

REDACTED

REBUTTAL TESTIMONY

of

GREG ROCKROHR

Senior Electrical Engineer  
Engineering Department  
Energy Division  
Illinois Commerce Commission

Commonwealth Edison Company

Proposed General Increase in Electric Rates  
Docket No. 10-0467

December 23, 2010

**CONFIDENTIAL VERSION**  
**Confidential Information Identified As**  
**\*\*\*BEGIN CONF [REDACTED] END CONF\*\*\***

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1           **Introduction**

2   **Q.    What is your name and business address?**

3   A.    My name is Greg Rockrohr. My business address is 527 East Capitol Avenue,  
4        Springfield, Illinois 62701.

5   **Q.    Are you the same Greg Rockrohr who previously testified in this docket?**

6   A.    Yes. My prepared direct testimony in this docket is ICC Staff Exhibit 6.0.

7   **Q.    What is the purpose of your rebuttal testimony?**

8   A.    The purpose of my rebuttal testimony is to respond to the rebuttal testimonies of  
9        various Commonwealth Edison Company (“ComEd) witnesses.

10       1. Terence Donnelly (ComEd Exhibit 32.0) and Michael McMahan (ComEd  
11         Exhibit 33.0) comment on my recommendation that the Commission disallow  
12         ComEd’s investment in tracking number (“ITN”) 37977 to repair a failed  
13         underground 138 kV cable.

14       2. Michael McMahan (ComEd Exhibit 33.0) and Lawrence Alongi (ComEd  
15         Exhibit 41.0) comment on my recommendation that ComEd amend/modify  
16         language contained in its proposed tariffs.

17       3. Michael Born (ComEd Exhibit 34.0) comments on my recommendation that  
18         ComEd modify its distribution loss study.

19       4. Michael Born (ComEd Exhibit 34.0) comments on my recommendation that  
20         ComEd eliminate its practice of using railroad class customer equipment to  
21         supply other customers.

22       5. Martin Fruehe (ComEd Exhibit 30.0) and Fidel Marquez, Jr. (ComEd Exhibit  
23         36.0) comment on my recommendation that ComEd revise its regulatory

24 asset associated with Rider AMP to correctly reflect amounts associated with  
25 meters removed and retired prior to the end of their useful life.

26 6. Fidel Marquez, Jr. (ComEd Exhibit 36.0) comments on my concerns related to  
27 ComEd's metering and billing practices.

28 For any topics not specifically addressed in my rebuttal testimony, I maintain the  
29 position set forth in my direct testimony.

30 **Q. Are you proposing any changes to adjustments you recommended in your**  
31 **direct testimony?**

32 A. Yes.

33 • In direct testimony I recommended a \$4,065,248 decrease in ComEd's  
34 proposed rate base to disallow ComEd's costs associated with investment  
35 tracking number ("ITN") 37977. ComEd's rebuttal testimony indicated that in  
36 addition to the \$4,065,248 that ComEd identified as test year expenditures,  
37 ComEd also included costs associated with ITN 37977 as a pro forma.

38 Therefore, in my rebuttal testimony I recommend that the Commission  
39 disallow ComEd's total investment in ITN 37977, including test year and pro  
40 forma expenditures, or \$4,066,517.

41 • In direct testimony I recommended an adjustment to the depreciation and  
42 regulatory asset amounts associated with Rider AMP because ComEd did not  
43 retire all of the meters it removed from service in conjunction with its  
44 advanced metering infrastructure ("AMI") pilot, as it had indicated it would do.  
45 In rebuttal testimony, ComEd agrees to make an adjustment to address my  
46 concern, but asserts that adjustment amounts should be based upon 9,085

47 meters, rather than 51,203 meters, which was my recommendation. Based  
48 upon new information that ComEd provided with its rebuttal testimony, I agree  
49 that adjustment amounts should be based upon 9,085 meters, and this matter  
50 no longer appears to be in dispute. In Staff Ex. 19.0, Staff witness Tolsdorf  
51 discusses accounting schedules that reflect the revised number of meters.

52 **1. Distribution Plant Investment: ITN 37977**

53 **Q. Would you please review your recommendation regarding ComEd's**  
54 **distribution plant investment associated with ITN # 37977?**

55 A. Yes. After reviewing several of ComEd's more costly investments in distribution  
56 plant placed in service since the time of ComEd's last rate case, I concluded that  
57 the Commission should disallow ComEd's \$4,065,248 distribution plant  
58 investment associated with ITN 37977, which represents ComEd's costs to repair  
59 a failed high pressure fluid filled ("HPFF") 138 kV underground cable. My review  
60 of information ComEd provided about the cable failure caused me to conclude  
61 that the Commission should disallow this investment because ComEd could and  
62 should have taken steps to prevent this cable failure from occurring.<sup>1</sup> Section 9-  
63 211 of the Public Utilities Act provides that the Commission include in a utility's  
64 rate base only the value of investments which are both prudently incurred and  
65 used and useful in providing service to public utility customers.<sup>2</sup> I concluded that  
66 ComEd's investment in ITN 37977 was not prudently incurred.

67 **Q. Has the information ComEd provided in rebuttal testimony caused you to**  
68 **change your position on this issue?**

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<sup>1</sup> Staff Ex. 6.0, lines 158-204

<sup>2</sup> Ibid, lines 89-99

69 A. No.

70 **Q. How did ComEd respond to your recommendation that the Commission**  
71 **disallow ComEd’s expenditures associated with ITN 37977?**

72 A. After recounting the events leading up to the cable fault, ComEd witness Michael  
73 McMahan concluded “Indeed, ComEd had procedures and practices in place that  
74 may have prevented the line failure if perfectly followed. The fact that human  
75 error occurred here – and, indeed, error contrary to ComEd procedure - does not  
76 prove or show that ComEd failed to manage the construction and operation of  
77 this underground cable prudently and properly.”<sup>3</sup> ComEd’s position in rebuttal  
78 testimony appears to be that ratepayers should be responsible for the cost of the  
79 cable repair because ComEd attributes the cause of the failure to human error.

