

THE WIRE

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MESSAGE FROM THE CHAIRMAN



I've always enjoyed ushering in a new year, and with it the promise of a fresh start. It's a time to reflect on our past achievements while contemplating the challenges and opportunities ahead.

I am pleased to report that 2022 was a good and highly productive year at the ICC. The Commission decided 693 Public Utility cases and 238 Transportation cases including rate and tariff filings, complaints, investigations, license and certification grants and revocations.

Serious progress was made on many provisions of the Climate and Equitable Jobs Act (CEJA) our agency is responsible for implementing, some likely to be resolved in 2023. Last year, the ICC held 30 workshops on a variety of topics related to CEJA, including Beneficial Electrification; the Equitable Energy Upgrade Program; the Renewable Energy Access Plan; Multi-Year Integrated Grid Plan; and the Consumer Intervenor Compensation Fund. Using the information gathered at these workshops, Staff has written and produced several reports now under consideration in docketed proceedings for final review and action by the Commission. Additionally, countless hours have been spent by Staff and Commissioners on complex issues like the Renewable Energy Access Plan (REAP), performance metrics plans and low-income discount rates. The final REAP, when adopted, will be an actionable plan for meeting Illinois' policy requirements for a clean electricity system. The performance metrics plans when finalized will set the framework for the electric utilities to follow when filing multi-year rate plans. Following the issuance of a Staff report in December, the Commission requested the large natural gas and electric utilities to file low-income discount rates in upcoming rate design cases. More information can be found within this newsletter.

I am very proud of the work done across our agency and look forward to what we can achieve working together in 2023. Wishing everyone good health and happiness in the new year!

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Zalewski'.

ICC Chairman Carrie Zalewski



In December, my Legal & Policy advisors Tetyana Rabczak and Robert Haggart and I published an article on Utility Dive titled, "Federal legislation completely changed the energy landscape. How do states take advantage of it?" Click [here](#) to read our article.



ICC INITIATES FORMAL INVESTIGATION INTO 2ND DRAFT RENEWABLE ENERGY ACCESS PLAN

On December 15, 2022 the Illinois Commerce Commission initiated a formal proceeding to develop and adopt a Renewable Energy Access Plan (REAP), an actionable plan for meeting Illinois' policy requirements for a clean electricity system. A requirement of the Climate and Equitable Jobs Act, a draft REAP co-authored by ICC Staff and the Brattle Group was presented to the Commission for consideration. Consultants from Great Lakes Engineering served as contributing authors focused on land use and renewable energy access zones. The draft also includes stakeholder input received over a 120-day public comment period.

“Now it is up to the Commission to review and formally adopt the final Illinois REAP. The REAP will need to be updated again in 2025 and every two years thereafter,” said ICC Executive Director Michael Merchant. “The REAP is an important document that will serve as a blueprint for regulators, policy makers and energy stakeholders moving forward to ensure Illinois achieves its decarbonization and equity goals.”



The final REAP will serve the role of clarifying and quantifying policy requirements and goals; translating these requirements into the volume of renewable and clean resources needed over time; highlighting attractive renewable energy zones within the state across a variety of assessment criteria; identifying and recommending pathways to utilize these zones to inform transmission planning; identifying reforms to transmission interconnection and planning processes needed to ensure that the required resources can be deployed; and identifying potential reforms to regional transmission organization (RTO) markets to reliably and affordably support Illinois' clean electricity transition.

Initial findings and recommendations in the REAP are centered around five strategic elements:

Strategic Element 1	Strategic Element 2	Strategic Element 3	Strategic Element 4	Strategic Element 5
<i>Tracking Progress Toward Illinois Policy Goals.</i>	<i>Transitioning to a 100% Clean Electricity Mix.</i>	<i>Managing Land Use in Renewable Deployment.</i>	<i>Effective Transmission Planning & Utilization.</i>	<i>Leveraging Regional Electricity Markets & Trade.</i>
Clarify the outlook for renewable and clean energy supply needs, in order to determine how much renewable access must be created	Examine the incentives and enforcement mechanisms that may be needed to support competitive investment in a reliable mix of resources throughout transition to 100% clean electricity	Identify opportunities to equitably manage land use in renewable deployment and coordination with transmission development, including through the development of REAP zones	Develop a strategy for maximizing the use of existing transmission infrastructure and proactively planning around future needs to provide the necessary transmission cost effectively and reduce barriers to renewable development	Identify opportunities for leveraging regional electricity markets and trade to access the most efficient resources, avoid emissions leakage, and maintain reliability

The REAP finds that by 2050, total Illinois renewable production will need to increase substantially from 21 TWh/year today to 64 to 450 TWh/year to serve Illinois policy goals. The low end of the range reflects the ongoing reliance on Illinois’ nuclear resources, the high end of the range reflects a scenario in which all Illinois’ nuclear power plants retire, and that electricity consumption could increase by 50-200% to support decarbonization of transportation and space heating sectors.

The following are among the many recommendations in the second draft of the REAP:

- ✓ Potential legislative and regulatory policy changes and market reforms including enhanced reporting requirements to capture progress against goals; developing accounting methodologies to measure the scope of greenhouse gas emissions as they relate to electricity imports; addressing gaps to ensure electricity demands are served by clean resources; developing new RTO rules to ensure a balanced 100% clean resource mix to reflect state policies; and coordinating with other states for access to renewable power.
- ✓ To manage land use for future renewable generation, the report suggests adopting REAP Zone concepts for guided participation in the RTO Interconnection and transmission planning process, and the initiation of a study to quantify renewable interconnection capability on the existing grid. The REAP also considers the importance of equity in land use in resource development.
- ✓ Increasing the pace of interconnection is necessary to support demand, and the RTOs. The ICC should continue to provide input into MISO’s planning processes, advocate for reform in PJM’s transmission planning processes, continue advocating for interconnection reforms and pursue a joint interconnect study to address interconnection needs near the PJM-MISO seam.
- ✓ Addressing existing and future RTOs resource adequacy challenges. The report recommends the initiation of a study and feasibility assessment of available options for addressing the identified MISO resource adequacy gap; supporting and participating MISO reform efforts; requesting MISO support for a 2-3 year forward procurement; requesting PJM support to expand its capacity auction to support procurement of Illinois Zone 4 capacity needs; and contributing efforts to design and implement a new regional marketplace where states and consumers can procure clean electricity attributes.

To follow the REAP proceeding visit Docket No. 22-0749 [here](#) on the ICC website. Throughout the legal proceeding, the public and stakeholders will be afforded additional opportunities to provide comment. The Commission is expected to take final action on the REAP in the summer of 2023.



COMMISSION REQUESTS LARGE ELECTRIC & NATURAL GAS COMPANIES TO FILE LOW-INCOME DISCOUNT RATES TARIFFS

Pursuant to a provision of the Climate and Equitable Jobs Act (CEJA), a comprehensive study by the Illinois Commerce Commission has concluded that low-income discount rates for electric and natural gas customers are appropriate for Illinois. On December 15, 2022, the Commission approved the report summarizing the study and offering recommendations for the implementation of discount rates. The Commission further requested that large electric and gas utilities identified in the report file low-income discount rates in their next rate design case, using the recommendations and issues raised in the report to shape their filings. The report has been sent to the members of the Illinois General Assembly in accordance with CEJA.

“At the Commission, utility affordability is always top-of-mind for us as we consider decisions impacting consumers. As we move through the CEJA implementation process and transition to a greener, cleaner grid, discount rates will help ensure no one is left behind,” said ICC Chairman Carrie Zalewski

“According to the U.S. Department of Energy, the average percentage of gross household income spent on energy costs is nearly three times higher for low-income households than for non-low-income households. Discount rates could ease the disproportionate energy burden on low-income families,” said ICC Commissioner Michael T. Carrigan.

With the study complete, CEJA gives the Commission the authority to permit or require electric and natural gas utilities to file a tariff establishing low-income discount rates.

