer interruptions were
12 unpreventable due to weather events, and that the
13 utility's restoration effort was reasonable and did
14 not contribute to the higher number or length of
15 interruption. 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 Item E-13 concerns Ameren's
22 petition for reconciliation under the Rider

1 Electric Uncollectible Adjustment, or Rider UEA,
2 and the Rider Gap Uncollectible Adjustment, or
3 Rider GUA, for the 2018 calendar year. The order
4 approves the reconciliation as specified in the
5 appendices, finding that the costs during the
6 reconciliation period were prudently incurred. Are
7 there any objections to approving the order?

8 (No verbal response.)

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

11 Item E-14 concerns a citation for
12 failure to file compliance recertification reports
13 for 2017 through 2019. Staff filed a motion to
14 dismiss the proceeding because the respondent has
15 filed the missing reports. Are there any
16 objections to granting the motion to dismiss?

17 (No verbal response.)

18 CHAIRWOMAN ZALEWSKI: Hearing none, the
19 motion to dismiss is granted.

20 Item E-15 concerns the petition to
21 cancel a Certificate of Service Authority to
22 Install Energy Efficiency Measures. The order

1 cancels the certificate. Are there any objections
2 to approving the order?

3 (No verbal response.)

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

6 Items E-16 through E-29 concern
7 Applications for Certification to Install Energy
8 Efficiency Measures in Illinois. The order grants
9 the certificates, finding that the applicants meet
10 the requirements. 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 Under Gas Items. Item G-1 concerns
17 MidAmerican's filing to implement a new Rider Gas
18 Incremental Uncollectible Adjustment, or Rider UAG,
19 to recover the incremental difference between the
20 actual gas-related uncollectibles and the
21 uncollectible amount included in its gas rate. The
22 Commission Staff reviewed the filing and recommends

1 not suspending it. Are there any objections to not
2 suspending the filing?

3 (No verbal response.)

4 CHAIRWOMAN ZALEWSKI: Hearing none, the
5 filing is not suspended.

6 Item G-2 concerns Nicor Gas's
7 Motion to Withdraw, a petition for an order
8 authorizing the use of eminent domain power.
9 According to the motion, Nicor Gas and WCL resolved
10 the means by which Nicor would get the necessary
11 rights to access the WCL Railroad rights-of-way to
12 construct a gas pipeline. Are there any objections
13 to granting the Motion to Withdraw?

14 (No verbal response.)

15 CHAIRWOMAN ZALEWSKI: Hearing none, the
16 motion is granted.

17 Item G-3 concerns North Shore and
18 Peoples Gas petition for reconciliation under Rider
19 UEA, or Uncollectible Expense Adjustments, for the
20 2017 calendar year. The order approves the
21 reconciliation as indicated in the appendices to
22 the order. Are there any objections to approving

1 the order?

2 (No verbal response.)

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

5 Item G-4 concerns Nicor's petition
6 for reconciliation under Rider 36, or Variable
7 Income Tax Adjustment, for the period July 1, 2019,
8 to June 30 of 2020. The order approves the
9 reconciliation as indicated in the appendix to the
10 order, finding that the calculations are accurate.
11 Are there any objections to approving the order?

12 (No verbal response.)

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

15 Items G-5 and G-6 concerns
16 petitions for confidential treatment of petitioners
17 annual re-certification reports for a period of not
18 less than two years. The orders grant the
19 protection, finding that the information is highly
20 proprietary and confidential. Are there any
21 objections to considering the items together and
22 approving the orders?

1 (No verbal response.)

2 CHAIRWOMAN ZALEWSKI: Hearing none, the
3 orders are approved.

4 Item G-6 [sic] concerns Docket
5 20-0606 which is Nicor's proposed revenue neutral
6 tariff, filing to address issues arising from the
7 storage study. In its brief on exceptions, the
8 Retail Energy Supply Association, or RESA, requests
9 oral arguments pursuant to Section 9-201C of the
10 Public Utilities Act regarding RESA's exceptions to
11 the proposed orders. Are there any objections to
12 granting the request for oral argument?

