

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission)	
On its own motion)	
)	Docket No. 06-0525
Consideration of the federal standard on)	
interconnection in Section 1254 of the Energy Policy)	
Act of 2005.)	
)	

COMMENTS OF THE AMEREN ILLINOIS UTILITIES

Central Illinois Light Company d/b/a AmerenCILCO, Central Illinois Public Service Company d/b/a AmerenCIPS and Illinois Power Company d/b/a AmerenIP (the “Ameren Illinois Utilities”) hereby submit their comments regarding the implications of Senate Bill 680, now P.A. 95-0420, in the above-captioned Docket, for the consideration of the Administrative Law Judge (“ALJ”) and the Illinois Commerce Commission (“Commission”).

On September 5, 2007, the ALJ held an Emergency Status Hearing to address the implications of newly enacted P.A. 95-0420. At that hearing, the ALJ requested comments on the issue of whether P.A. 95-0420, specifically subsection (h), requires completion of all matters related to this Docket within 120 days. The plain language of subsection (h) indicates that it does not, because the Commission has already acted on its own initiative in this Docket:

(h) Within 120 days after the effective date of this amendatory Act of the 95th General Assembly, the Commission shall establish standards for net metering and, *if the Commission has not already acted on its own initiative*, standards for the interconnection of eligible renewable generating equipment to the utility system. The interconnection standards shall address any procedural barriers, delays, and administrative costs associated with the interconnection of customer-generation while ensuring the safety and reliability of the units and the electric utility system. The Commission shall consider the Institute of Electrical and Electronics Engineers (IEEE) Standard 1547 and the issues of (i) reasonable and fair fees and costs, (ii) clear timelines for major milestones in the interconnection process, (iii) nondiscriminatory

terms of agreement, and (iv) any best practices for interconnection of distributed generation.

P.A. 95-0420(h) (emphasis added).

At the time SB 680 was drafted and sent to the Governor (on June 29, 2007), the parties had already submitted two separate rounds of comments on interconnection “best practices,” which the 2005 Energy Policy Act required the Commission to consider, as part of a specified “federal standard” (16 U.S.C. Sec. 2621(d)(15)). Those comments did, as a matter of record, address the same discrete issues required for consideration in subsection (h): “procedural barriers, delays, and administrative costs associated with the interconnection of customer-generation” and “the issues of (i) reasonable and fair fees and costs, (ii) clear timelines for major milestones in the interconnection process, (iii) nondiscriminatory terms of agreement, and (iv) any best practices for interconnection of distributed generation” (P.A. 95-0420(h)). Workshops ongoing as of the July 25, 2007 Interim Order’s entry (Interim Order, pp. 3-4), and still ongoing at the time of this filing, also have addressed these same issues. By the Interim Order, the Commission intended that workshops addressing these issues should continue to completion, given their “complexity and breadth” (Interim Order, p. 4), before entering final orders on such issues. Thus, by the time of the Interim Order’s entry, and before SB 680 was enacted (on August 24, 2007) the Commission had already acted on its own initiative to address net-metering eligible interconnection standards referenced in P.A. 95-0420, by adopting IEEE 1547 for generating facilities not larger than 10 MVA and continuing to conduct a workshop process through this Docket, through which other enumerated standards could be considered. (Interim Order, p. 3.) In other words, the Commission has already acted on its own initiative as contemplated by the statute.

The Ameren Illinois Utilities note that subsection(h) of P.A. 95-0420 must be interpreted within the limited context of the net-metering law. Specifically, subsection(h) calls for the development of standards related to the interconnection of "...eligible generating renewable equipment to the utility system." Net-metering service as part of a utilities' delivery service is intended to be available only to "eligible customers" operating "eligible renewable facilities." P.A. 95-0420(b)(i), (iii). In order for the customer to become eligible, the customer must be operating a facility that is a generator powered by solar electric energy, wind, dedicated crops grown for electricity generation, anaerobic digestion of livestock or food processing waste, fuel cells or microturbines powered by renewable fuels, or hydroelectric energy. P.A. 95-0420(b)(iii). Customers operating facilities with a name plate capacity above 2MW are not eligible for net-metering. P.A. 95-0420(b)(i). The number of customers is also limited and no more than 200 new accounts can be added for the period beginning in April 1, 2008 and ending March 31, 2009. P.A. 95-0420(j). Thus, given the limited scope of the net metering law, even if the Commission were to interpret P.A. 95-0420(h) to require Commission action within 120 days of enactment, such action could only apply to matters addressed in this Docket that specifically apply to net metering – i.e., interconnection of facilities with capacity below 2 MW, etc.

Additionally, while parts of P.A. 95-0420 may implicate ARES, the actual physical interconnection of customer-owned generation does not, as ARES do not operate the electric distribution wires that will be subject to requested interconnections. Thus, subsection (h) only has meaning as it relates to terms and conditions of the new net-metering service as a part of regulated utilities' electric delivery service, and any provision will necessarily be included in a tariff filing necessary for the implementation of net-metering. Because of this, it is of no consequence that ARES have not participated in this Docket.

In sum, P.A. 95-0420 does not require immediate consideration of all issues currently raised and under consideration in this Docket. Rather, the Commission has already acted on its own initiative, by adopting IEEE 1547 and conducting workshops to address the same issues contemplated by the statute, as well as other issues raised in the present Docket that are beyond the scope of P.A. 95-0420. It is therefore unnecessary to adjudicate all issues raised in this Docket within the 120-day deadline established pursuant to P.A. 95-0420.

Dated: September 17, 2007

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CERTIFICATE OF SERVICE

I, Laura M. Earl, certify that on September 17, 2007, I served a copy of the foregoing Comments of the Ameren Illinois Utilities by electronic mail to the individuals on the Commission's official Service List for Docket 06-0525.

/s/ Laura M. Earl

Laura M. Earl