The Commission Staff report concluded:

- ☑ Electric utilities with more than 3,000,000 residential delivery services customers in Illinois, combination electric and gas utilities with more than 500,000 residential delivery service customers in Illinois, and gas utilities with more than 100,000 residential delivery service customers in Illinois should offer a tariffed low-income discount rate. Further, all other electric and natural gas utilities in Illinois should be encouraged (but not required) to propose a tariffed low-income discount rate.
- ☑ All such utility low-income discount rate proposals should include tiered discounts for different income levels, which are applicable only to the delivery service charges.
- ☑ All such utility low-income discount rate proposals should include a cost recovery mechanism that is consistent with Illinois law and Commission practice.
- ☑ All such utility low-income discount rate proposals should support the clean energy goals and policies of Illinois and should not include rate designs that undermine or are counterproductive to achieving the State's clean energy goals and policies.
- ☑ All Utilities should leverage existing programs and processes to streamline administrative processes and minimize costs relating to eligibility requirements, verification mechanisms, and outreach/customer education procedures while maintaining the confidentiality of sensitive customer data.

To act upon these conclusions, the Commission requested large gas and electric utilities to file low-income discount rates and recommended that smaller electric and gas utilities consider filing as well.

The study began this summer with a request by the ICC Staff for feedback from various stakeholders on the potential adoption of discount rates pursuant to CEJA. 12 stakeholders provided comments and input into the study, including: Ameren Illinois, ComEd, MidAmerican, Nicor, Attorney General of the State of Illinois, Edward Bodmer, Citizen's Utility Board, Mt. Carmel, People's Gas and North Shore Gas, Blacks in Green (BIG), Community Organizing and Family Issues/National Consumer Law Center (COFI-NCLC), Elevate and the City of Chicago. Responses can be found on the Commission's CEJA implementation webpage under the link titled [Request for Feedback on Low-Income Discount Rates for Electric and Natural Gas Residential Customers](#). Additional follow-up was requested of the participating utilities by the Staff in September. A copy of the final report can be found [here](#).

"A tremendous amount of work has gone into this study. A special thanks to the stakeholders who participated and offered their input," said ICC Commissioner Ann McCabe. "This study will be very helpful in ensuring all Illinois residents have access to life-saving and affordable utility service throughout the year."



Q&A WITH COMMISSIONER ANN McCABE

Let us introduce you to Commissioner Ann McCabe, the newest member of the Commission. While she was appointed to the Commission February 1, 2022, she is no stranger to the ICC having served previously as a commissioner (March 2012- January 2017) and as a commissioner's assistant back in the mid-80s. We prepared the following Q and A to get to know her better.

Tell us a little bit about yourself.

I was born and raised in Columbus, Ohio. I've now been in Chicago much longer. I've lived a short walk from Wrigley Field over 30 years and have been to many Cubs games, including the infamous Bartman post-season game in 2003. Since they won the playoffs in 2016 and increased prices, I attend fewer games.

It's my third time in state government and at the ICC.

Outside of work, I've been condo association president about 9 of the last 13 years, am in a book club, and swim. (When I lived in Springfield after grad school, a friend and I ran 25 miles a week.) My husband and I enjoy walking through neighborhoods and going to cultural activities (art, dance, theater).

You have devoted many years of your life to energy and environmental policy and regulatory experience. What attracted you to this type of public service? What led you to your career?

My high school poli sci teacher inspired me to major in poli sci in college. My college poli sci advisor/professor recommended getting a master's in public policy, a natural next step which took me to University of Chicago, sight unseen. While interning in Governor Thompson's Office in grad school, my supervisor recommended applying to the Bureau of the Budget as a great way to get to know state government. It was. In addition to being the budget analyst for the ICC, Department of Conservation and Division of Water Resources, I co-edited the budget book narrative. My interest and knowledge



about energy and environmental issues grew in my four years in the Illinois Washington office. Then ICC Chairman Phil O'Connor hired me as a commissioner assistant in the '80s and then told me about the DC Office opening.

In 2011, several acquaintances encouraged me to apply to be a commissioner. I interviewed with Governor Quinn at 5:30 p.m. on New Year's Eve and became a commissioner in March 2012.

Prior to returning to the ICC in February 2022, my two years with the Regulatory Assistance Project (RAP) increased my understanding of other states' work on performance-based regulation, rate design, and distributed energy resources and allowed me to hone my management and development skills after my two years as The Climate Registry's interim executive director.

The energy and regulatory sectors have historically been male-dominated professions, how were you received when you first got started? How have things changed?

Things have changed a lot, and the energy and non-profit sectors have become much more diverse in the last 10 years. Early in my career, I was often the only woman or one of a few in meetings. One time in DC in the late '80s I had to use a special elevator, and

during the meeting someone asked me to excuse his colorful language. I said, “That’s OK. I used to play rugby.” (I helped start the college women’s rugby club and played seven seasons.)

What do you see as the biggest challenge facing the Commission?

Implementing CEJA and preparing the state for a massive clean energy transition.

What professional accomplishment are you most proud of working at the ICC?

In addition to helping implement EIMA and CEJA, it’s very rewarding to see advisors do deep dives into utility regulatory issues and then go on to apply those learnings in new endeavors, often with me as a reference! Some noteworthy items include having my one dissent in my first term upheld by the court and remanded to the Commission (after I left), a paper I co-wrote on RTO governance with a focus on PJM, and my NARUC work advocating for nuclear waste storage options and consent-based siting of interim storage facilities.

Is there anything you wish the public knew about the Commission?

Yes. We have amazing staff and consumer resources, and our “domain” is limited by statutes approved by the legislature.

What career advice would you give to someone just getting started?

Keep an open mind. Every position you take will open new doors. The dynamic energy sector offers many opportunities.

The focus on ensuring an equitable energy transition is growing nationally. What does this mean for Illinois? How is the ICC incorporating diversity, equity, and inclusion into its work?

Equity is embedded throughout CEJA’s provisions, including workforce development, grid planning, metrics, energy efficiency and DEI reporting, helping to ensure that all Illinoisans benefit from the clean energy transition. On the workforce front, Illinois is ahead of other states in having mandatory annual supplier diversity reporting for the main utilities, voluntary reporting for other entities, an Illinois Utilities Business Diversity Council, and an ICC Office of Diversity and Community Affairs.



Commissioner McCabe with her Legal & Policy Advisors Nick Hromalik and Nicholas Dreher.



Touring Ameren Illinois’ Microgrid.

THE CAPM MARKET RISK PREMIUM IS FORWARD-LOOKING

Inflation, Real GDP, Stock Market Volatility and Term Spread

By Joy Nicdao-Cuyugan and Rochelle Phipps

The ICC Director of Utility Research & Analytics, Joy Nicdao-Cuyugan and the Assistant Director of the Financial Analysis Division, Rochelle Phipps, published their research paper on the Public Utilities Fortnightly website entitled *Forward-Looking Market Risk Premiums (1992-2020) and Macroeconomic Factors: Inflation, Real GDP, Stock Market Volatility and Term Spread*. A condensed version of the paper appears in the December 2022 edition of the Public Utilities Fortnightly magazine.

To read their full research, visit www.fortnightly.com/white-papers/capm-market-risk-premium-forward-looking



Joy Nicdao-Cuyugan



Rochelle Phipps

WINTER PREPAREDNESS POLICY SESSION

This year's Winter Preparedness Policy Session was held on December 1, 2022 in Springfield. At the Policy Session, representatives of regional transmission organizations (RTOs) and Illinois local distribution companies (LDCs) gave presentations before the Commission about their readiness to satisfy gas and electric reliability during the 2022-2023 winter months. The discussion centered around gas storage and prices in Illinois, and their preparedness to deal with any potential weather and/or cybersecurity disruptions during the winter months.

In addition, the Citizens Utility Board and the National Consumer Law Center discussed ongoing economic challenges facing Illinois customers and advance strategies and policy options to mitigate those challenges during the winter months. If you missed the policy session, you can watch by visiting: <https://icc.illinois.gov/meetings/meeting/policy-session/21500>



Chairman and Commissioners on the bench at the Springfield Hearing Room.



Illinois LDCs' Perspective panel



Illinois Advocates' Perspective panel and ICC Legal & Policy Advisors and session moderators Maya Nevels and Alejandro Aixala.

NEW YEAR, NEW ROLES FOR ZALEWSKI & CARRIGAN ON RTO ORGANIZATION BOARDS

The start of 2023 is bringing changes to representation on regulatory regional state committees for members of the ICC. Chairman Carrie Zalewski is moving to the Board of Directors for the Organization of PJM States (OPSI), and Commissioner Michael T. Carrigan will serve on the Board of Directors for the Organization of MISO States (OMS). Zalewski previously served on OMS as the DER liaison from 2020-2022.



