

BEFORE THE
ILLINOIS COMMERCE COMMISSION
PUBLIC UTILITIES REGULAR OPEN MEETING
Thursday, May 16th, 2024

Met pursuant to notice at 11:30 a.m. at
160 North LaSalle Street, Chicago, Illinois.

PRESENT:

CHAIRMAN DOUG SCOTT
COMMISSIONER MICHAEL CARRIGAN
COMMISSIONER ANN McCABE
COMMISSIONER CONRAD REDDICK
COMMISSIONER STACEY PARADIS

Reported Remotely:

Melanie E. Kubiak: CSR 084-004794

* * * * *

1 (WHEREUPON, proceedings were had
2 which were not recorded
3 stenographically.)

4 CHAIRMAN SCOTT: Go right ahead.

5 MS. UTSET: Thank you very much.

6 My name is Julia Utset. It's spelled
7 U T S E T. I'm grateful for the chance to address you
8 today about a subject that matters to me a lot. I lived
9 in Chicago for about 20 years, and I'm here today
10 regarding Peoples Gas's request for a rehearing. I
11 encourage the Commission to reject their request to
12 increase rates by an additional \$7.9 million. Peoples
13 Gas should have to come back for its next rate case to
14 ask to raise rates for the work it is proposed in the
15 rehearing.

16 I also want to encourage the Commission to
17 keep the pipeline replacement program on pause. The
18 Commission did the right thing last fall when it paused
19 the troubled Peoples Gas pipe replacement program and
20 opened an investigation. Please stick by your pause and
21 investigation and don't allow Peoples Gas to restore
22 more than half of its 2024 program budget through this
23 rehearing.

24 I'm deeply concerned by the recently published

1 report by the Building Decarbonization Coalition, which
2 found that by 2035, in the best-case scenario,
3 residential customers across the state can expect an
4 average increase of \$74 per month during the winter.

5 Given the enormous cost of maintaining the
6 pipeline system and the question of how useful the pipes
7 will be in a decarbonized future, as we addressed
8 climate change, I think it's unwise to invest large sums
9 of money in infrastructure that's potentially bad for
10 our environment, our wallets, and our health.

11 Thank you.

12 CHAIRMAN SCOTT: Thank you for your comments,
13 Ms. Utset. We appreciate it.

14 This concludes our request to speak this
15 morning. We will start the day's meeting with the
16 transportation agenda beginning with our railroad items.
17 Items RR1 and RR2 concern public safety improvement
18 projects at railroad crossings in the cities of Marion
19 and Ashkum respectively. The orders accept the
20 stipulation agreements and improved project timelines.

21 Are there any objections to considering these
22 items together and approving the orders?

23 Hearing none, the orders are approved.

24 Moving on to motor carrier items, Item MC1

1 concerns an application for renewal of a commercial
2 relocation towing license. The order grants the renewal
3 finding that the applicant meets the requirements.

4 Are there any objections to approving the
5 order?

6 Hearing none, the order is approved.

7 Item MC2 concerns an application for an
8 operator employment permit. The ALJ recommends granting
9 the application and the order grants the permit.

10 Are there any objections to approving the
11 order?

12 Hearing none, the order is approved.

13 Items MC3 and MC4 concern alleged violations
14 of the Illinois Commercial Transportation Law. The
15 parties in both cases have reached stipulated settlement
16 agreements and the orders accept the agreements.

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

19 Hearing none, the orders are approved.

20 This concludes our transportation agenda.

21 We will now turn to our public utilities
22 agenda. There are edits to the April 18th, 2024, public
23 utilities regular open meeting minutes and the
24 April 18th, 2024, Bipartisan Infrastructure Law and

1 Inflation Reduction Act policy session minutes.

2 Are there any objections to considering these
3 items together and approving the minutes as edited?

4 Hearing none, the minutes are approved as
5 edited.

6 Moving on to our electric items, item E1
7 concerns a petition by ComEd to modify its parallel
8 operation of retail customer generating facilities rider
9 or rider POG to update the compensation required as
10 required by commission rules -- the compensation rate as
11 required by commission rules. Staff has reviewed the
12 filing and recommends not suspending.

13 Are there any objections to not suspending the
14 filing?

15 Hearing none, the filing is not suspended.

16 Item E2 concerns a petition by Mount Caramel
17 to modify its parallel generation service rider or
18 Rider D. Staff has reviewed the filing and recommends
19 not suspending.

20 Are there any objections to not suspending the
21 filing?

22 Hearing none, the filing is not suspended.

23 Item E3 concerns the Commission's
24 investigation into and the development of a renewable

1 energy access plan pursuant to Section 8-512 of the
2 Public Utilities Act. The Commission will hold this
3 item for further disposition.

