

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission :  
On Its Own Motion :  
-vs- :  
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 : 13--0077  
Company :  
:  
Adoption of Policies Concerning the :  
Illinois Statewide Technical Refer- :  
ence Manual for Energy Efficiency :

ORDER

By the Commission:

In a Staff Report from the Illinois Commerce Commission's Policy Division dated December 18, 2012, the Staff recommends that the Illinois Commerce Commission ("Commission") initiate a proceeding to consider adoption of policies concerning the Illinois Statewide Technical Reference Manual ("IL-TRM") for energy efficiency ("EE").<sup>1</sup> The Staff Report includes, as attachments, the Policy Document for the Illinois Statewide Technical Reference Manual for Energy Efficiency Final as of October 25, 2012 (Attachment A), the TRM Administrator independence draft order language dated October 26, 2012 (Attachment B), and the contract language concerning TRM Administrator independence dated November 27, 2012 (Attachment C) (collectively the attachments to the Staff Report are referred to as "IL-TRM Policies"). Staff recommends that the Commission initiate a proceeding to consider adoption of the IL-TRM Policies and make them applicable to Illinois Program Administrators<sup>2</sup> and EE programs implemented pursuant to Sections 8-103 and 8-104 of the Illinois Public Utilities Act ("Act" or "PUA"). Staff indicates that the IL-TRM Policies pertain to (1) the applicability of the IL-TRM in planning, implementing, and evaluating EE measures; and (2) the process for annually updating the IL-TRM, including: (i) identification of roles and responsibilities for stakeholders in the TRM Update Process; (ii) requirements surround-

<sup>1</sup> On January 9, 2013, the first edition of the IL-TRM was approved by the Commission in Docket No. 12-0528.

<sup>2</sup> In the IL-TRM and the IL-TRM Policy Document, the term "Program Administrators" refers to the entities that administer energy efficiency programs in Illinois pursuant to Sections 8-103 and 8-104 of the Illinois Public Utilities Act. 220 ILCS 5/8-103; 220 ILCS 5/8-104. The Program Administrators include Ameren, ComEd, DCEO, Nicor Gas, and Peoples Gas/North Shore Gas.

ing the TRM Administrator to ensure transparency in the TRM Update Process and independence of the TRM Administrator; and (iii) a timeline for updating the IL-TRM.

The genesis for this recommendation is in five separate Commission proceedings,

Docket 10-0562: Northern Illinois Gas Company d/b/a Nicor Gas Company, Application pursuant to Section 8-104 and Section 9-201 of the Illinois Public Utilities Act for consent to and approval of an Energy Efficiency Plan and approval of Rider 30, Energy Efficiency Plan Cost Recovery and Related changes to Nicor Gas' tariffs.

Docket 10-0564: North Shore Gas Company and The Peoples Gas Light and Coke Company, Petition pursuant to Section 8-104 of the Public Utilities Act to Submit for Approval an Energy Efficiency Plan.

Docket 10-0568: Central Illinois Light Company d/b/a AmerenCILCO, Central Illinois Public Service Company d/b/a AmerenCIPS, Illinois Power Company d/b/a AmerenIP (collectively now Ameren Illinois Company d/b/a Ameren Illinois), Verified Petition for Approval of Integrated Electric and Natural Gas Energy Efficiency Plan.

Docket 10-0570: Commonwealth Edison Company, Approval of the Energy Efficiency and Demand Response Plan Pursuant to Section 8-103(f) of the Public Utilities Act.

Docket 12-0528: Ameren Illinois Company d/b/a Ameren Illinois, Commonwealth Edison Company, The Peoples Gas Light and Coke Company, North Shore Gas Company, Northern Illinois Gas Company d/b/a Nicor Gas Company, Approval of the Illinois Statewide Technical Reference Manual for Energy Efficiency.

The Staff Report recounts the creation of the Illinois Energy Efficiency Stakeholder Advisory Group ("SAG") in Docket 07-0540. Pursuant to Sections 8-103 and 8-104 of the PUA, certain Illinois electric and gas utilities, in coordination with the Illinois Department of Commerce and Economic Opportunity ("DCEO"), are required to file three-year energy efficiency plans with the Commission to meet the applicable energy efficiency standards specified in the Act. Between September 29, 2010 and October 1, 2010, the public utilities – Ameren Illinois Company d/b/a Ameren Illinois ("Ameren"), Commonwealth Edison Company ("ComEd"), The Peoples Gas Light and Coke Company and North Shore Gas Company ("Peoples Gas/North Shore Gas" or "PG/NSG"), and Northern Illinois Gas Company d/b/a Nicor Gas ("Nicor Gas") (collectively referred to as the "Utilities") – subject to Sections 8-103 and 8-104 of the Act, filed petitions for approval of energy efficiency plans ("EEP"). On December 21, 2010, the Commission entered Orders in Docket Nos. 10-0568 (Ameren) and 10-0570 (ComEd). On May 24, 2011, the Commission entered Orders in Docket Nos. 10-0562 (Nicor), 10-0564 (PG/NSG), and an Order on Rehearing in Docket No. 10-0568 (Ameren). In those