“The safe, reliable, and affordable transmission of electricity is vital for all Illinoisans,” said Zalewski. “We do not live on an island. It’s important that the ICC

has a seat at the table with regulators from other states to discuss issues impacting us all, like transportation electrification and making sure our grid has adequate capacity to meet our power needs. By serving on these boards, Illinois will open doors to regional collaborations wherever possible.”

OPSI is made up of the regulatory commissions of the 14 jurisdictions in the region PJM serves, including portions of northern Illinois, and all or parts of Delaware, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and the District of Columbia. Formed in 2005 as a non-profit organization, OPSI plays an important role in advising PJM on regulators’ concerns and viewpoints.

Commissioner Carrigan has served on the Commission since January 2020. Effective January 9, 2023, he is a voting member of the Board of Directors for the Organization of MISO States. OMS was established to represent the collective interests of state and local utility

regulators in the Midcontinent Independent System Operator (MISO) region. The OMS consists of 17 members across 15 states served by MISO including: Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, North Dakota, South Dakota, Texas, and Wisconsin as well as the Canadian province of Manitoba.

“Much has changed since my early days as an apprentice electrician and journeyman wireman, but the need to provide resilient power at the least-cost remains strong. With Illinois leading the way in the transition to a cleaner more modernized grid, we recognize challenges ahead that are going to require a regional approach to solve, such as transmission seams, market development and long-term regional transmission planning. I look forward to being Illinois’ voice and vote on critical issues that will help Illinois to achieve our decarbonization goals,” said Carrigan.



ICC Commissioner Ethan Kimbrel previously served on the Board of Directors for OPSI and as a member of OPSI’s Market Monitoring Advisory Committee.

“I want to give a special thank you to Commissioner Kimbrel for his service on the OPSI Board. He has done a fantastic job as our representative on OPSI over the past few years and we appreciate all he has done,” said ICC Chairman Carrie Zalewski.



ONE-CALL ENFORCEMENT SHATTERS RECORDS FOR DIGGING VIOLATION INVESTIGATIONS

The ICC One-Call Enforcement (“OCE”) group is tasked with enforcing 220 ILCS 50, Illinois Underground Utility Facilities Damage Prevention Act, or simply “the Act”. The Act applies to all of Illinois, except Chicago. Chicago has its own enforcement system as the ICC does not have jurisdiction. Excavators, prior to putting a shovel into the ground, are required to call 811 to have all underground utilities marked. OCE receives reports related to excavators conducting work without having the utilities marked or the utility owner failing to mark their facilities within two business days. The investigation will determine if the facility was located and if so, was it properly marked. Individuals who are not an excavator (usually the homeowner) may fail to follow the laws regarding requesting a locate. The utility may report the homeowner if the utility facility is damaged. Please do not be that homeowner. If you plan to plant trees, shrubs or other work that requires an excavation, call 811 at least two business days before starting your excavation. If a utility failed to mark its facilities, call 811 again and request the utility locate its facilities prior to you beginning an excavation.

OCE staff is comprised of three investigators, a receptionist, and a supervisor. OCE has three investigators who receive reports of potential violations, gather data, and determine if a violation occurred.

OCE workload continues to increase, in 2018 OCE received a total of 252 reports. In 2019 there were 407 reports submitted. In 2020 OCE received 246 reports, but in 2021 OCE noticed a significant increase of 1,008 reports and in 2022, OCE has received 1306 reports, shattering all previous records. When an excavator or facility owner is found in violation, a monetary penalty of up to \$5,000 may be levied. All penalties are collected by the ICC then given to the not-for-profit corporation JULIE, Inc. (Joint Utility Location Information for Excavators) for educational purposes. JULIE is an organization who receives locate requests and sends the requests to the various facility owners. The JULIE educational portion of the business works to educate locators, excavators, homeowners and facility owners on the requirements within the Act.



Every 9 Minutes
a utility line is hit because
someone didn't call 811.

The chances of hitting a buried utility are less than 1% if you call 811 a few days before digging.



ICC PIPELINE SAFETY WEBSITE RECOGNIZED FOR TRANSPARENCY

The ICC Pipeline Safety Program (“PSP”) was recognized by the Pipeline Safety Trust for achieving a perfect score related to the transparency of its website. The Pipeline Safety Trust has identified 11 categories, each worth three points, that relate to website transparency.

Darin Burk, previous ICC Pipeline Safety Program Manager, kicked off this process in the early and mid-2010’s. Mr. Burk worked diligently to craft new regulations ([PART 596 PUBLIC AVAILABILITY OF INSPECTION INFORMATION : Sections Listing \(ilga.gov\)](#)) that allowed PSP to share its inspection reports publicly on its website. Mr. Burk continued taking other actions to improve the transparency before he retired in 2015. It was Mr. Burk’s guidance and desire to develop a transparent website that has continued to drive PSP to work diligently to meet all criteria. At the beginning of 2022, PSP only needed two more points to achieve a perfect score. With assistance from Eric Lounsberry, Director of Safety & Reliability Division, PSP was able to clear the final two hurdles.

Matt Smith, Assistant Director Safety & Reliability Division, believes that being transparent is good for everyone. The public has access to reports on the PSP website to know what is occurring in their area. The natural gas operators can review inspection reports to determine if PSP is treating each operator consistently and fairly. This has not been an easy process, but one that is worth the time and effort. The [PSP website](#) is filled with valuable information for anyone to learn more about natural gas and pipeline safety.

NATURAL GAS SAFETY TIPS

FROM THE ICC PIPELINE SAFETY DIVISION

If you have natural gas in your home, you may want to consider installing a natural gas detector. Most homes have fire detectors and maybe a carbon monoxide detector, but a natural gas detector is often overlooked. That is because many homeowners rely on their sense of smell to detect a leak. Federal regulations do require most gas lines to be odorized to a level so that a person with a normal sense of smell can detect the gas before concentration rises to the level of the explosive range. But not everyone has a normal sense of smell. COVID-19 has impacted the sense of smell for many people.

Natural gas is colorless and odorless. A chemical is added to give natural gas that distinctive rotten egg smell. Even though the gas that is sent into your home by your local gas company has an odorant added, some people may ignore the odor because it is not considered to be strong enough to take any action. This approach can have significant consequences. Your nose becomes desensitized to the odorant in the gas over time. This may be why a person who stops by your house may immediately notice a gas odor, whereas you no longer notice the gas odor. This failure to react and call the gas company may lead to accumulations of gas that could cause serious damage or injury if an explosion would occur.

This may all be prevented by purchasing and installing a natural gas detector inside your home. Many home supply stores sell several different brands of natural gas detector. You should search the internet to find the recommended detectors. Follow all instructions when installing a natural gas leak detector. When and if the detector signals there is a leak, immediately call your local gas utility and leave the house until the gas company personnel arrive. These employees have the proper training and equipment to identify the amount of gas inside the home and detect the exact location of the leak.

2022 A YEAR IN REVIEW

QUICK TAKES

PUBLIC UTILITIES AND CEJA

- ✓ In May, a Staff Report on Beneficial Electrification was issued summarizing the workshop series and input gathered from stakeholders related to the potential design of beneficial electrification programs to be offered by Ameren and ComEd. In August, the Commission initiated dockets into the utilities BE Plans. The Ameren case is Docket Nos. 22-0431 and 22-0443 consolidated. The ComEd case is Docket Nos. 22-0432 and 22-442 consolidated.
- ✓ In June, a Notice of Inquiry regarding the Infrastructure Investment and Jobs Act (IIJA) was initiated followed by the release of a report in September. The report summarized federal grants, loans, assistance, and programs under the IIJA for which Illinois' regulated utilities may be eligible and intend to apply. The ICC is urging the utilities to secure federal resources to offset costs of transitioning to a greener more modernized grid.
- ✓ In July, the Commission directed Ameren to conduct an analysis and study of its continued membership in MISO versus participation in PJM, another regional transmission organization.
- ✓ In July, the Commission approved Stipulated Agreements establishing accelerated schedules for Ameren and ComEd to refund customers certain excess deferred income taxes resulting from the 2017 Tax Cut and Jobs Act.
- ✓ In July, the Commission approved the Illinois Power Agency's 2022 Long-Term Renewable Resources Procurement Plan authorizing over \$1.1 billion to procure new renewable generation in Illinois over two years.
- ✓ In December, a second draft of the Renewable Energy Access Plan was presented to the Commission and used as the basis to initiate Docket No. 22-0749 to formally adopt an Illinois REAP.
- ✓ Staff conducted a study assessing Low-Income Discount Rates for electric and natural gas customers and prepared a report deeming low-income discount rates appropriate for Illinois. On December 15th the Commission accepted the report and requested the large utilities file low-income discount rates in their next rate design case.