4 Items E4 and E5 concern applications seeking
5 certificates of authority to install, maintain, or
6 repair electric vehicle charging stations. The orders
7 grant the certificates.

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

10 Hearing none, the orders are approved.

11 Items E6 through E14 concern applications
12 seeking certificates of service authority to operate as
13 installers of distributed generation facilities. The
14 orders grant the certificates.

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

17 Hearing none, the orders are approved.

18 Item E15 concerns an application seeking
19 authority to operate as an agent, broker, or consultant.
20 The order grants the certificate.

21 Are there any objections to approving the
22 order?

23 Hearing none, the order is approved.

24 Item E16 concerns an application seeking a

1 certificate of service authority to operate as an
2 alternative retail electric supplier. The applicant
3 requests a certificate of service authority under
4 Subpart C and Part 451 of the Public Utilities Act. The
5 applicant also requests to surrender its authority to
6 operate as in areas under Subpart D of Part 451 of the
7 act. The order cancels and grants the applicant's area
8 certificates accordingly.

9 Are there any objections to approving the
10 order?

11 Hearing none, the order is approved.

12 Items E17 through E24 concern applications
13 seeking certificates of service authority to operate as
14 installers of energy efficiency measures. The orders
15 grant the certificates finding that the applicants meet
16 the requirements.

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

19 Hearing none, the orders are approved.

20 Moving on to gas items. Item G1 concerns a
21 complaint against Peoples Gas alleging that low pressure
22 in the company's gas lines prevented the complainant's
23 property from being heated. The company made an oral
24 motion to dismiss the case with prejudice citing the

1 complainant's lack of appearance in the matter. The ALJ
2 recognizes granting the motion to dismiss without
3 prejudice.

4 Are there any objections to granting the
5 motion to dismiss without prejudice?

6 Hearing none, the motion is granted and the
7 proceeding is dismissed without prejudice.

8 Item G2 concerns a complaint against Nicor Gas
9 regarding billing issues. The parties filed a
10 stipulation in a joint motion to dismiss and requests
11 that the Commission dismiss the proceeding with
12 prejudice.

13 Are there any objections on granting the
14 motion and dismissing the proceeding with prejudice?

15 Hearing none, the motion is granted and the
16 proceeding is dismissed with prejudice.

17 Item G3 concerns a request for confidential
18 treatment of information in the petitioner's annual
19 report for a period of two years. The order grants the
20 protection finding that the information is highly
21 proprietary and confidential.

22 Are there any objections to approving the
23 order?

24 Hearing none, the order is approved.

1 Item G4 concerns a request to cancel a
2 certificate of service authority to operate as an
3 alternative gas supplier. The order cancels the
4 certificate finding that it will not deprive Illinois
5 residents of any necessary service and is not otherwise
6 contrary to the public interest.

7 Are there any objections to approving the
8 order?

9 Hearing none, the order is approved.

10 Item G5 concerns the complaint against Peoples
11 Gas in Chicago. The complaint alleges that the company
12 seeks an erroneous balance from the customer. The
13 company asserts tampering at the customer's meter
14 resulted in the balance. The proposed order denies the
15 complaint finding that the company met its burden in
16 showing that tampering occurred. The customer benefited
17 from the tampering and that the company's billing
18 estimate is reasonable.

19 There are substantive edits to the order. The
20 edits find that the company met its burden of proof in
21 showing the meter was tampered with and that the
22 customer benefited from the tampering. However, the
23 company's timeline for determining the billing estimate
24 continuously from August 4, 2016 to March 7, 2022, is

1 not reasonable.

2 The company also proposes to use historical
3 data to estimate usage despite the intermittency of
4 complainant's residence. The record does not establish
5 continuous service at the complainant's premises during
6 2016 to 2022 or identifies nonspeculative timeline for
7 when the tampering occurred. Therefore, the edits find
8 the company's billing estimate is not reasonable. The
9 edits direct the company to remove any charges from the
10 complainant's bill associated with usage between
11 August 4, 2016, and March 7, 2022. They direct the
12 complainant to pay the fees associated with tampering.

13 And finally, the edits direct the Commission's
14 Safety and Reliability Division to examine whether the
15 company is complying with its mandatory safety
16 inspection requirements. I move the edits.

17 Is there a second?

18 COMMISSIONER PARADIS: Second.

19 CHAIRMAN SCOTT: Second by Commissioner Paradis.

20 Are there any objections to approving the
21 edits?

22 Hearing none, the edits are approved.

23 Are there any objections to approving the
24 order as edited?

1 Hearing none, the order as edited is approved.

2 Item G6 concerns two requests for oral
3 argument on rehearing in Docket 23-0068 and 23-0069
4 consolidated. This docket concerns Peoples Gas and
5 North Shore Gas's 2023 rate case rehearing.