80 **Q. To what human error does ComEd attribute the cable failure and multi-**  
81 **million dollar repair?**

82 A. ComEd describes multiple human errors. Mr. McMahan first explains that X

83 XXX  
84 XXX  
85 XXXXXXXXXXXXXXX.<sup>4</sup> XXX  
86 XXX  
87 XXX  
88 XXX  
89 XXX

<sup>3</sup> ComEd Ex. 33.0, lines 299-303  
<sup>4</sup> Ibid, lines 119-121: “ready for livening” means ready to be energized.

90 [REDACTED].<sup>5</sup> [REDACTED]

91 [REDACTED]

92 [REDACTED]

93 [REDACTED]

94 [REDACTED]

95 [REDACTED]

96 **Q. Is your recommended disallowance of ComEd's investment in ITN 37977**

97 **based only upon ComEd's claim that [REDACTED]**

98 [REDACTED]

99 [REDACTED]

100 [REDACTED]

101 **A. [REDACTED]**

102 [REDACTED]

103 [REDACTED]

104 [REDACTED]

105 [REDACTED]

106 [REDACTED]

107 [REDACTED]

108 [REDACTED]

109 [REDACTED]

110 [REDACTED]

111 [REDACTED]

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<sup>5</sup> ComEd's response to Staff data request GER 7.06 included confidential Event Investigation Report AR 105822, which is included as Confidential Attachment A.

112 [REDACTED]  
113 [REDACTED]  
114 [REDACTED]  
115 [REDACTED].

116 **Q. Did ComEd explain why it ignored employee warnings of oil in Manhole #**  
117 **517, where the pipe breach occurred?**

118 A. ComEd attributes its failure to respond to the report of oil in the manhole to  
119 additional human error. [REDACTED]  
120 [REDACTED].<sup>6</sup> [REDACTED]  
121 [REDACTED]  
122 [REDACTED]  
123 [REDACTED]  
124 [REDACTED]  
125 [REDACTED]

126 [REDACTED]<sup>7</sup> Elsewhere in his rebuttal testimony, however, Mr. McMahon  
127 appears to acknowledge the potential significance of oil discovered in manholes  
128 that contain HPFF cables. He explains that ComEd has an inspection procedure  
129 whereby “upon finding oil conditions in a manhole a work request was to be  
130 issued to investigate the quantity and cause of the oil per WM-ED-PO13. This  
131 practice has been in place for some time and it is understood and generally  
132 respected.”<sup>8</sup> Mr. McMahan concludes that human error was again to blame for  
133 ComEd’s failure to act upon the reports of oil in Manhole # 517 when he states

<sup>6</sup> ComEd Ex. 33.0, lines 236-237

<sup>7</sup> Ibid, lines 218-231

<sup>8</sup> Ibid, lines 241-250

134 [REDACTED]

135 [REDACTED]

136 [REDACTED]

137 [REDACTED].<sup>9</sup>

138 **Q. What is your reaction to Mr. McMahan’s statements and arguments**  
139 **associated with reports of oil in Manhole # 517?**

140 A. I am surprised that ComEd continues to propose that its costs associated with  
141 ITN 37977 be included in rate base. I agree with Mr. McMahan’s assertion that  
142 “It is not uncommon for there to be oil in manholes from external sources, such  
143 as road traffic or someone dumping motor oil in the street which then runs into a  
144 manhole.”<sup>10</sup> However, most manholes do not contain cables that utilize  
145 pressurized oil as insulation. [REDACTED]

146 [REDACTED]

147 [REDACTED]

148 [REDACTED]

149 [REDACTED]

150 [REDACTED]

151 [REDACTED]

152 [REDACTED]

153 [REDACTED]

154 [REDACTED]

155 [REDACTED]

<sup>9</sup> Ibid, lines 275-278

<sup>10</sup> Ibid, lines 224-226

156 [REDACTED]

157 [REDACTED]

158 [REDACTED]

159 [REDACTED]

160 [REDACTED] I do

161 not agree with Mr. McMahan that ComEd’s failure to review and act upon

162 multiple inspection reports is an isolated lapse that should be dismissed as

163 “human error.”

164 **Q. Did ComEd include any additional information about the cable failure about**  
165 **which you wish to comment?**

166 A. [REDACTED]

167 [REDACTED]

168 [REDACTED]

169 [REDACTED]

170 [REDACTED]

171 [REDACTED]<sup>11</sup> [REDACTED]

172 [REDACTED]

173 [REDACTED]

174 [REDACTED]

175 [REDACTED]

176 [REDACTED]

177 [REDACTED]

178 [REDACTED]

<sup>11</sup> Ibid, lines 251-263

179 [REDACTED]

180 [REDACTED]

181 The fact remains that even without proper pressure monitoring, ComEd still had  
182 several months of time after the breach and discovery of oil in Manhole # 517 to  
183 investigate the cause of the oil, repair the pipe breach, [REDACTED],  
184 and prevent the cable failure.<sup>12</sup>

185 **Q. Why does ComEd propose to recover from ratepayers its cost to repair an**  
186 **installation that, after being in service only 2 years, failed unnecessarily**  
187 **due to ComEd management’s failures?<sup>13</sup>**

188 A. I do not know. ComEd indicated that it did not, on its own, exclude any of its  
189 unique investments in distribution plant from its proposed rate base for reasons  
190 of imprudence.<sup>14</sup> ComEd attributes the failure of 138 kV cable on several errors  
191 made by its own employees and its contractor’s employees. However, I do not  
192 find ComEd management’s abdication of responsibility for this costly cable failure  
193 to be credible. ComEd management in this case did not adequately supervise its  
194 employees and contractors. The costly cable failure was the result of more than  
195 an individual human error:

196 • [REDACTED]

197 [REDACTED]

<sup>12</sup> ComEd’s inspectors reported oil in Manhole # 517 in February and in May of 2008, and the cable failed in November of 2008.

<sup>13</sup> ComEd is simultaneously proposing to include in rate base its \$10 million 2006 project that initially installed the HPFF 138 kV cable that failed in 2008, and was repaired under ITN 37977. The original project is included as the third project on ComEd’s Schedule F-4, identified as “West Loop 138 kV Project.” Staff did not recommend a disallowance associated with the original project.

<sup>14</sup> ComEd’s response to Staff data request 8.01, included as Attachment B.