Commissioner Carrigan and his former Advisors, Ashley Bukowski and Sarah Cronin, hosted the 2022 Summer Preparedness Policy Session on June 13th, 2022. The Session focused on plans to meet peak electricity demand over the summer taking into account weather challenges and resource adequacy, as well as challenges and possible solutions for consumers. This past fall, Commissioner Carrigan hired Noah Berman and James O'Brien as his new Advisors. The two are already planning the Summer Preparedness Policy Session for 2023.

ARES/AGS

The Alternative Retail Electric Supplier (ARES) and Alternative Gas Supplier (AGS) enforcement section finalized new rules governing sales and marketing by AGS (Part 512) and updated rules governing sales and marketing by ARES (Part 412).

Supplier Diversity

In January, the ICC Office of Diversity and Community Affairs issued its second annual report. Diverse spending by the state's largest investor-owned utilities has steadily grown from an average of 15% to over 1/3 of all procurement spending over the past six years, a collective increase in annual diverse spending of over \$2.3 billion. Amtrak and the Class 1 Railroads reported collective diverse spending at \$1.9 billion for reporting year 2021.

Transportation & Rail Safety

- ✓ In March, the ICC approved its annual five-year Crossing Safety Improvement Program. For FY 2023-2027, the ICC is expected to spend \$386 million dollars from the Grade Crossing Protection Fund to assist local communities and railroads pay for much-needed improvements at 879 crossing locations.
- ✓ The ICC moved to online licensing for motor carriers. The new webpage allows for the online purchase of Public Carrier Certificates and Cab cards. The site has proved highly successful, with over 3500 online applications processed just six months from its launch.
- ✓ In 2022, the ICC Police Section wrote over 2800 administrative citations and conducted safety towing details with the City of Chicago on several occasions. The ICC Police also conducted enforcement details all over the state, including Quad Cities and Marion and participated in household goods details and stings throughout the state.
- ✓ Fines were raised for safety towers, relocation towers, household goods movers and others certified for non-compliance.
- ✓ In 2022, the ICC Rail Safety Division celebrated the 50th Anniversary of Operation Lifesaver with a press conference in Chicago and in July, joined by representatives from the Federal Rail Administration to conduct site visits and reviews at 81 railroad crossings in the Chicagoland area.
- ✓ The rail safety section responded to 164 complaints, inspected 5792 miles of track and 9976 number of hazardous materials cars.
- ✓ Many transportation projects advanced this year to make Illinois highway-rail crossings safer for motorists and pedestrians, including the completion of the 5th and 6th street bridges in Springfield; a much-needed rehabilitation to a bridge on Highway 10 in Galesburg; and more than 30 locations got help with GCPF monies to install gates and constant time and crossing controllers.



TRANSPORTATION TOPICS

On October 20, 2022, members of the ICC Railroad Safety Section participated in the DuPage Railroad Safety Council's Conference: **“Prevent Tragedy on the Tracks: Public. Health. Crisis.”** The focus was how to increase shared knowledge to prevent railroad related trespassing and suicides and highlight a variety of new solutions. The day's presentations illustrated new technology opportunities to reduce incidents, behavioral health approaches to prevent incidents, and success stories in funding major grade crossing safety improvements.

Federal Railroad Administration Deputy Administrator Jennifer Mitchell gave the keynote address. Deputy Administrator Mitchell highlighted the multitude of programs FRA administers to enhance the safety of the nation's railroad system. Particularly troubling to FRA is the increase of railroad related suicide.



Rail Safety Specialist Steve Laffey presented analytics and said that “since 2012, there has been an increase of 43.2 percent in the rate of railroad related deaths when measured by million train miles of operation. In addition, almost 70 percent of all deaths are due to trespassing on railroad property.”

ICC Railroad Safety Program Administrator Brian Verduyze moderated the technology panel – **Technology to the Rescue**. Technology panelists focused on use of advanced technology to detect crossing violations and trespassers and the use of unmanned aerial vehicles (drones) to monitor railroad property and investigate incidents. “The symposium panel was unique in that it included college students who started a business focused on technology to provide vital information to communities and emergency services, as well as longstanding members in industry that provided experience across multiple countries. The Commission has long supported advances in technology to serve its rail safety mission,” noted Brian Verduyze.

Metra's Chief Safety Officer Hilary Konczal moderated the second panel of the morning – **A Behavioral Crisis (Behavioral Health & Rail Safety)**. Panelists discussed opportunities to reduce suicide and trespass via education initiatives, as well as developing a comprehensive behavioral approach to rail safety.

Barrington Village President Karen Darch moderated the final panel – **Community Success Stories in Rail Safety**. The panel focused on the process used to construct new grade separations at Downers Grove and Aurora, as well as sharing funding insights regarding the multitude of available state and federal funding sources.

Conference organizer and host Dr. Lanny Wilson, concluded the event with the presentations of awards, including:

- ◇ The Victor Olivera Success Award presented by Betty Olivera to Chip Pew to acknowledge a lifetime of rail safety advocacy!
- ◇ The Jonathan Goers Award presented by Dick & Ellie Goers to Joe Amore recognizing his outstanding effort as the Private Sector Champion of Railroad Safety.
- ◇ The Lauren Wilson Award to Barrington Village President Karen Darch recognizing her outstanding effort as the Public Sector Champion of Railroad Safety.

For more information including the videos and presentations visit <https://dupagerailsafety.org/events/>

ICC ATTENDS CELEBRATORY GROUNDBREAKING FOR FOREST HILL FLYOVER AND 71ST STREET GRADE SEPARATION PROJECTS

On October 25th, the ICC was represented by the Rail Safety Program Administrator Brian Vercruyse, Transportation Bureau Chief Shauna Kelley, and Director of Diversity and Community Affairs Jeanine Robinson at the CREATE Forest Hill Flyover (P3) Project and 71st Street Grade Separation (GS19) Project Groundbreaking Ceremony. The event was held at the CSX Forest Hill Railroad Yard in Chicago.

The P3 project will eliminate one part of the most congested rail chokepoints in the Chicago region. Future 75th Street CIP work, currently under design, will remove the remaining railroad bottlenecks in this area. The GS19 project will eliminate an existing grade crossing of the CSX railroad with 71st Street, improving safety and convenience for people walking, bicycling, and driving along 71st Street.

The projects were highlighted by CSX and other railroads for its successful focus on supplier diversity and community involvement at the ICC's Railroad Supplier Diversity Policy Session.



Pictured left to right: Brian Vercruyse, Shauna Kelley, Samuel Tuck III, Bureau Chief Freight Rail Management from IDOT and Jeanine Robinson.

Federal, State and Local leaders along with rail representatives came together to break ground on the largest CREATE project, the Forest Hill Flyover at the CSX Forest Hill Railroad Yard in Chicago



ICC HELPING TO PROTECT CRITICAL UTILITY INFRASTRUCTURE FROM CYBER ATTACKS



Since 2017, the ICC's Office of Cybersecurity and Risk Management (C&RM) has supported the ongoing efforts of regulated Illinois utilities to improve the resiliency and cybersecurity of critical infrastructure. As one of many dedicated public utility commission (PUC) cybersecurity offices in the nation, ICC's C&RM Office engages with internal staff and external stakeholders on emerging cybersecurity topics.