Orders, the Commission required the Utilities to collaborate with the SAG and DCEO to develop a statewide TRM.<sup>3</sup> The first edition of the IL-TRM approved by the Commission in Docket No. 12-0528 on January 9, 2013 was developed to comply with the Commission's Orders from the Utilities' EEP dockets (Docket Nos. 10-0562, 10-0564, 10-0568, and 10-0570).

One of the purposes of the IL-TRM is to provide a transparent and consistent standard for calculating energy (kilowatt-hours ("kWh") or therms) and capacity (kilowatts ("kW")) savings generated by the EE programs offered in the State of Illinois. Staff indicates that, during the development of the IL-TRM, it became apparent that a consistent set of TRM policies would need to be adopted by the Commission in order to ensure the IL-TRM is applied consistently across all Program Administrators in the state. Staff indicates that applicability of the IL-TRM Policies on an on-going basis would reduce the need to litigate these policies in each of the Utilities' separate three-year EEP dockets, and provide consistency over multiple years and with all the Illinois Program Administrators. Staff believes that this consistency would fulfill the Commission's articulated goal in the Commission's Orders directing a statewide TRM be created. The Commission agrees that a single IL-TRM policy proceeding with all of the Utilities is appropriate. Staff believes that based on the continuing collaboration with the SAG, a consensus view is represented in the IL-TRM Policies. The Commission believes that an expedited schedule should be established for this docket so that policies can be adopted in time for the first IL-TRM Update Proceeding.

The Commission, being fully advised in the premises, is of the opinion and finds that:

- (1) Ameren Illinois Company d/b/a Ameren Illinois, Commonwealth Edison Company, The Peoples Gas Light and Coke Company and North Shore Gas Company, and Northern Illinois Gas Company d/b/a Nicor Gas should be made respondents to this proceeding;
- (2) the Commission has jurisdiction over the subject matter in and the respondents to this proceeding;
- (3) the recitals of fact set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (4) the Staff Report dated December 18, 2012, including the attachments to the Staff Report: the Policy Document for the Illinois Statewide Technical Reference Manual for Energy Efficiency Final as of October 25, 2012 (Attachment A), the TRM Administrator independence draft order language dated October 26, 2012 (Attachment B), and the contract language concerning TRM Administrator independence dated November 27, 2012

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<sup>3</sup> Docket No. 10-0570, Final Order at 59-60, December 21, 2010; Docket No. 10-0568, Order on Rehearing at 19, May 24, 2011; Docket No. 10-0562, Final Order at 30, May 24, 2011; Docket No. 10-0564, Final Order at 76, May 24, 2011.

(Attachment C), should be made a part of the record of this proceeding;  
and

- (5) the Commission should initiate a proceeding to consider adoption of policies concerning the Illinois Statewide Technical Reference Manual for Energy Efficiency.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that a proceeding be initiated to consider adoption of policies concerning the Illinois Statewide Technical Reference Manual for Energy Efficiency.

IT IS FURTHER ORDERED that Ameren Illinois Company d/b/a Ameren Illinois, Commonwealth Edison Company, The Peoples Gas Light and Coke Company and North Shore Gas Company, and Northern Illinois Gas Company d/b/a Nicor Gas are made respondents to this proceeding.

IT IS FURTHER ORDERED that the Staff Report dated December 18, 2012, including the attachments to the Staff Report: the Policy Document for the Illinois Statewide Technical Reference Manual for Energy Efficiency Final as of October 25, 2012 (Attachment A), the TRM Administrator independence draft order language dated October 26, 2012 (Attachment B), and the contract language concerning TRM Administrator independence dated November 27, 2012 (Attachment C), is made a part of the record of this proceeding.

IT IS FURTHER ORDERED that respondents appear at the offices of the Commission at the time and date specified by the Administrative Law Judge assigned to this proceeding.

IT IS FURTHER ORDERED that failure of the respondents to appear as ordered may result in civil penalties being imposed pursuant to Section 5-202 of the Public Utilities Act.

IT IS FURTHER ORDERED that the Administrative Law Judge assigned to this proceeding shall establish an expedited schedule such that policies can be adopted in time for the first IL-TRM Update Proceeding, March 1, 2013.

IT IS FURTHER ORDERED that this Order is not final; it is not subject to the Administrative Review Law.

By Order of the Commission this 24th day of January, 2013.

(SIGNED) DOUGLAS P. SCOTT

Chairman