198 • XXX

199 XXX

200 XXXXXXXXXXXXXXX

201 • XXX

202 XXX

203 XXX

204 XXX

205 XXX

206 XXXXX

207 **Q. When reaching your conclusion regarding prudence, did you rely upon any**  
208 **improvements or enhancements recommended or adopted as a result of**  
209 **ComEd’s Event Investigation Report AR 105822?**

210 A. No. I relied upon facts identified in that report, as well as ComEd’s responses to  
211 data requests, common sense, and experience.

212 **Q. Do you have any other comments regarding your recommended**  
213 **disallowance associated with ITN 37977?**

214 A. Yes, in his rebuttal testimony, ComEd witness Donnelly states that costs  
215 associated with ITN 37977 were included as a pro forma.<sup>15</sup> ComEd completed  
216 the 138 kV cable repair in February of 2009, the test year, and I was not aware  
217 that ComEd had included additional costs associated with this project as pro  
218 forma. Since it is my position that all costs associated with ITN 37977 be  
219 disallowed from recovery in rate base, I have modified the dollar amount  
220 associated with my recommendation to be \$4,066,517 to reflect the total project

<sup>15</sup> ComEd Ex. 32.0, lines 202-204

221 costs, including pro forma amounts.<sup>16</sup> Staff witness Theresa Ebrey reflects this  
222 adjustment in Staff Ex. 16.0, Schedule 16.11.

223 **2. ComEd's proposed tariffs**

224 **Q. What recommendations did you make in direct testimony regarding**  
225 **ComEd's proposed tariffs?**

226 A. I recommended that ComEd:

- 227 • amend language in Rate MSPS<sup>17</sup> associated with equipment removal  
228 charges;
- 229 • amend language within its General Terms and Conditions to provide a  
230 grandfather provision for existing single-phase customers who operate 5  
231 horsepower motors;
- 232 • modify requirements within its General Terms and Conditions associated with  
233 the provision of primary service connections to residential customers; and
- 234 • modify its distribution loss study.

235 **Q. Did ComEd accept any of your recommendations regarding its proposed**  
236 **tariffs?**

237 A. Yes. The amended language ComEd proposes in ComEd Ex. 41.1 alleviates my  
238 concerns regarding potential confusion about Rate MSPS equipment removal  
239 charges, and the amended language ComEd proposes in ComEd Ex. 41.2  
240 alleviates my concerns regarding ComEd's provision of service to customers with  
241 5 horsepower motors.

242 **2.a. Residential Service Stations**

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<sup>16</sup> Refer to ComEd's response to Staff data request GER 9.04(a), included as Attachment C.

<sup>17</sup> Rate MSPS applies to ComEd's customers who elect to use a Meter Service Provider (MSP) rather than ComEd for metering services.

243 **Q. How did ComEd respond in rebuttal to your recommendation that it should**  
244 **modify its General Terms and Conditions associated with service**  
245 **connections to residential customers?**<sup>18</sup>

246 A. ComEd witnesses Michael McMahan and Lawrence Alongi both disagree with  
247 my position that ComEd should own and maintain primary service connections  
248 on residential private property.

249 **Q. What arguments against your recommendation do Mr. McMahan and Mr.**  
250 **Alongi present?**

251 A. Mr. McMahan states that residential customer ownership of primary facilities on  
252 private property has not posed a safety or reliability issue, and that implementing  
253 my recommendation would be expensive and difficult.<sup>19</sup> Mr. McMahan and Mr.  
254 Alongi also assert that it is unclear how ComEd would assume ownership of non-  
255 standard facilities that are presently customer-owned, and indicate that ComEd  
256 would need easements to maintain the service facilities on private property.<sup>20</sup>

257 **Q. How do you respond to these concerns?**

258 A. Mr. McMahan's claim that requiring residential customers to own, operate, and  
259 maintain primary voltage facilities has not posed a safety or reliability issue is  
260 problematic because Mr. McMahan also states that ComEd does not have  
261 records identifying the customer-owned property, or the customers that own it.<sup>21</sup>  
262 Since ComEd keeps no records of customer-owned facilities, and does not  
263 inspect and maintain equipment on private property that it believes to be

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<sup>18</sup> Staff Ex. 6.0, lines 350-454

<sup>19</sup> ComEd Ex. 33.0, lines 410-413

<sup>20</sup> ComEd Ex. 33.0, lines 414-424 and ComEd Ex. 41.0, lines 93-97

<sup>21</sup> ComEd Ex. 33.0, lines 422-423.

264 customer-owned, it is not surprising that Mr. McMahan is unaware of safety  
265 and/or reliability issues associated with those facilities. ComEd's lack of records  
266 associated with safety and reliability issues, however, does not indicate that such  
267 issues do not exist. As I explained in my direct testimony, residential customers  
268 cannot reasonably be expected to safely perform such duties as trimming trees  
269 near energized primary conductors, or tightening loose hardware supporting  
270 energized primary conductors, or replacing deteriorated cross arms and poles, or  
271 repairing ineffective guying, or knowing and keeping abreast of changes in rules  
272 contained in the National Electrical Safety Code (NESC). It is not reasonable for  
273 a utility to require residential customers to own, operate, and maintain a 12,000  
274 volt distribution system for which those customers own no equipment or parts,  
275 and about which they have little knowledge.<sup>22</sup>

276 **Q. Would implementing your recommendation be expensive and difficult?**

277 A. I see no reason why implementation would need to be either expensive or  
278 difficult. I believe that the percentage of ComEd's service installations affected  
279 by implementing my recommendation would be very small, but neither Mr.  
280 McMahan nor Mr. Alongi provided any statistical information to disprove or  
281 corroborate my belief. Mr. McMahan indicated he had inadequate time to  
282 develop quantitative studies.<sup>23</sup> Though Mr. McMahan stated he did not develop  
283 qualitative studies, he also stated that implementing my recommendation would  
284 be expensive.<sup>24</sup> It is not apparent to me how Mr. McMahan reached his  
285 conclusion. Identifying affected customers should be as simple as consulting

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<sup>22</sup> Staff Ex. 6.0, lines 365-388

<sup>23</sup> ComEd Ex. 33.0, lines 455-458

<sup>24</sup> Ibid, lines 411-412

286 account records, meter records, or county property records. Construction costs  
287 for new installations would be revenue neutral, since under my recommendation  
288 customers would reimburse ComEd for any excess capital costs associated with  
289 new installations beyond 150 feet. Costs attributable to implementing my  
290 recommendation, therefore, would be limited to the cost of maintaining the new  
291 and existing primary service connections located on residential customers'  
292 private property. ComEd did not provide any facts in its rebuttal testimony to  
293 support its claim that implementing my recommendation would be expensive or  
294 difficult.