6 The City of Chicago requests the Commission
7 grant oral argument and the rehearing on the following
8 topics: Legal standard, rehearing scope, work in
9 progress, emergency work, and the company's revenue
10 requirement on rehearing. The Public Interest Research
11 Group requests oral argument on S&P work in progress,
12 emergency work, and the company's revenue requirement on
13 rehearing.

14 The ALJ recommends granting the requests for
15 oral argument on rehearing.

16 Are there any objections to granting the
17 requests for oral argument on rehearing?

18 Hearing none, the requests for oral argument
19 on rehearing are granted and a due notice of oral
20 argument will be served on the parties shortly.

21 Moving on to telecommunications items, Item T1
22 concerns the request to withdraw a pending application
23 for designation as knowledgeable telecommunications
24 carrier. The applicant states it wishes to withdraw its

1 application without prejudice to refile it another date.

2 ALJ recommends granting a motion to withdraw.

3 Is there any objection to granting the motion
4 to withdraw?

5 Hearing none, the motion to withdraw is
6 granted.

7 Item T2 concerns the petition requesting to
8 cancel the petitioner's certificates of service
9 authority. The certificates allow the petitioner to
10 provide facilities-based local and resold interexchange
11 telecommunication services. The order cancels the
12 certificate.

13 Are there any objections to approving the
14 order?

15 Hearing none, the order is approved.

16 Item T3 concerns the request for confidential
17 treatment of information in the petitioner's annual
18 report. The order grants the protection, finding that
19 the information is highly proprietary and confidential.

20 Are there any objections to approving the
21 order?

22 Hearing none, the order is approved.

23 Moving on to water and sewer items. Item W1
24 concerns a filing by Illinois American Water Company to

1 update its large user tariff to align with the rates
2 approved in Docket 22-0210.

3 The staff recommends not suspending the
4 filing.

5 Are there any objections to not suspending the
6 filing?

7 Hearing none, the filing is not suspended.

8 Item W2 concerns a filing from Illinois
9 American Water Company for a certificate of public
10 convenience in necessity under Section 8-406 of the
11 Public Utilities Act. Illinois American seeks to expand
12 its service area in Peoria County. The order grants the
13 certificate.

14 Are there any objections to approving the
15 order?

16 Hearing none, the order is approved.

17 Item W3 concerns a filing from Illinois
18 American Water for a certificate of public convenience
19 and necessity to provide wastewater collection service
20 to areas in Madison County and for the approval of the
21 purchase of assets of the Metro East Sanitary District.
22 Pursuant to Section 9-210.5 Sub C of the act, Illinois
23 American is seeking approval of engagement contracts
24 with appraisers to determine the fair market value of

1 the system. The interim order approves the engagement
2 contracts.

3 Are there any objections to approving the
4 interim order?

5 Hearing none, the interim order is approved.

6 Moving on to petitions for rehearing.

7 Item PR1 concerns a complaint against ComEd in Homewood,
8 Illinois, alleging multiple power outages at the
9 customer's home harmed the customer financially. The
10 initial complaint was filed April 20th, 2023. The
11 Commission entered its final order on April 4th, 2024,
12 denying the complaint. The ALJ recommends denying the
13 petition for rehearing finding that the complainant did
14 not present any new evidence that would warrant
15 rehearing.

16 Are there any objections to denying the
17 petition for rehearing?

18 Hearing none, the petition is denied.

19 Before we continue, are there comments from
20 commissioners? Commissioner McCabe?

21 COMMISSIONER McCABE: Customers are often at a
22 disadvantage because of unfamiliarity with the Public
23 Utilities Act rate structures and complaint procedures.
24 Denying the complaint, the order states that given the

1 frequency of outages in Ms. Wilson's area, the
2 Commission is concerned the feeders and facilities in
3 her neighborhood are not providing the required
4 resilience in typical weather.

5 A quote from the order, the Commission
6 encourages ComEd to conduct a review of the facilities
7 that service Ms. Wilson's home to determine if any
8 remedial measures are warranted. ComEd should
9 coordinate its review with the Commission's Safety and
10 Reliability Division to jointly inspect the facilities
11 servicing Ms. Wilson's neighborhood to ensure compliance
12 with the act and Commission rules. I hope this
13 direction brings Ms. Wilson the needed resolution.

14 CHAIRMAN SCOTT: And I would also like to note that
15 the customer represented herself as we heard pro se in
16 this docket. Further, she improperly filed her petition
17 for rehearing with the clerk's office and parties in
18 this docket.