C&RM supports the ICC through consulting on rate cases, agency-wide education on various cybersecurity issues, and developing and maintaining the Continuity of Operations (COOP) Plan. During the year C&RM engaged in The Garden State's (New Jersey's) Broken Silos exercise, the DOE CESER ClearPath Exercise, the PJM Grid Security Drill, the ICC's own 6th annual Cyber Resiliency Joint Exercise, and the ICC's own (COOP) Plan Exercise. C&RM has collaborated with other state PUCs through discussions about cybersecurity strategy as well as contributions to various USAID and NARUC projects and publications.

Externally, the Commission's efforts involve regulatory oversight, best practices sharing, and support of NARUC policy initiatives. Staff serves

on several national policy making and advisory committees, including the Cybersecurity Advisory Team for State Solar (CATSS) of the National Association of State Energy Officials (NASEO) and the NARUC Staff Subcommittee on Critical Infrastructure. C&RM also encourages evolving cybersecurity defense programs that implement industry standards and best practices while participating in the USAID/NARUC mission to provide training for energy regulators of Europe & Eurasia on Cybersecurity Maturity Models and the National Renewable Energy Laboratory (NREL) Theme Development Workshop in Colorado, October 2022.

C&RM, in collaboration with the Norwich University Applied Research Institutes (NUARI) created a table top exercise utilizing NUARI's DECIDE® platform. This exercise included participants from 8 different critical infrastructure sectors, making it a unique opportunity for the participants to share challenges, successes, and best practices. Keynote speakers for the exercise included Director Alicia Tate-Nadeau of the Illinois Emergency Management Agency (IEMA) and Gabriel Lewis of the Illinois Statewide Terrorism Intelligence Center (STIC).

NOTABLE DECISIONS MADE IN 2022

ELECTRIC

20-0700 | Illinois Commerce Commission On Its Own Motion.

On May 25, 2022, the Commission entered an Order adopting amendments to 83 Ill. Adm. Code 466 – Electric Interconnection of Distributed Generation Facilities (“Part 466”) and 83 Ill. Adm. Code 467 – Electric Interconnection of Large Distributed Generation Facilities (“Part 467”). Parts 466 and 467 were last amended in Docket No. 14-0135. Citizens Util. Bd. and the Env’tl. Law and Policy Ctr., Docket No. 14-0135, Adopting Order (Dec. 13, 2016). The amendments to Parts 466 and 467 are intended to alleviate some of the issues with the interconnection process and make the process more efficient for both developers and electric utilities, further encouraging the development of distributed generation projects in Illinois.

21-0551 | Ameren Illinois Company d/b/a Ameren Illinois.

On January 5, 2022, the Commission entered an Order granting Ameren Illinois Company d/b/a Ameren Illinois (“Ameren Illinois”) a certificate of public convenience and necessity to construct, operate, and maintain a new, approximately 8-mile 138 kV transmission line in Logan County, Illinois. The new transmission line will connect the existing Fogarty Switching Station and the Limit Substation.

21-0607/ 21-0739 (Consol.) | Illinois Commerce Commission On Its Own Motion -vs- Commonwealth Edison Company.

On July 17, 2020, Commonwealth Edison Company (“ComEd”) entered into a Deferred Prosecution Agreement (“DPA”) with the United States Attorney’s Office for the Northern District of Illinois. In the DPA, ComEd acknowledged, among other things, that “ComEd arranged for various associates of Public Official A, including Public Official A’s political allies and individuals who performed political work for Public Official A, to obtain jobs, vendor subcontracts, and monetary payments associated with these jobs and subcontracts from ComEd, even in instances where certain political allies and workers performed little or no work that they were purportedly hired to perform for ComEd.”

On September 15, 2021, Public Act 102-0662 (“P.A. 102-0662”) took effect, and, among other things, required the Commission to initiate an investigation as to: (i) whether ratepayer funds were expended in connection with the conduct detailed in the DPA; (ii) whether ratepayer funds were used to pay the criminal penalty; and (iii) whether ComEd collected, spent, allocated, transferred, remitted, or caused in any other way to be expended ratepayer

funds that were not lawfully recoverable through rates. 220 ILCS 5/4-604.5(b). The Commission’s Order finds that all parties agree that ratepayer funds were not used to pay the \$200 million penalty required by the DPA. All parties ultimately agreed that ComEd should refund \$31,296,338 (\$22,595,329 plus \$8,701,009 interest) recovered from customers through Commission-jurisdictional rates and \$5,019,312, plus the appropriate interest, through FERC-jurisdictional rates. The sole disputed issue was ComEd’s capital structure treatment of the \$200 million penalty ordered in the DPA. The Order rejects the proposal of the Attorney General, the City of Chicago, and the Citizens Utility Board to reduce ComEd’s common equity balance, both retroactively and in all future rate cases, finding the DPA expressly authorized the equity infusion of funds from ComEd’s parent, there is no prohibition of such a transaction in Section 4-604.5 or anywhere else in the Public Utilities Act (“Act”), and their proposal contravenes traditional rate-making principles.

21-0738 | Illinois Commerce Commission On Its Own Motion -vs- Ameren Illinois Company; Commonwealth Edison Company.

On July 7, 2022, the Commission approved Stipulated Agreements establishing schedules for Ameren Illinois and ComEd to accelerate amortization of their unprotected property related EDIT over a period of three years, 2023-2025, as set forth in Rider EDITA (“Excess Deferred Income Tax Adjustment”).

21-0812 | Commonwealth Edison Company.

On February 3, 2022, the Commission approved, with modifications, ComEd’s proposed creation of Rider Solar Paired With Storage Rebate, in accordance with Section 16-107.6(b-5) of the Act, as required by P.A. 102-0662. Subsection (b-5) requires ComEd to file a tariff that further compensates any retail customer that installs or has installed photovoltaic facilities paired with energy storage facilities on or adjacent to its premises for the benefits the facilities provide to the distribution grid.

21-0813 | Commonwealth Edison Company.

On February 3, 2022, the Commission approved ComEd’s Rider DSPR – Delivery Service Pricing Reconciliation. Pursuant to 220 ILCS 5/16-108.25, as amended by P.A. 102-0662, Rider DSPR sets forth the processes and procedures by which ComEd will transition from its current formula rates to the new Multi-Year Rate Plan or a general rate case.

21-0850 | Commonwealth Edison Company.

P.A. 102-0662 materially revised the State's existing distributed generation rebate program set forth in Section 16-107.6 of the Act. 220 ILCS 5/16-107.6. P.A. 102-0662 changed a number of definitions and criteria applicable to the program, expanded eligibility beyond nonresidential customers, revised distributed generation rebate values for certain customers, and set new rebate values for energy storage. 220 ILCS 5/16-107.6(b)-(c). To implement these changes, P.A. 102-0662 directed the electric utilities subject to Section 16-107.6 to amend and update any existing tariffs to comply with these new provisions. 220 ILCS 5/16-107.6(d). On August 11, 2022, the Commission approved ComEd's revisions to Rider DG REBATE, finding that ComEd's proposed revisions do not violate the Commission's Part 452 Rules or Section 16-119's prohibition against tying.

21-0851 | Commonwealth Edison Company.

On January 13, 2022, the Commission approved, with modifications, ComEd's proposed revisions to Rider POGCS – Parallel Operation of Retail Customer Generating Facilities Community Supply and Rider PORCB – Purchase of Receivables with Consolidated Billing, pursuant to Section 16-107.5 of the Act. The changes to Riders POGCS and PORCB are designed to implement the statutory revisions specific to community supply-related projects set forth in Section 16-107.5(l) of the Act as amended by P.A. 102-0662.

21-0854 | Ameren Illinois Company d/b/a Ameren Illinois.

On August 11, 2022, the Commission approved Ameren Illinois' amended and updated tariffs, Rider CGR – Customer Generation Rebates and Rider CGC – Customer Generation Charge. The amended and updated tariffs implement provisions of Section 16-107.6 of the Act, as revised by P.A. 102-0662, relating to payment of rebates for qualifying distributed generation and utility recovery of the cost of those rebates. With respect to the implementation timeframe, the Commission adopted the implementation timeframe of six months from the date of the final Order.

21-0859 | Ameren Illinois Company d/b/a Ameren Illinois.