295 **Q. Mr. McMahan claims that your recommendation would require ComEd to**  
296 **assume ownership of nonstandard facilities.<sup>25</sup> Is Mr. McMahan's claim**  
297 **correct?**

298 A. No. Since ComEd's General Terms and Conditions require that customers install  
299 facilities in accordance with applicable electric, safety, and local codes, and  
300 Company specifications,<sup>26</sup> I do not understand Mr. McMahan's concern that the  
301 existing facilities on private property that support primary service conductors  
302 would be "nonstandard." It would make no sense for ComEd to energize primary  
303 service connection facilities that it was concerned about, regardless of whether  
304 those facilities were owned by the residential customer, or the utility.

305 **Q. Would ComEd need easements in order to maintain service connections on**  
306 **private property?**

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<sup>25</sup> Ibid, lines 405-407

<sup>26</sup> Refer to the last sentence on ComEd Ex. 16.22 Revised, also included as Staff Ex. 6.0, Attachment H

307 A. No. Unlike distribution facilities that supply multiple customers, service  
308 connection facilities on private property supply only the customer whose property  
309 they cross. Therefore, if a customer were to prevent ComEd from maintaining  
310 the poles and service conductors that exist on private property, the customer's  
311 action would result in less reliable service for that customer, and/or disconnection  
312 of service if ComEd deemed that an unsafe condition existed. Mr. McMahan  
313 recognizes that ComEd has a legal right to conduct necessary work on private  
314 property without a separate easement.<sup>27</sup> Furthermore, under ComEd's present  
315 tariff implementation, it does not find it to be necessary to obtain easements for  
316 the first 150 feet of conductor that extends onto residential customer private  
317 property, or for its transformer(s) located on private property that are part of the  
318 Residential Service Station: transformers it owns and maintains. ComEd's claim  
319 that easements would be necessary to implement my recommendation has no  
320 merit.

321 **Q. Would your proposal cause a confusing system of dual ownership, as**  
322 **ComEd claims?**<sup>28</sup>

323 A. No. Implementing my recommendation would be far less confusing for  
324 customers than ComEd's current practice.<sup>29</sup> With ComEd's practice, when a  
325 customer needs to replace a pole that supports the primary service connection  
326 (and that may or may not have been initially owned and installed by ComEd), the  
327 customer must procure and set the new pole and pay ComEd to transfer  
328 ComEd's transformer and primary conductor to the new pole. After ComEd

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<sup>27</sup> ComEd Ex. 33.0, lines 446-447

<sup>28</sup> ComEd Ex. 33.0, lines 426-432 and ComEd Ex. 41.0, lines 97-101

<sup>29</sup> Staff Ex. 6.0, lines 424-438

329 transfers its transformer and related equipment to the new pole, the customer  
330 can get his/her own crew back to remove the old pole. It would be far more  
331 efficient and less costly for the same crew to install the new pole, transfer  
332 ComEd's transformer and equipment from the old pole to the new pole, and  
333 remove the old pole all at once, but ComEd requires that the tasks be split.<sup>30</sup>  
334 Imagining myself as one of ComEd's residential customers with a primary  
335 connection to a ComEd transformer located on my property, I would be far more  
336 confused and upset by a utility that denies ownership of a pole that supports its  
337 transformers and wires than I would be by a utility that maintains these primary  
338 voltage facilities in the same manner it maintains primary facilities throughout its  
339 operating area. During customer service interruptions, ComEd could avoid  
340 heated conflicts with confused customers by correcting the problem that caused  
341 the service interruption, rather than sending a crew to disconnect the service and  
342 telling the customers that they need to repair the primary connection facilities  
343 themselves and then to call ComEd back to schedule a ComEd crew to  
344 reconnect the service.

345 **Q. Did ComEd express any additional concerns regarding your**  
346 **recommendation concerning Residential Service Stations?**

347 A. Yes. ComEd stated there might be a work jurisdiction issue associated with the  
348 International Brotherhood of Electrical Workers ("IBEW") labor union. However,  
349 ComEd did not indicate how this potential issue would affect the implementation  
350 of my recommendation.

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<sup>30</sup> ComEd's response to Staff data request GER 3.03(c)(v), is included at Staff Ex. 6.0, Attachment G.

351 **Q. Mr. Alongi indicated he is unaware of situations where ComEd presently**  
352 **owns primary lines on residential private property and that, like ComEd,**  
353 **MidAmerican Energy Company also requires residential customers to own**  
354 **and maintain primary facilities on private property.<sup>31</sup> How do you respond?**

355 A. Mr. Alongi's assertion that he is unaware of any ComEd-owned primary lines on  
356 private property and that MidAmerican Energy Company has a similar practice  
357 does not affect my position, which is based on the fact that it is not reasonable  
358 for ComEd to expect residential customers to safely and properly operate and  
359 maintain service connection facilities that operate at 12000 volts.

360 **Q. Do you have any additional remarks regarding this topic?**

361 A. Yes. ComEd's existing tariff for primary service connections to nonresidential  
362 customers provides that ComEd will furnish, install, own, replace, and maintain  
363 up to two poles and three spans on private property.<sup>32</sup> ComEd's existing practice  
364 of owning and maintaining primary service connections, including poles and  
365 conductors, on the private property of nonresidential customers is comparable to  
366 the practice my recommendation seeks to establish for residential customers.  
367 ComEd has not proposed to modify its tariff language relating to primary service  
368 connections for nonresidential customers, including electric service stations, in  
369 order to specify that nonresidential customers must furnish, install, own, operate,  
370 replace, and maintain all poles on private property.<sup>33</sup> ComEd's willingness to

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<sup>31</sup> ComEd Ex. 41, lines 113-125

<sup>32</sup> Refer to "Primary Service Connection: Overhead Connection" in ComEd's General Terms and Conditions, ILL. C. C. No. 10, Original Sheet No. 159, available on ComEd's website, and included as Attachment D.

