

Docket No: 03-0056
Bench Date: 10/22/03
Deadline: N/A

MEMORANDUM

TO: The Commission
FROM: Leslie Haynes, Administrative Law Judge
DATE: October 14, 2003
SUBJECT: Illinois Commerce Commission
On Its Own Motion

Proceeding to monitor the ongoing development of the marketplace for Commonwealth Edison Customers.

RECOMMENDATION: Enter the attached Second Interim Order adopting Staff's proposals.

This matter concerns the Commission's monitoring of the market for ComEd customers 3 MW and larger. The monitoring consists of certain reporting requirements that were agreed to by the parties and approved in the Commission's Interim Order entered on April 9, 2003. Two issues, however, remain to be resolved by the Commission.

First, whether the reporting requirements should continue beyond the end of the mandatory transition period. The attached order adopts Staff's position on this issue and finds that it is premature to assume that reporting will not be required beyond January 2007. The second issue is whether this docket should be closed in order to allow for informal discussions. The order, which also adopts Staff's position, finds that closing the docket would be contrary to the Commission's purpose in initiating this proceeding.

Accordingly, I recommend entry of the attached Second Interim Order which continues the reporting requirements beyond the end of the mandatory transition period and leaves this docket open for the time being.

LH:jt