13 (No verbal response.)

14 CHAIRWOMAN ZALEWSKI: Hearing none, the
15 requests for oral argument is granted. The oral
16 argument will be held on May 10 at 2:00 p.m. in a
17 virtual online format. A due notice of the oral
18 argument will be issued shortly.

19 Item G-8 concerns Docket 20-0622,
20 which is a complaint against Peoples Gas regarding
21 the location of a new gas meter. The order denies
22 the complaint, finding that the meter installation

1 location complies with Commission rules, Peoples
2 Gas' tariffs, and Peoples Gas' construction
3 regulations. Are there any objections to approving
4 the order?

5 (No verbal response.)

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

8 Item T-1 concerns complaints
9 against First Communications as to failure to
10 maintain and apply with agreed telecommunication
11 standards. Complainants allege they incurred
12 significant revenue loss due to multiple phone
13 failures and failure to comply with agreed upon
14 standards. The order grants the motion to dismiss
15 the complaint with prejudice, finding that the
16 complainant failed to include a plain and concise
17 statement of the acts or things claimed to have
18 been done or omitted in violation, as required by
19 Section 200.170, of the Rules of Practice, and the
20 allegations for service disruptions occurring prior
21 to September 16 of 2017 are time-barred. Are there
22 any objection to approving the order?

1 (No verbal response.)

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

4 Item T-2 concerns the Application
5 for a Certificate of Local and Inter-exchange
6 Carrier Authority to Operate as a Re-seller and or
7 Facilities-Based Carrier of Telecommunications
8 Services in Illinois The order grants the
9 certificate. Are there any objections to approving
10 the order?

11 (No verbal response.)

12 CHAIRWOMAN ZALEWSKI: Hearing none, the
13 order is approved.

14 Item T-3 concerns a petition for
15 an annual line charge determination. The order
16 grants the petition. The order finds that the
17 petitioner's annual line charge filing is supported
18 by the required schedules and properly utilizes a
19 projection period of January 1 of 2021 through
20 December 31 of 2021. Are there any objections to
21 approving the order?

22 (No verbal response.)

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

3 Item T-4 to T-13 concern petitions
4 for confidential treatment of petitioner's annual
5 reports. The orders grant the protection, finding
6 that the information is highly proprietary and
7 confidential. Are there any objections to
8 considering these items together and approving the
9 orders?

10 (No verbal response.)

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

13 Under our Water and Sewer Items.
14 Item W-1 concerns Aqua Illinois' petition for
15 reconciliation under the VBA Rider tariff for
16 Volume Balancing Adjustments for the 2019 calendar
17 year. The order approves the reconciliation as
18 summarized in the appendices to the order, finding
19 that the costs were prudently incurred. Are there
20 any objections to approving the order?

21 (No verbal response.)

22 CHAIRWOMAN ZALEWSKI: Hearing none, the

1 order is approved.

2 Item W-2 concerns Illinois
3 American's Application for a Certificate of Public
4 Convenience and Necessity for the construction,
5 operation, and maintenance of public utility water
6 services -- water systems, rather -- in Livingston,
7 Illinois. IAWC also seeks an approval of an asset
8 purchase agreement to purchase assets of the
9 Livingston water and wastewater systems. The order
10 grants the certificate, approves the asset purchase
11 agreement, and establishes a rate-making rate base.
12 Are there any objections to approving the order?

13 (No verbal response.)

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

16 Under Petitions for Rehearing.
17 Item PR-1 concerns a Petition for Rehearing of
18 Docket 19-0271, which is Ameren's Qualifying
19 Infrastructure Plant Rider. The Commission issued
20 a final order in this docket on March 18 of 2021
21 and the Attorney General's office filed an
22 Application for Rehearing. The administrative law

1 judge recommends that the Commission deny the
2 Application for Rehearing, noting that the order
3 contains sufficient reasoning to allow a court to
4 perform an informed review that makes it clear why
5 the Commission rejected the AG's proposal. The
6 AG's arguments that the order misapplies the Act,
7 Rules and/or caselaw were thoroughly briefed during
8 the exceptions and have already been considered and
9 rejected by the Commission. Are there any
10 objections to denying the Application for
11 Rehearing?