<sup>33</sup> Staff Ex. 6.0, lines 351-364. Note that ComEd uses the term "electric service station" to describe a transformer installation when it is located on the private property of a nonresidential customer. ComEd uses the term "residential service station" to describe its transformer installation when it is located on the

371 own and maintain such facilities for nonresidential customers appears to me to  
372 undermine its arguments in opposition to my recommendation.

373 **2.b. Distribution Loss Study**

374 **Q. What was your recommendation regarding ComEd's distribution loss**  
375 **study?**

376 A. I recommended that ComEd modify its distribution loss study in three specific  
377 ways, and then resubmit its revised study with its rebuttal testimony.<sup>34</sup>

378 **Q. How did ComEd respond to your recommendation?**

379 A. ComEd's witness Michael Born presented revisions to ComEd's distribution loss  
380 study that adequately addressed my concerns that the initial study (1)  
381 misrepresented losses in services of certain customers classes, and (2)  
382 misallocated losses to the dusk-to-dawn lighting class when reconciling peak  
383 losses.

384 **Q. Did Mr. Born also adequately address your concern regarding basing its**  
385 **distribution losses on a transmission loss study developed in 1999?**<sup>35</sup>

386 A. No. While it appears that Mr. Born generally agrees with my position that ComEd  
387 should update its transmission loss study to reflect current conditions, it is my  
388 understanding that ComEd will not complete a new transmission loss study until  
389 the end of 2011. As I previously stated, I do not know what effect an updated  
390 transmission loss study will have on ComEd's calculation of distribution losses,

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private property of a residential customer. Refer to "Transformation to Secondary Service Voltage: Electric Service Station" in ComEd's General Terms and Conditions, ILL. C. C. No. 10: Original Sheet No. 164, available on ComEd's website, and included as Attachment E.

<sup>34</sup> Staff Ex. 6.0, lines 477-594

<sup>35</sup> Staff Ex. 6.0, lines 492-524

391 but there are good reasons to expect different results.<sup>36</sup> The distribution loss  
392 studies that Mr. Born included as ComEd Ex. 34.1 and 34.2 are more acceptable  
393 to me than the distribution loss studies that ComEd initially filed, but I still am  
394 concerned by the transmission loss study that ComEd used in order to determine  
395 distribution losses.

396 **Q. What additional action should ComEd take?**

397 A. After updating its transmission loss study, ComEd should commit to promptly  
398 updating its distribution loss study, since its results directly depend upon the  
399 transmission loss study results. ComEd should then file tariff revisions, as  
400 appropriate, to reflect its updated distribution loss factors. ComEd should commit  
401 to take these steps promptly, rather than holding revisions to its affected tariffs  
402 until its next rate case filing.

403 **4. ComEd's use of Railroad Class Customer Facilities**

404 **Q. What was your recommendation regarding ComEd's use of railroad**  
405 **customers' facilities to supply other customers?**

406 A. I recommend that the Commission require ComEd to provide a plan to eliminate  
407 its existing practice of utilizing railroad customer facilities to supply other  
408 customers.<sup>37</sup>

409 **Q. Has information ComEd provided in its rebuttal testimony caused you to**  
410 **change your recommendation?**

411 A. No. ComEd witness Michael Born provided feedback regarding two possible  
412 solutions that I presented in direct testimony. The first solution I presented was

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<sup>36</sup> Staff Ex. 6.0, lines 515-524

<sup>37</sup> Staff Ex. 6.0, lines 595-693

413 that the railroad customers and ComEd operate with one of the breakers on the  
414 railroad customers' 12000 volt bus in the open position. Mr. Born indicated that if  
415 this solution were implemented, ComEd preliminarily estimates that its costs to  
416 reconfigure its distribution system in order to eliminate overloads would be \$2.1  
417 million. In addition, Mr. Born points out that ComEd's railroad customers would  
418 likely bear additional costs to automate their circuit breakers.<sup>38</sup>

419 **Q. Did ComEd provide information regarding any other possible solutions?**

420 A. Yes. Mr. Born indicated that the second solution that I mentioned in my direct  
421 testimony, that ComEd own the bus and breakers at the railroad customers'  
422 traction power substations, is not practical because of the presence of power  
423 conversion equipment.<sup>39</sup>

424 **Q. Are these the only two possible solutions that exist?**

425 A. No. I did not intend to represent that the two solutions I presented in direct  
426 testimony were the only choices available. There are others. For example,  
427 ComEd could install automatic throw-over switchgear so that the switching  
428 between ComEd's circuits takes place on ComEd's distribution equipment, rather  
429 than by using the railroad customer's bus and breakers.<sup>40</sup> The railroad  
430 customers and ComEd should work together to develop a plan, and schedule, for  
431 each railroad traction power substation affected.

432 **Q. Mr. Born indicated that there are no apparent advantages to an open loop**  
433 **configuration from a system operator perspective. What advantages to an**  
434 **open loop configuration can you identify?**

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<sup>38</sup> ComEd Ex. 34.0, lines 219-240

<sup>39</sup> Ibid, lines 251-260

<sup>40</sup> Refer to ComEd's response to Staff data request GER 5.07(c), included as Staff Ex. 6.0, Attachment O

435 A. One clear advantage to operating in an open loop configuration is that the  
436 unfortunate scenario that presently exists for at least four of the railroad traction  
437 power substations could not develop. At those four locations not only is the  
438 railroad customer not receiving the benefit it should from its costly bus and  
439 breaker arrangement, but ComEd is using that arrangement to provide service to  
440 its other customers because it otherwise would overload one of its circuits due to  
441 inadequate capacity.<sup>41</sup> With an open loop configuration, ComEd would maintain  
442 adequate capacity on each of the two distribution circuits to supply not only the  
443 railroad traction power substation, but also its other customers. The railroad  
444 customers would then benefit from being supplied by two circuits, as intended.  
445 ComEd's present arrangement, whereby it needs railroad facilities to supply  
446 customers in order to avoid overloads, causes the railroads to act as an electric  
447 utility, rather than a customer, and precludes ComEd from utilizing each of the  
448 distribution circuits to back up the other in an emergency.