19 But to ensure that pro se complainants have
20 the opportunity to be heard in dockets going forward, I
21 encourage the ALJ's and Commission's staff to assist a
22 pro se complainant where appropriate to correctly file
23 petitions or motions with the Commission.

24 Turning to other business, Item 01 concerns

1 approval of the submission of the nuclear
2 decommissioning funding assurance status report to the
3 Illinois General Assembly. The report contains a copy
4 of the status report for shutdown units as submitted by
5 the owner or operator of a nuclear power plant in this
6 state to the Nuclear Regulatory Commission and as
7 applicable to the Federal Energy Regulatory Commission.

8 Are there any objections to approving the
9 submission of this year's nuclear decommissioning
10 funding assurance status report to the General Assembly?

11 Hearing none, the submission is approved.

12 Item 02 concerns the Illinois Power Agency's
13 May 2024 solicitation of bids to sell zonal resource
14 credits to Ameren.

15 Are there any objections to approving the
16 procurement administrator's recommendations on selection
17 of winning bids?

18 Hearing none, the program administrator's
19 recommendations are approved.

20 Items 03 and 04 concern approval of batches,
21 contracts, and confirmations under the Illinois
22 Adjustable Block Program and the Illinois Solar for All
23 Program.

24 Are there any objections to considering these

1 items together and to approving the program
2 administrator submissions?

3 Hearing none, the submissions are approved.

4 Item 05 concerns approval of the IPA's
5 proposed credit amount for the customer's self-direct
6 renewal portfolio standard compliance program pursuant
7 to the IPA's 2024 long-term renewable resources
8 procurement plan.

9 Are there any objections to approving the
10 IPA's proposed credit amount?

11 Hearing none, the IPA's proposed credit amount
12 for the self-direct program is approved.

13 This concludes our agenda.

14 Judge Teague Kingsley, do we have any other
15 matters to come before the Commission today?

16 JUDGE KINGSLEY: No, Mr. Chairman.

17 CHAIRMAN SCOTT: Thank you.

18 Do the commissioners have other business to
19 discuss?

20 Before we adjourn this meeting, it's with deep
21 sadness that we inform you of the death of a former
22 colleague and friend, Regina Jeannie Goodwin, who passed
23 away on Tuesday April 30th. Jeannie worked for the ICC
24 right out of high school in 1968 and retired in 2002.

1 She worked in the Public Utilities Division,
2 the Executive Director's Office and the Administrative
3 Services Division. She was known as the commission
4 counselor and friend as many employees would seek her
5 counsel on work or personal issues. She was a wonderful
6 colleague, mentor, and friend to so many. Jeannie's
7 family includes her husband of 52 years, Rick, two
8 daughters, five grandchildren, and a brother. We send
9 our deepest condolences to the Goodwin family.

10 Hearing no other comments and without
11 objection, this meeting is adjourned. Thank you.

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1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF COOK)

3

4 Melanie E. Kubiak, being first duly sworn, on
5 oath says that she is a Registered Professional
6 Reporter, Certified Realtime Reporter, doing business in
7 the City of Chicago, County of Cook and the State of
8 Illinois;

9 That she reported in shorthand the proceedings
10 had at the foregoing meeting;

11 And that the foregoing is a true and correct
12 transcript of her shorthand notes so taken as aforesaid
13 and contains all the proceedings had at the said
14 meeting.

15

16

17

Melanie E. Kubiak

MELANIE E. KUBIAK, RPR, CRR

18

19 CSR No. 084-004794

20

SUBSCRIBED AND SWORN TO
21 before me this 26th day of May, 2024.

22

23

NOTARY PUBLIC

24



Magna

Key Contacts

Schedule a Deposition:
Scheduling@MagnaLS.com | 866-624-6221

Order a Transcript:
CustomerService@MagnaLS.com | 866-624-6221

General Billing Inquiries:
ARTeam@MagnaLS.com | 866-624-6221

Scheduling Operations Manager:
Patricia Gondor (E: PGondor@MagnaLS.com | C: 215-221-9566)

Customer Care:
Cari Hartley (E: CHartley@MagnaLS.com | C: 843-814-0841)

Director of Production Services:
Ron Hickman (E: RHickman@MagnaLS.com | C: 215-982-0810)

National Director of Discovery Support Services:
Carmella Mazza (E: CMazza@MagnaLS.com | C: 856-495-1920)

Billing Manager:
Maria Capetola (E: MCapetola@MagnaLS.com | C: 215-292-9603)

Director of Sales Operations:
Kristina Moukina (E: KMoukina@MagnaLS.com | C: 215-796-5028)

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