On January 13, 2022, the Commission approved Ameren Illinois' Rider NM 2 – Net Metering 2 with modifications. Rider NM 2 implements provisions of 220 ILCS 5/16-107.5 relating to net metering service. P.A. 102-0662 modified the Act regarding net metering by, inter alia: (1) limiting the provisions of net metering for subscriptions to community renewable generation projects to certain electric utilities; (2) revising general crediting provisions and those crediting provisions specific to community

renewable generation projects; (3) introducing optional net crediting agreements; (4) replacing the previous requirement that the electricity provider furnish credits at the subscriber's energy supply rate with the requirement that the credits "include at least energy supply, capacity, transmission, and, if applicable, the purchased energy adjustment" (220 ILCS 5/16-107.5(l)(2)); directing the electric utility to "provide monetary credits to a subscriber's subsequent bill at the utility's total price to compare equal to the subscriber's share of the production of electricity from the project . . ." (220 ILCS 5/16-107.5(l)(3)); and requiring that certain electric utilities enter into a net crediting agreement with an owner or operator of a community renewable generation project upon the request of the owner/operator.

22-0036 | Commonwealth Edison Company.

On January 20, 2022, a tariff filed by ComEd was suspended with proposed revisions to the Terms and Conditions under which a customer can participate in net metering under Section 16-107.5 of the Act. 220 ILCS 5/16-107.5. The only contested issues were whether the language in Rider POGNM – Parallel Operation of Retail Customer Generating Facilities with Net Metering is sufficiently clear. The Order directs ComEd to include the language that a renewable electric generating system must be intended to offset the retail customer's "current or future energy requirements, as determined by the retail customer." The Order also finds that there is no nameplate capacity on net metering described in Section 16-107.5, so ComEd's language to add a threshold of 5,000 kW is inconsistent with the plain reading of the statute.

22-0038 | Mt. Carmel Public Utility Co.

On January 20, 2022, Mt. Carmel Public Utility Co. ("Mt. Carmel") filed with the Commission proposed new tariff sheets in which the Mt. Carmel proposed general increases in its electric and natural gas rates. The Commission's Final Order, which was entered on October 27, 2022, authorized an annual base rate electric revenue \$7,918,503, which represents an increase of \$894,219 or 12.25%. The Order also authorized an annual base rate gas revenue of \$2,378,836, which represents a gross increase of \$687,518 or 40.65%.

22-0063 | Ameren Illinois Company d/b/a Ameren Illinois.

P.A. 102-0662 amends the Act to establish a new, multi-year performance-based electric delivery service ratemaking framework. P.A. 102-0662 allows electric utilities serving more than 500,000 customers that previously had a formula rate in effect to file, no later than January 20, 2023, a petition seeking approval for Multi-Year Rate Plans under Section 16-108.18 of the

Act. 220 ILCS 16-108.18(d)(1). The Performance Metrics approved in this proceeding provide an opportunity for annual adjustments to the return on equity approved in a Multi-Year Rate Plan, by either adding or subtracting basis points (“BPs”), should Ameren Illinois elect to file a Multi-Year Rate Plan rather than a general rate case. The Order approves or modifies 8 performance metrics and numerous tracking metrics to monitor the progress of the performance metrics. The docket is open for rehearing.

22-0067 | Commonwealth Edison Company.

On September 27, 2022, the Commission entered an Order approving ComEd’s Rider PIM – Performance Incentive Metrics. The Order allocates a total of 32 basis points across seven distinct performance metrics that are designed to achieve incremental improvements over baseline performance values and targets as they relate to reliability and resiliency, peak load reduction, supplier diversity, affordability, interconnection timeliness, and customer service. The Order also approves a number of tracking metrics designed to collect and monitor data for the purpose of measuring and reporting utility performance and for establishing future performance metrics. The docket is open for rehearing.

22-0180 | Ameren Illinois Company d/b/a Ameren Illinois.

P.A. 102-0662 added Section 8-218 to the Act, which provides for cost recovery for up to two pilot projects consisting of photovoltaic electric generating facilities that may include accompanying energy storage facilities. On November 17, 2022, the Commission approved Ameren Illinois’ proposed Rider USS – Utility-Owned Solar and Storage Adjustment, as modified consistent with Commission Staff’s recommendations. Ameren Illinois proposes that the projects be sited in equity investment eligible communities in or near the towns of Peoria and East St. Louis.

22-0231 | Illinois Power Agency.

The Commission approved the Illinois Power Agency’s (“IPA”) 2022 Long-Term Renewable Resources Procurement Plan, with modifications, on July 14, 2022, pursuant to 220 ILCS 5/16-111.5(b)(5)(ii) of the Act. The Plan addresses the procurement of renewable energy credits – tradeable credits that represent the environmental attributes of one megawatt hour of energy produced from a qualifying renewable energy generating facility – as required by Sections 1-56(b) and 1-75(c) of the IPA Act.

22-0237 | Illinois Commerce Commission On Its Own Motion.

This proceeding adopted a report for submission to the General Assembly and Governor regarding specific programs, mechanisms, and policies that support the deployment of energy storage systems. The Commission adopted a Final Energy Storage Program Report on May 25, 2022.

22-0297 | Ameren Illinois Company d/b/a Ameren Illinois.

On December 1, 2022, the Commission entered an Order establishing updated delivery service charges for Ameren Illinois customers. The Commission established Ameren Illinois’ 2023 Rate Year Net Revenue Requirement and reconciled the revenue requirement in effect for 2021 with actual costs for 2021. The Commission approved annual tariffed operating revenues of \$1,079,863,000. Updated charges are applicable to delivery services provided by Ameren Illinois beginning in January 2023.

22-0302 | Commonwealth Edison Company.

On November 17, 2022, the Commission entered an Order establishing updated delivery service charges for ComEd customers. The Commission determined ComEd’s 2023 Rate Year Net Revenue Requirement and the original costs of electric plant in service as of December 31, 2021. The Commission approved annual tariffed operating revenues of \$2,910,616,000. Updated charges are applicable to delivery services provided by ComEd beginning in January 2023.

22-0305 | Illinois Competitive Energy Association -vs- Commonwealth Edison Company.

The Illinois Competitive Energy Association requested that the Commission open an investigation into ComEd’s Rider POGCS, Rider Parallel Operation of Generation – Community Supply, to address language in the rider requiring payments by alternative retail electric suppliers to ComEd when the alternative retail electric supplier’s customer is taking service under Rider POGCS. In an Order dated September 1, 2022, the Commission found that the cost of providing a credit to subscribers of community renewable generation projects cannot be recovered from alternative retail electric suppliers.

22-0362 | Commonwealth Edison Company.

On October 27, 2022, the Commission entered an Order approving ComEd’s updated cost inputs for the energy efficiency formula rate and ComEd’s reconciliation and revenue requirement. ComEd achieved 9,655,890 MWh of cumulative persisting annual savings, which is 382,816 MWh above the applicable cumulative persisting annual savings goal of 9,274,887 MWh, or 104.1% and 981,633

MWh of savings toward the calendar year 2021 applicable annual incremental goal of 1,100,410 MWh, which is 89.2% of such goal. ComEd's energy efficiency rate base is \$881,194,000 for the 2021 Reconciliation Year Revenue Requirement and the rate of return ComEd should be allowed on its net rate base is 5.52%.

22-0369 | Ameren Illinois Company d/b/a Ameren Illinois.

On December 1, 2022, the Commission entered an Order approving Ameren's updated cost inputs for the 2021 Rider EE – Energy Efficiency and Demand Response Investment reconciliation and the 2023 energy efficiency formula rate update. Ameren's revenue requirements will be \$76,399,000 for this program and the approved changes to Rider EE will go into effect with the January 2023 billing period.

22-0469 | Ameren Illinois Company d/b/a Ameren Illinois.

The Commission approved Ameren's uncontested new Rider Coal to Solar and Energy Solar Storage Charge (CSESC) which will, beginning on January 1, 2023, collect Ameren's estimated payment obligations to suppliers for the upcoming Delivery Year for contracts for purchase of renewable energy credits entered into pursuant to subsection (c-5) of Section 1-75 of the IPA Act. Rider CSESC will also collect Ameren's estimated payment obligations to the Department of Commerce and Economic Opportunity for the upcoming Delivery Year for grant contracts entered into pursuant to subsection (c-5) of Section 1-75 of the IPA Act.

22-0468 | Commonwealth Edison Company.