449 **Q. Are there other advantages to using an open loop configuration?**

450 A. Yes. Cost allocation would be simplified. For example, the contemplated need  
451 for reallocating railroad customer costs to other customer classes would not have  
452 been contemplated in this proceeding if an open loop configuration were utilized.  
453 ComEd's use of railroad customer facilities was an issue in Docket 05-0597 and  
454 in Docket 07-0566, and is an issue in the instant proceeding, Docket 10-0467.  
455 Members of other customer classes, especially those who are located outside of  
456 the Chicago area and who never utilize the railroad customer class services,  
457 might understandably disagree with proposals that shift costs from the railroad

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<sup>41</sup> Staff Ex. 6.0, lines 666-671

458 customer class to them.<sup>42</sup> ComEd's presentation of, and the Commission's  
459 acceptance of, a plan to eliminate ComEd's use of and dependence upon  
460 railroad customer 12000 volt bus and breakers should effectively eliminate this  
461 issue from future rate cases.

462 **Q. Your recommendation is that ComEd present a plan to eliminate its use of**  
463 **railroad customer facilities. How long should the completion of ComEd's**  
464 **plan take?**

465 A. Its difficult to provide an estimate. I think a reasonable plan would be for ComEd,  
466 working with its railroad class customers, to modify service to at least 5 to 10 of  
467 the railroad traction power substations each year. Some locations are likely to  
468 involve more time and expense than others. With this approach it could take 7 to  
469 10 years for ComEd to fully eliminate its use of railroad customer facilities. But  
470 this approach would also allow ComEd and the railroads to coordinate their  
471 solutions with other work at the railroad traction power substations in order to  
472 reduce costs. Regardless of the plan ComEd provides to address all 71 railroad  
473 traction power substations, ComEd should initially focus on those railroad traction  
474 power substations that it is most dependent upon to supply other customers.

475 **4. ComEd's Meters Removed in Conjunction with Rider AMP**

476 **Q. What was your recommendation in direct testimony regarding ComEd's**  
477 **meters that are removed in conjunction with Rider AMP?**

478 A. In my direct testimony I recommended a revision to the dollar amount that  
479 ComEd included in its regulatory asset for meters taken out of service and

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<sup>42</sup> Staff witness Phillip Rukosuev explains the appearance of this issue in past proceedings and ComEd's proposed cost allocation in this proceeding: Staff Ex. 12.0, lines 404-554

480 scrapped in conjunction with Rider AMP. My recommendation was based upon  
481 ComEd's October 8, 2010, responses to Staff data requests GER 6.01 and GER  
482 6.06. These responses, when taken together, indicated that ComEd included  
483 51,203 meters in its regulatory asset that it actually had not retired, but instead  
484 had retained for re-use.<sup>43</sup>

485 **Q. Did ComEd provide information in rebuttal testimony that causes you to**  
486 **modify your recommendation?**

487 A. Yes. In rebuttal testimony, ComEd witness Fidel Marquez, Jr. (ComEd Ex. 36.0)  
488 provided additional information regarding meters retired in conjunction with Rider  
489 AMP, including a November 22, 2010, "supplemental response" to Staff data  
490 request GER 6.06.<sup>44</sup> ComEd's updated response to Staff data request GER 6.06  
491 indicates that ComEd has/will salvage for re-use 9,085 of the meters removed in  
492 conjunction with Rider AMP, not the 51,203 meters ComEd previously indicated.  
493 ComEd estimates that 121,323 of the meters ComEd removed in conjunction  
494 with Rider AMP will be retired early.<sup>45</sup> Staff witness Scott Tolsdorf further  
495 discusses the accounting schedules associated with ComEd's Rider AMP meter  
496 removals in Staff Ex. 19.0.

497 **5. Additional Concerns about ComEd's Metering Practices**

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<sup>43</sup> Staff Ex. 6.0, lines 694-722

<sup>44</sup> ComEd Ex. 36.3: ComEd's November 22, 2010, supplemental response to Staff data request GER 6.06 also included an economic analysis that indicated it would be more costly for ComEd to retest and re-use the single-phase residential meters that it took out of service than to purchase and install new ones that had been tested for accuracy by the manufacturer.

<sup>45</sup> In rebuttal testimony, ComEd witness Martin Fruehe states that ComEd witness Marquez provides that the actual number of meters removed from service and scrapped is 121,323 (ComEd Ex. 30.0, lines 697-699). However, Mr. Marquez does not appear to identify the actual number of meters scrapped within his rebuttal testimony. Instead, ComEd estimates that 121,323 of the meters will be scrapped in its response to Staff data request ST 11.01.

498 **Q. In direct testimony you expressed additional concerns regarding ComEd’s**  
499 **metering practices. Did ComEd provide information in rebuttal testimony**  
500 **that alleviated these concerns?**

501 A. No. In rebuttal testimony, ComEd witness Marquez indicates that ComEd’s work  
502 practice is to seal all meters following installation and/or maintenance; and  
503 inspect and/or test meters that are suspected of tampering.<sup>46</sup> Mr. Marquez does  
504 not discuss meters that are not being installed or maintained, or even state that  
505 ComEd takes action when it finds seals that are missing. Mr. Marquez does not  
506 commit to any procedural changes to insure that more of ComEd’s meters in the  
507 field with cut or missing meter seals are corrected. Installing a meter seal does  
508 not require extensive training or a special skill set, and I know of no reason  
509 ComEd should leave meters without seals until its Revenue Protection theft  
510 investigation unit has time to respond to an order that may or may not ever be  
511 created. ComEd should seal or re-seal its meters at the time its field employees  
512 initially notice missing or cut seals. This would not be a difficult or costly  
513 recommendation to implement.

514 **Q. Mr. Marquez states: “ComEd does not believe that a missing seal is**  
515 **conclusive evidence to indicate tampering has occurred...”<sup>47</sup> Do you**  
516 **agree?**

517 A. Yes. However, it should raise ComEd’s awareness that theft or tampering might  
518 be involved when meter readers or service personnel note that a meter seal has  
519 been cut or removed in consecutive months from the same meter. Missing seals

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<sup>46</sup> ComEd Ex. 36.0, lines 569-574

<sup>47</sup> Ibid, lines 570-572

520 do not establish that tampering or theft is definitely occurring, but ComEd's  
521 consistent use of seals would be a relatively inexpensive deterrent to tampering  
522 and theft. When ComEd leaves a large percentage of its meters with missing or  
523 cut seals, as I found to be the case, ComEd is unnecessarily exposing its system  
524 to theft and tampering. ComEd should consistently keep seals on its meters.

