



Swift Action by the ICC Sets Implementation of Climate and Equitable Jobs Act in Motion

Springfield, IL –The Illinois Commerce Commission has begun the process of implementing key provisions of the newly enacted Climate and Equitable Jobs Act. The Act signed into law by Governor JB Pritzker on September 15, 2021, puts Illinois on the path to 100% clean energy by 2050; supports a responsible transition away from fossil fuels; increases public participation in regulatory matters, and encourages further diversity and inclusion in the renewable energy industry. The Commission has also approved several measures in furthering the goals of Public Act 102-0662.

“The ICC Staff and Commissioners are working diligently to implement the new law and have taken immediate action to carry out a number of requirements in the law,” said ICC Executive Director Michael Merchant.

Under the new law, the ICC is directed to hold meetings to solicit public input on the design of beneficial electrification programs offered by ComEd and Ameren Illinois to increase adoption of electric vehicles in the state. Programs may include time-of-use or hourly pricing electric rates; programs that encourage vehicle charging at times that are optimal for grid stability; and support for low-income communities. The process should ensure equitable opportunities for participation. The workshops are expected to conclude no later than February 28, 2022, followed by a Staff Report summarizing the recommendations due no later than March 31, 2022.

Other provisions call for a management audit into ComEd’s practices and procedures and an investigation in connection with the company’s conduct detailed in the federal Deferred Prosecution Agreement entered with the U.S. Attorney for the Northern District of Illinois. The Commission has directed ICC Staff to conduct a competitive solicitation to hire a management auditor to perform the management audit of ComEd.

Other actions taken to date by Commissioners include:

- Initiating a workshop process to facilitate the development of performance and tracking metrics for ComEd and Ameren for a new performance-based ratemaking structure, which will reward the utility for meeting certain objective goals and penalize it for failing to do so. The Commission also directed the Staff to engage a facilitator to conduct the workshops and directed the Staff to file a report on the workshop process; metrics proposed during the process; any material issues that remained unresolved; and any recommendations for workshop process improvements. The next workshop is scheduled for October 21, 2021.

- Initiating Baseline Assessment Audits of Ameren and ComEd. The Commission is required to obtain a baseline audit of each of the major electric utilities' distribution systems. Docket Nos. 21-0736 and 21-0737 grant the ICC's Executive Director the authority to contract with the selected vendor and direct the utilities to enter a Memorandum of Understanding to pay the vendor.
- Initiating Docket No. 21-0738 which will require utilities to accelerate repayment of excess deferred income taxes (EDIT) arising from the 2017 Tax Cuts and Jobs Act. Ameren and ComEd are now required to do so by December 31, 2025.
- Initiating the process to select an independent, third-party facilitator for multi-year integrated grid plan workshops; the hiring of a multi-year integrated grid plan auditor to assist with the distribution planning process and docketed proceedings; as well as the hiring of technical and policy experts to support the Commission in the development of a renewable energy access plan.
- Directing the Staff to develop selection criteria and requirements to engage a third-party program administrator to oversee the Intervenor Compensation Fund and based on those criteria and requirements select a third-party administrator for Commission approval. The fund will be used to compensate consumer interest representatives for expert witness fees and certain other costs incurred as a result of participating in ICC cases.
- Established an Interconnection Working Group to consider technical and other matters relating to interconnection of solar and other distributed generation resources. The first workshop is scheduled for October 28, 2021.

Those interested in following the Commission's progress, or participating in public meetings, workshops or other activities are encouraged to visit the ICC's webpage dedicated to the implementation of the new law at: <https://www.icc.illinois.gov/programs/Public-Act-1020662-Implementation>.

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