On November 17, 2022, the Commission approved Rider Coal to Solar (CTS) as revised, which allows ComEd to implement the Coal to Solar and Energy Storage Charge. The Charge is the sole funding source for the procurement of renewable energy credits from new renewable energy facilities to be installed at or adjacent to the sites of electric generating facilities that burned coal as their primary fuel source as of January 1, 2016 and meet other requirements.

22-0485 | Illinois Commerce Commission On Its Own Motion -vs- Ameren Illinois Company d/b/a Ameren Illinois.

On July 21, 2022, the Commission initiated a docket directing Ameren Illinois to analyze and report on the benefits and costs of continued participation in the Regional Transmission Organization ("RTO") Midcontinent Independent System Operator ("MISO"). Ameren was directed to perform an analysis of the benefits and costs of participation in MISO, including consideration of

the relative net benefits of participation in MISO versus participation in another RTO. The Order directs Ameren Illinois to file its final Report with the Office of the Chief Clerks, opening a new docket within 12 months of the date of the Initiating Order, or no later than July 21, 2023.

22-0590 | Illinois Power Agency.

On December 15, 2022, the Commission entered an Order approving the Illinois Power Agency's 2023 Power Procurement Plan. The Commission found the 2023 Plan and load forecasts were appropriate and will ensure adequate, reliable, affordable, efficient, and environmentally sustainable electric service at the lowest total cost over time, taking into account any benefits of price stability. The 2023 Plan increased the hedging percentage target for the summer months in procurements prior to the final spring procurement event in order to reduce the remaining volumes to be procured for the prompt summer months, changed the final procurement hedging targets for ComEd from 100% to 75%, and increased the amount of capacity hedged for Ameren from 50% to 75%. A contingency proposal was also approved, reducing the hedging level to 50% for ComEd should the Commission approve changes to the reconciliation timing in ComEd's CMC tariff by March 31, 2023. The 2023 Plan also changed from annual Zonal Resource Credit procurements to seasonal Zonal Resource Credits procurements for Ameren Illinois to comply with the recently approved changes to the Midcontinent Independent System Operator capacity market construct.

GAS

19-0673 | Dakota Access, LLC and Energy Transfer Crude Oil Company, LLC.

On September 15, 2022, the Commission entered an Order on Remand granting Dakota Access, LLC and Energy Transfer Crude Oil Company, LLC ("ETCO") a certificate of necessity and public convenience pursuant to Section 8-503 of the Act, 220 ILCS 5/8-503, authorizing Dakota Access and ETCO to install additional pumping station facilities on their existing certificated common carrier pipelines in Illinois. The Order found that based on the record, Joint Petitioners have established that this project is reasonable and necessary and will be beneficial for and convenience the public in accordance with Section 8-503 of the Act.

20-0323 | Ameren Illinois Company d/b/a Ameren Illinois.

On March 19, 2020, Ameren Illinois filed a Petition requesting that the Commission initiate a proceeding to affirm the accuracy and prudence of Qualifying Infrastructure Investment that AIC recovered through its

Rider QIP - Qualifying Infrastructure Plant (“Rider QIP”) during the twelve-month period ending December 31, 2019, pursuant to Section 9-220.3 of the Act and Part 556.100 of the Commission’s Rules. 220 ILCS 5/9-220.3; 83 Ill. Adm. Code 556.100. In an Order dated December 15, 2022, the Commission found that Ameren Illinois complied with the terms of its tariff and the Commission's Part 556 Rules, and that Ameren Illinois’ filing contained detailed information allowing for the Commission's review.

21-0698 | Northern Illinois Gas Company d/b/a Nicor Gas Company.

On January 5, 2022, the Commission entered an Order pursuant to Section 8-406(a) and 8-406.2 of the Act granting Northern Illinois Gas Company d/b/a Nicor Gas Company (“Nicor Gas”) a Certificate of Public Convenience and Necessity to construct, operate, and maintain a gas distribution facility and to transact the business of furnishing gas service to the residents of Pembroke Township and the Village of Hopkins Park in Kankakee County.

22-0209 | MidAmerican Energy Company.

On February 1, 2022, MidAmerican Energy Company (“MidAmerican”) filed with the Commission new tariff sheets in which MidAmerican proposed creation of a new “Rate Producers of Renewable Gas Transportation Service” to its Gas Tariff (“Rate PRG”). MidAmerican states that the tariff filing was in response to multiple inquiries from potential producers interested in constructing renewable natural gas (“RNG”) production facilities in MidAmerican’s Illinois service territory and injecting the RNG into MidAmerican’s distribution system. The Order agrees with MidAmerican that it is not subject to the Gas Transmission Facilities Act (“GTFA”). The definition of “private entity” in the GTFA includes a carve-out for resold RNG; based on this exclusion, the producers injecting RNG into MidAmerican’s system would not be “private energy entities. The Order also finds that Part 530 of the Commission’s Rules applies to MidAmerican because Part 530 regulates the safety and quality standards for gas transportation for a private energy entity by a gas utility and applies to natural gas “produced from wells in Illinois...for use in Illinois and to be transported by a gas public utility in Illinois.” 83 Ill. Adm. Code 530.10(a). The Order stated that the Commission has the authority to impose gas safety and quality standards on MidAmerican, consistent with its rules.

WATER & SEWER

21-0722 | Illinois-American Water Company and Aqua Illinois, Inc.

On October 1, 2021, Illinois-American Water Company and

Aqua Illinois, Inc. filed a verified Petition seeking a limited exemption from Section 600.340 of the Commission's rules, which sets forth the schedule for periodic inspection and testing of meters, through calendar year 2024, given the continued circumstances of the COVID-19 pandemic. The Commission entered an Order on July 7, 2022, granting the requested exemption.

22-0210 | Illinois-American Water Company.

On February 10, 2022, Illinois-American Water Company (“IAWC”) filed new tariff sheets with the Commission in which it proposed a general increase in water and sewer rates pursuant to Section 9-201 of the Act. 220 ILCS 5/9-201. The Order finds that a just and reasonable rate of return which IAWC should be allowed an opportunity to earn on its net original cost rate base is 7.01%; this rate of return incorporates a return on equity of 9.78%.

MISCELLANEOUS

17-0857/ 20-0457 (Cons.) | Illinois Commerce Commission On Its Own Motion.

On November 10, 2022, the Commission entered an Order adopting proposed amendments to 83. Ill. Adm. Code 412, Obligations of Alternative Retail Electric Suppliers (“ARES”) (Part 412) and new proposed rule 83. Ill. Adm. Code 512, Obligations of Alternative Gas Suppliers (“AGS”) (Part 512). The approved amendments and new rule provide additional protections to consumers, promote clarity and continuity across the AGS and ARES industry, and conform with recent legislative changes.

22-0005 | Ameren Illinois Company d/b/a Ameren Illinois, Commonwealth Edison Company, The Peoples Gas Light and Coke Company, North Shore Gas Company, and Northern Illinois Gas Company d/b/a Nicor Gas Company.

On March 3, 2022, the Commission entered an Order approving the Illinois Statewide Technical Reference Manual for Energy Efficiency (“IL-TRM”) Version 3.1 and of the Illinois Energy Efficiency Policy Manual Version 2.1. The changes memorialized in the IL-TRM Policy Document Version 3.1 address statutory changes effected by P.A. 102-0662. The Policy Manual Version 2.1 contains updates to conform to modifications made to Section 8-103B of the Act as a result of P.A. 102-0662. The approved documents were the subject of a consensus between and among all non-financially interested stakeholders that participated in the Stakeholder Advisory Group’s Policy Manual Subcommittee.

22-0603 | Ameren Illinois Company d/b/a Ameren Illinois, Commonwealth Edison Company, The Peoples Gas Light and Coke Company, North Shore Gas Company, and Northern Illinois Gas Company d/b/a

Nicor Gas Company.

On December 15, 2022, the Commission entered an Order approving the Illinois Statewide Technical Reference Manual for Energy Efficiency (“IL-TRM”) Version 11.0. The purpose of the IL-TRM is to provide a transparent and consistent basis for calculating energy and capacity savings generated by the State’s utility administered energy efficiency programs. Pursuant to the IL-TRM Policy Document approved in Docket No. 22-0005, the IL-TRM must be updated annually to keep pace with the dynamic technology and markets to maintain reliable savings estimates and avoid obsolescence. The IL-TRM Version 11.0 reflects compromise agreements reached among stakeholders through discussions at the IL-TRM Technical Advisory Committee and various working group meetings that comprised this year’s IL-TRM Update Process.