525 **Q. In direct testimony you discussed an account for which ComEd utilized**  
526 **estimated meter reads for 7 of the 12 billing periods.<sup>48</sup> Did ComEd alleviate**  
527 **your concern regarding estimated reads?**

528 A. No. Mr. Marquez makes it clear that ComEd knows that it should not estimate  
529 readings so often.<sup>49</sup> I remain concerned, however, by phrases in Mr. Marquez's  
530 rebuttal testimony such as "ComEd's intention is as follows..." ComEd's rebuttal  
531 testimony indicates to me that, while ComEd knows that it should not estimate  
532 meter reads so often, it plans no specific changes in its procedures or practices  
533 to improve its meter reading performance. Mr. Marquez listed six items on page  
534 26 of his rebuttal testimony that ComEd "intends" in order to minimize estimated  
535 reads. ComEd should elevate its "intentions" to standards and then develop  
536 internal audits that include accountability if meters go unread without a valid and  
537 documented reason.

538 **Q. Does this conclude your prepared rebuttal testimony?**

539 A. Yes.

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<sup>48</sup> Staff Ex. 6.0, lines 743-754

<sup>49</sup> ComEd Ex. 36.0, lines 579-596

**CONFIDENTIAL**

**ICC Docket No. 10-0467**

**Commonwealth Edison Company's Response to  
Illinois Commerce Commission ("STAFF") Data Requests  
GER 8.01 – 8.02**

**Date Received: November 10, 2010**

**Date Served: November 18, 2010**

**REQUEST NO. GER 8.01:**

Did ComEd exclude any investment(s) in completed "unique" projects from its proposed rate base in the instant proceeding for the reason that ComEd determined that the investment was not prudently incurred, or for the reason that ComEd determined the investment was not used and useful in providing service to customers?

If yes, please list (i) ComEd's Investment Tracking Number (ITN) associated with the unique project; (ii) the cost of the excluded project; (iii) a brief description of the completed unique project; (iii) the reason ComEd excluded the investment in the completed unique project from its proposed rate base.

**RESPONSE:**

No.

**Commonwealth Edison Company's Response to  
Illinois Commerce Commission ("STAFF") Data Requests  
GER 9.01 – 9.07  
Date Received: December 1, 2010  
Date Served: December 13, 2010**

**REQUEST NO. GER 9.04:**

Within footnote # 12 on page of ComEd Ex. 32.0, Mr. Donnelly appears to indicate that ComEd's expenditures for ITN # 37977 were included in ComEd's filing as a pro forma addition to test year investments in plant.

- a. What does ComEd expect its total investment will be for ITN # 37977, in dollars?
- b. Please state how much of that total investment, in dollars, ComEd included as pro forma.
- c. Please explain how ComEd verifies the validity of charges to its investment tracking numbers after the investment has been in service for longer than six months.
- d. When ComEd deems it appropriate to do so, how will ComEd prevent ITN # 37977 from collecting additional charges?
- e. Please explain how ComEd determines when to close investment tracking numbers, or prevent them from collecting additional charges.
- f. When will, or when did, ComEd prevent ITN # 37977 from collecting additional charges?

**RESPONSE:**

Costs are incurred at the EPS Project ID level, which are mapped to the related ITN. Accordingly, ComEd has interpreted any request in GER 9.04 related to an ITN or ITNs to refer to or incorporate the EPS Project ID (or IDs) associated with the ITN (or ITNs).

- a. The total investment for ITN 37977 - A Phase Cable Fault on 138KV HPFF L14812 is \$4,066,517.
- b. ComEd included \$1,269 for ITN 37977, as reflected in the pro-forma filed in November 2010, ComEd Ex. 29.2. The \$1,269 cost was posted to the EPS project in January 2010 and resulted from a revised invoice submitted from G&W Electric dated December 22, 2009. The revised invoice included the cost for three (3) spare gaskets which were not originally invoiced to ComEd. G&W Electric shipped the spare gaskets to ComEd on January 9, 2009; however, they were not included on the original vendor invoice dated February 4, 2009.
- c. ComEd had two (2) separate verification steps for this project, once from Project Management and another from Plant Accounting.

Project Management managed the execution and costs for ITN 37977; below are the steps that the project manager utilized in managing ITN 37977:

1. The Project Management Cost Analyst managed costs with the oversight of the project manager.
2. A unique EPS Project ID was issued to track all project costs.
3. The internal labor, contractor costs and materials procured were charged to a unique Work Order/Tasks assigned to the EPS Project ID.
4. The project manager forecasted the monthly expenditures based upon the schedule, ComEd labor hours, contractor time and expense, and material order for the job.
5. The forecast was entered into a Detail Sheet.
6. When the actual costs incurred were accrued, the Detail Sheet was updated by the Project Management Cost Analyst to reflect the actual expenditures incurred.
7. All payments were reviewed and approved by the project manager.
8. All payments were approved in the system tool by the Level of Authority.
9. The actual expenditures were captured from ComEd's financial tool by project ID.
10. The Detail Sheet was reviewed and approved by the project manager monthly until the project was closed out.

In addition, prior to ComEd closing a EPS Project ID, all subsequent charges greater than \$50,000, which had been charged to the EPS Project ID after the project was placed in-service are reviewed by Plant Accounting to determine whether there are any required changes to the asset map rows for the EPS Project ID, based upon the additional costs incurred.