12 (No verbal response.)

13 CHAIRWOMAN ZALEWSKI: Hearing none, the
14 Application for Rehearing is denied.

15 Under Other Business. Item O-1
16 concerns approval of batches, contracts, and
17 confirmations under the Illinois Adjustable Block
18 Program. Are there any objections to approving the
19 program administrator's submissions?

20 (No verbal response.)

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

1 And this concludes our Public
2 Utilities Agenda.

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

6 THE COURT: No, Madam Chairman.

7 CHAIRWOMAN ZALEWSKI: Do the commissioners
8 have any other business to discuss?

9 (No verbal response.)

10 CHAIRWOMAN ZALEWSKI: I just want to ensure
11 that customers at risk of service disconnections
12 are aware of the new state Utility Disconnection
13 Avoidance Program, or UDAP, created April 22 by --
14 Executive Order signed by Illinois Governor J.B.
15 Pritzker.

16 The program expands the use of
17 available emergency relief dollars, allocating an
18 estimated \$80 million to help households in crisis
19 and expanding billing relief for nearly 80 thousand
20 current and former low-income energy assistance
21 program, or LIHEAP, customers currently at risk for
22 disconnection regardless of provider.

1 Through the UDAP program,
2 Illinoisans eligible for the program may receive a
3 one-time credit of at least \$250 up to a maximum of
4 \$5,000 for each eligible utility account. Families
5 eligible for UDAP program must meet the following
6 two criteria: First, customers that are currently
7 on a utility disconnection list based on
8 arrearages, and second, have received state energy
9 assistance through LIHEAP or PIP currently or in
10 the recent past.

11 Qualifying customers meeting both
12 of these criteria do not need to take action to
13 receive the report -- excuse me, to receive this
14 support. The funds will be distributed starting in
15 the next couple of weeks and would be applied
16 automatically and will help customers be removed
17 from utility shut-off list. If you believe you are
18 eligible for LIHEAP or PIP and not currently signed
19 up for the program, please call your local LIHEAP
20 agency to see if you qualify.

21 To find your local LIHEAP agency,
22 please call DCEO's dedicated Help Illinois Families

1 hotline, which is 1 (833) 711-0374, or visit
2 www.helpillinoisfamily.com. There are links on the
3 ICC website under the consumer's tab that have more
4 information about the UDAP program and some
5 frequently asked questions about the program.

6 And I also want to just remind
7 customers that if you receive a disconnection
8 notice, you can avoid being shut off from service
9 if you act quickly. Call your utility and work out
10 a deferred payment arrangement. The utility itself
11 will tell you whether you qualify for bill payment
12 assistance to reduce arrearages when you already
13 owe.

14 And then just to remind you of a
15 few other resources. I talked about the LIHEAP
16 program. The Help Illinois Families Initiative is
17 a state effort to provide home energy assistance
18 relief to eligible Illinoisans through May.
19 Residents can learn more about the initiative by
20 visiting the website of the Department of Commerce
21 and Economic Opportunity, or DCEO.

22 Also, the ICC stands ready to

1 assist customers, navigate their options. The ICC
2 has both English and Spanish-speaking consumer
3 services counselors who can help you to file a
4 complaint Monday through Friday, 8:30 to 5:00. The
5 number is 1 (800) 524-0795. For example, if you
6 believe that you were improperly shut off, this is
7 the number that you can call to get more
8 information and assistance.

9 Of course, there's more additional
10 information on our ICC website, ICC.illinois.gov.
11 Information under the consumer's tab.

12 If there are no other comments and
13 without objection, the meeting is now adjourned.

14 Thank you.

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