RAIL SAFETY SECTION**T22-0047 | Knox County Highway Department, and the State of Illinois, Department of Transportation.**

Stipulated agreement authorizing the use of \$2.5 million from the Multi-Modal Transportation Bond Fund, part of Governor JB Pritzker’s bi-partisan Rebuild Illinois Capital Bill, to assist Knox County pay for the rehabilitation of a grade separation structure near Galesburg. The Highway Department will perform heavy rehabilitation work with no structural footprint change to the existing structure carrying County Highway 10/Thirwell Road over the BNSF Railway Company’s rail yard property and tracks.

T22-0048 | Massac County, Illinois Central Railroad Company, and the State of Illinois, Department of Transportation.

Stipulated agreement authorizing the use of up to \$962,886 to help the Massac County Highway Department reconstruct the bridge that carries Country Club Road over the Illinois Central Railroad Company’s track near Metropolis. The existing timber bridge will be replaced with a 3-span concrete bridge.

T22-0054 | City of Springfield, Norfolk Southern Railway, Midland Railroad, Inc., and the State of Illinois, Department of Transportation.

Stipulated agreement authorizing the use of \$2.9 million in Grade Crossing Protection Funds to assist the City of Springfield pay for preliminary engineering and land acquisition activities to improve public safety at the North Grade Avenue highway-rail crossing. The intent is to allow for the future construction of a grade separation structure at the crossing of Norfolk Southern Railway Company and the Illinois & Midland Railroad, Inc.

T22-0076 & T22-0077 | Iowa Interstate Railroad Tracks (IAIS), the State of Illinois, Department of**Transportation.**

Stipulated agreements authorizing the use of approximately \$3.1 million in Grade Crossing Protection Funds to help pay for the installation of automatic warning devices at eleven highway-rail grade crossings of the Iowa Interstate Railroad (IAIS) in Bureau, LaSalle, Putnam, and Rock Island Counties. Stipulated Agreement 2217 requires the installation of new automatic flashing light signals and gates at four crossings of the IAIS in Bureau County. The crossings are located at Depot Street in De Pue (AAR/DOT #603839G, railroad milepost 109.94), East Street in De Pue (AAR/DOT #603840B railroad milepost 110.20), East Nebraska Street in Bureau Junction (AAR/DOT #863542S, railroad milepost 114.17), East Main Street in Tiskilwa (AAR/DOT #863552X, railroad milepost 122.36). Stipulated Agreement 2218 requires the installation of new automatic flashing light signals and gates at three crossings in Putnam, Marshall, and Rock Island Counties. The crossings are located at Main Street (AAR/DOT #603960S, railroad milepost 121.97) near Bureau, in Putnam County, CR 1450 North (AAR/DOT #603969D, railroad milepost 125.93) near Henry, Marshall County, and at North 1st Avenue (AAR/DOT #916106D, railroad milepost 171.80) in Carbon Cliff, Rock Island County.

T22-0011 | Wisconsin Central, Will County, and the State of Illinois, Department of Transportation.

Stipulated agreement authorized \$2 million in Grade Crossing Protection Funds (GCPF) to be used for Phase 2 Engineering for the development of contract plans, specifications, and detailed estimates for a proposed grade separation over the Wisconsin Central (CN Railroad) at-grade crossing, located on Gougar Road near New Lenox in Will County. Will County has agreed to fund all costs exceeding the GCPF contribution. The county is also responsible for submitting detailed phase 2 plans for the proposed improvement to the IDOT for approval and every six months must provide the Commission with status reports on the progress of the project.

T22-0111 Norfolk Southern, State of Illinois, Department of Transportation.

Stipulated agreement to advance three highway-rail crossing safety improvement projects in Livingston County. The Agreement requires the Norfolk Southern Railway Company (NS) to install automatic warning devices and circuitry at the Morris Road highway-rail crossing (AAR/DOT #534435V, railroad milepost KS130.5) in Dwight, at CR2300E near Dwight (AAR/DOT #534450X, railroad milepost KS-133.87) and at CR 975E near Streator (AAR/DOT #534465M, railroad milepost KS-147.05). On September 15, 2022, the Commission issued a Final Order

providing up to \$1, 098,962 from the Grade Crossing Protection Fund to pay up to 95% of the signal design and installation costs.

T22-0112 | Norfolk Southern Railway Company, State of Illinois Department of Transportation. Stipulated agreement requiring the Norfolk Southern Railway Company (NS) to install automatic warning devices and circuitry at the at East 950th Road near Streator (AAR/DOT #534516V, railroad milepost KS-161.59) and at Main Street in Lostant (AAR/DOT #5345227, railroad milepost KS-165.73). The Commission’s issued a final order authorizing the use of up to \$1,079,687 from the Grade Crossing Protection Fund to pay up to 95% of the signal design and installation costs.

T22-0113 | Norfolk Southern Railway Company, State of Illinois, Department of Transportation. Stipulated agreement requires Norfolk Southern Railway Company (NS) to replace existing Crossbucks and antiquated automatic warning devices and circuitry and six crossings in Putnam County. The Commission authorized up to \$2,208,721 from the Grade Crossing Protection Fund to pay up to 95% of the signal design and installation costs at the following locations: McNabb (AAR/DOT #532531R, railroad milepost Ks-174.79, McCoy Street in Granville (AAR/DOT #532539V, railroad milepost KS-180.95), Main Street in Granville (AAR/DOT #532540P, railroad milepost KS-181.37), Division Street in Granville (AAR/DOT #532541W, railroad milepost KS-181-90), Hennepin Street in Mark (AAR/DOT #532542D, railroad milepost KS-182.00), St. Paul Street near Granville (AAR/DOT #532543K, railroad milepost KS-182.51).



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If you're interested in more Smart Tips flyers on a variety of topics like energy savings, what to do in a power outage, steps to take before hiring a Household Goods Mover, visit our Consumers page at icc.illinois.gov/consumers

ICC Smart Tips



Winter Energy Savings

Now is the time to prepare your home against extremely cold temperatures this winter. By following a few easy tips, you can stay comfortable while saving energy and money to heat your home.

Did you know?

- The U.S. Department of Energy recommends setting your thermostat at 68 degrees while you are awake and home, lower at night and when you are away.
- You can save 10% a year on cooling and heating if you set your thermostat back 7%-10% for 8 hours a day from its normal setting.
- Water heating accounts for 14-18% of a homeowner's utility bill. Turn down your water heater to 120 degrees to save money.

*U.S. Department of Energy & U.S. Environmental Protection Agency

Steps to Keep Warm and Save Money this Winter

- Install smart thermostats that automatically adjust heating and cooling temperature settings.
- Check with your utility about enrolling in time-based electricity rates programs to reduce energy usage during peak hours or to learn about energy efficiency services they may offer.
- Cover the inside of drafty windows with heavy plastic and seal tightly to the frame to avoid air infiltration. Check exterior door and window frames for leaks, use caulk or weather stripping to seal.
- Use insulated curtains, shades or other energy-efficient window treatments.
- Schedule a maintenance service call for your heating system. Be sure to change filters on furnace and heat pumps at least once a month. For wood and pellet burning heaters, clean the flue vent regularly, and clean the interior of appliances with a wire brush.
- If you have an older water heater tank, consider adding an insulated jacket or blanket. Insulating a water tank can save between 7 – 16% in water heating costs.
- On sunny days allow natural light to filter in south-facing windows to help warm your home.
- Reverse the direction of ceiling fan blades to circulate warm air.
- If you have a fireplace keep the damper closed unless a fire is burning.
- If using the fireplace, close off the room if possible, open a nearby window slightly, and lower your thermostat setting between 50-55 degrees.
- Lower your holiday decorating costs by using LED holiday light strings.

For more information visit the U.S. Department of Energy website at: <https://www.energy.gov/energysaver/energy-saver>





*May the New Year bring you happiness, peace and prosperity.
Happy New Year!*

STAY CONNECTED