- d. After an EPS Project ID is in-service for greater than 120 days it is placed in an in-service hold status that will not allow the project to accept any additional charges. The EPS Project ID will remain in this status until the project manager requests that the EPS Project ID be closed or reopened.
- e. After an EPS Project ID is in service for more than 90 days the project manager is notified to determine whether the EPS Project is ready to be closed. The project manager is requested to submit a FIN005 report that indicates all Passport items are finished. Once the FIN005 has been submitted to Plant Accounting, the project will be considered ready to be closed provided it passes the final Plant Accounting review.
- f. The EPS Project ID for ITN 37977 was placed in the in-service hold status on July 8, 2009, in accordance with the policy stated in the answer to subpart d. ComEd closed the unique EPS Project ID associated to ITN 37977 on December 31, 2009, and the EPS Project was unitized on February 19, 2010. Costs can be recorded to a closed EPS Project ID until unitized; however, this is a rare occurrence and would occur on a special exception basis only (e.g., the invoicing error for the spare gaskets described in response to subpart b). The project was left open after the February 2009 cable re-energization from the repairs of the cable fault due to:
  1. ComEd determined that the oil in L14812 would be tested in May of 2009 to determine if there was any resulting debris detected in the line as a result of the failure, requiring the line to be flushed. The oil samples were taken and the flush was not required.
  2. An oil retention container was maintained on site for the summer for future flushing, if needed.
  3. In the fall of 2009, another oil sample was taken and again it was determined that a line flush was not required.

Commonwealth  
Edison Company

ELECTRICITY

Original Sheet No. 159

## GENERAL TERMS AND CONDITIONS

(Continued from Sheet No. 158)

### DISTRIBUTION FACILITIES (CONTINUED)

#### PRIMARY DISTRIBUTION SYSTEM.

The Company's primary distribution system utilizes electric facilities to distribute electricity at the following common nominal voltages: 4,000 volts, 12,000 volts, and/or 34,500 volts. However, in certain individual situations, the Company's primary distribution system utilizes electric facilities to distribute electricity at 69,000 volts, 138,000 volts, or 345,000 volts, if the Company determines that distribution at such nominal voltage is more economical, efficient, or reliable than distribution at a voltage listed in the first sentence of this paragraph. Not all primary distribution system nominal voltages are available in all areas of the Company's service territory.

The Company provides primary overhead conductors supported by poles and other associated equipment as standard primary distribution system facilities. However, in certain individual situations, the Company provides primary underground conductors in conduit or via direct burial and other associated equipment if the Company determines that such underground facilities are more economical, efficient, or reliable than overhead facilities. If a retail customer requests the provision of underground primary distribution facilities, such facilities are provided in accordance with the provisions for providing nonstandard services and facilities. Notwithstanding the provisions of the previous sentence, the Company is not required to provide underground primary distribution system facilities if the Company determines that it is not economical, reliable, or feasible to provide such facilities.

#### PRIMARY SERVICE CONNECTIONS.

The Company determines the point on its primary distribution system at which a primary service connection is attached.

##### Overhead Connections

An overhead primary service connection consists of those facilities, including conductors and required supports, that attach the Company's primary distribution system to the facilities used to transform electricity to the secondary service voltage. However, in certain individual situations, there is no transformation.

For a nonresidential retail customer, as applicable, up to two (2) poles and three (3) conductor spans, or their cost equivalent, are furnished, installed, owned, replaced and maintained by the Company as a standard primary service connection. The length of such conductor spans must not exceed lengths permitted by good engineering practice and Company specifications applicable to the voltage level of such connection.

For a residential retail customer, the Company furnishes, installs, owns, replaces and maintains a single conductor span and required supports extending from the Company's overhead primary distribution system to the first point of attachment on private property as a standard primary service connection. Such point is normally located on such residential retail customer's premises. The length of the conductor span making such connection must not exceed the length permitted by good engineering practice and Company specifications applicable to the voltage level of such connection. The maximum length of a standard primary service connection is 150 feet.

(Continued on Sheet No. 160)

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Post Office Box 805379  
Chicago, Illinois 60680-5379

Commonwealth  
Edison Company

ELECTRICITY

Original Sheet No. 164

**GENERAL TERMS AND CONDITIONS**

(Continued from Sheet No. 163)

**DISTRIBUTION FACILITIES (CONTINUED)**

**TRANSFORMATION TO SECONDARY SERVICE VOLTAGE (CONTINUED).**

**Electric Service Station**

For a situation in which the nominal secondary service voltage for a nonresidential retail customer is different from that available from existing community facilities or if the electric power and energy requirements of such nonresidential retail customer preclude the use of such community facilities, transformation is provided via an electric service station located on the nonresidential retail customer's premises. An electric service station includes the land, enclosures, foundations, structures, poles, vaults, transformer, and related facilities necessary to make such transformation. The Company furnishes, installs, operates, replaces and maintains a pole-mounted, ground-type, or vault-type transformer and related electrical equipment, as applicable and consistent with good engineering practice, for such nonresidential retail customer. The nonresidential retail customer must furnish, install, own, operate, replace, and maintain (a) an acceptable location on its premises for the electric service station, and as required, (b) the concrete foundations, fences, structures, fireproof enclosures, ventilation, lighting, barriers, locks, drainage facilities, sump pumps, and any other required facilities in accordance with applicable electric, safety, and local codes and Company specifications. In certain individual situations, a standard electric service station includes modification of the transformer secondary terminals necessary to connect the nonresidential retail customer's cables, secondary bus for a situation in which the Company deems it necessary, secondary cable connectors, and the attachment of the connectors to the nonresidential retail customer's cables and the transformer or secondary bus. In certain other situations, a standard electric service station includes facilities to accommodate primary meter-related facilities provided by the Company at the same location or within one span of such location. In certain other situations, electricity is distributed and metered at the nonresidential retail customer's premises at 2,160 volts or higher and the primary meter-related facilities constitute the electric service station.

All electric facilities located on the nonresidential retail customer's premises on such nonresidential retail customer's side of an electric service station, except Company-provided meter-related facilities, are furnished, installed, owned, operated, and maintained by the nonresidential retail customer. However, in certain individual situations, additional electric service stations are located on the nonresidential retail customer's side of an electric service station and the Company-provided facilities in such electric service stations are provided in accordance with the provisions for providing nonstandard services and facilities.

For a situation in which the nominal secondary service voltage from a vault-type electric service station does not exceed 480 volts, the nonresidential retail customer may elect to install bus bars. If the nonresidential retail customer makes such election, an insulated bus configuration furnished by the nonresidential retail customer must terminate either (a) twelve (12) inches inside the vault wall, or (b) within twelve (12) inches outside the vault wall, in accordance with Company specifications. In such situation, the Company installs, owns, operates, replaces, and maintains the facilities, including bus bars, necessary to connect the nonresidential retail customer's bus bars to the Company's transformer in accordance with the provisions for providing nonstandard services and facilities.

(Continued on Sheet No. 165)

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