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BEFORE THE

ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:) NO. 13-0361
)
NORTHERN ILLINOIS GAS)
COMPANY, D/B/A NICOR GAS)
COMPANY)
Application for permanent Certificate of
Public Convenience and Necessity, under
Section 8-406 of the Public Utilities Act,
to construct, operate and maintain gasdistribution facilities and
to transact the business of furnishing gas service to the public
in Carroll County, Illinois.

THURSDAY, AUGUST 1, 2013

CHICAGO, ILLINOIS

Met, pursuant to adjournment, at 11:00 a.m.

BEFORE:

MS. HEATHER JORGENSON
Administrative Law Judge

APPEARANCES:

MS. KIM SWAN
160 North LaSalle Street, Suite C-800
Chicago, Illinois 60601
(312) 814-1156
(Appearing on behalf of Staff.)

MS. ANNE MITCHELL
ROONEY RIPPIE & RATNASWAMY
350 West Hubbard Street, Suite 600
Chicago, Illinois 60654
(312) 447-2800
(Appearing on behalf of Nicor Gas
Company.)

1 MIDWEST LITIGATION SERVICES

2 BY: CHERYL LYNN MOFFETT

3 CSR #084-002218

4

5 A P P E A R A N C E S

6 MR. CHRISTOPHER J. TOWNSEND

7 QUARLES & BRADY

8 300 North LaSalle Street, Suite 4000

9 Chicago, Illinois

10 (312) 715-5000

11 (Appearing on behalf of Jo-Carroll
12 Energy, Inc.)

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1 P R O C E E D I N G S

2 JUDGE JORGENSON: Pursuant to the direction of
3 the Illinois Commerce Commission I now call Docket
4 13-0361, Northern Illinois Gas Company doing business as
5 Nicor Gas Company, application for permanent Certificate
6 of Public Convenience and Necessity under Section 8-406
7 of the Public Utilities Act, to construct, operate and
8 maintain gas distribution facilities and to transact the
9 business of furnishing gas service to the public in
10 Carroll County, Illinois.

11 Can I have the parties' appearances for the
12 record, please? And we'll start with defendant.

13 MS. MITCHELL: Thank you, Judge. On behalf of
14 Nicor Gas Company, Anne Mitchell with the firm Rooney,
15 Rippie & Ratnaswamy, LLP, 350 West Hubbard, Suite 600
16 Chicago, Illinois 60654.

17 MS. SWAN: On behalf of the Staff witnesses of
18 the Illinois Commerce Commission, Kimberly Swan, 160
19 North LaSalle Street, Suite C-800, Chicago, Illinois
20 60601.

21 MR. TOWNSEND: And appearing on behalf of
22 Jo-Carroll Energy, Inc. is the law firm of Quarles &

1 Brady with Christopher J. Townsend, Christopher N. Skey &
2 Adam T. Magolin, 300 North LaSalle, Suite 4000, Chicago,
3 Illinois, 60654.

4 JUDGE JORGENSEN: Thank you. It's my
5 understanding the staff has and I read the testimony
6 filed on July 30th, and I will let you describe what you
7 filed on the 30th.

8 MS. SWAN: Staff filed direct testimony of Eric
9 Lounsberry and Michael McNally this week expressing no
10 objection to the Company's petition. And I believe the
11 same was indicated by Jo-Carroll that they had also no
12 objection.

13 JUDGE JORGENSEN: Jo-Carroll did not file any
14 testimony in this matter. Will you be doing so?

15 MR. TOWNSEND: We will not, Your Honor.

16 JUDGE JORGENSEN: And you have no objections to
17 Nicor's testimony?

18 MR. TOWNSEND: Our position is we served a
19 number of data requests on Nicor, received sufficient
20 information. We will not be filing testimony, and we
21 have no objection to the testimony being entered into the
22 record today.

1 JUDGE JORGENSEN: Okay. So we will go ahead
2 and go forward with an evidentiary today rather than a
3 status and enter the testimony into the record. And it's
4 my understanding the parties will be filing late filed
5 affidavits for the testimony. Is that on E-Docket? Is
6 that correct?

7 MS. SWAN: Yes, Your Honor, staff will endeavor
8 to file those this afternoon.

9 MS. MITCHELL: And the same for Nicor Gas. We
10 hope to have those affidavits on file this afternoon.

11 JUDGE JORGENSEN: Very well. You may proceed,
12 Miss Mitchell, with the testimony.

13 MS. MITCHELL: Thank you, Judge.

14 Nicor Gas Company filed several pieces of
15 testimony in this docket beginning with the direct
16 testimony of Bob O. Buckles, B-u-c-k-l-e-s, which was
17 designated Nicor Gas Exhibit 1.0 with Nicor Gas Exhibits
18 1.1 and 1.2 as attachments. Those documents were filed
19 on E-Docket in its proceeding on May 10, 2013.

20 Nicor Gas also filed direct testimony by Daniel
21 L. Fox, F-o-x, which was designated Nicor Gas Exhibit 2.0
22 with Nicor Gas Exhibits 2.1 and 2.2 as attachments, and

1 there were both confidential and public versions of the
2 attachments filed, and all of those documents were filed
3 on E-Docket on May 10, 2013.

4 Nicor Gas moves for the admission into evidence
5 of Nicor Gas Exhibits 1.0, 1.1, 1.2, 2.0, 2.1 and 2.2.

6 JUDGE JORGENSEN: Any objections?

7 MS. SWAN: None at this time.

8 MR. TOWNSEND: No objection.

9 JUDGE JORGENSEN: Do you want to go ahead and
10 just move into the record the affidavit as well, the late
11 filed affidavits?

12 MS. MITCHELL: If that's your Honor's
13 preference, that's fine. We prepared affidavits to
14 accompany that testimony. The affidavit of Bob O.
15 Buckles is designated Nicor Gas Exhibit 1.3, and the
16 affidavit of Daniel L. Fox is designated Nicor Gas
17 Exhibit 2.3, and so Nicor Gas would also move for
18 admission into evidence of Nicor Gas Exhibits 1.3 and
19 2.3.

20 JUDGE JORGENSEN: Any objections?

21 MS. SWAN: None from staff.

22 MR. TOWNSEND: No objection.

1 JUDGE JORGENSEN: All right. Hearing no
2 objections we will move into the record Nicor Gas
3 Exhibits 1.0, 1.1, 1.2, 2.0, 2.1, 2.2, both confidential
4 and public versions, as well as the late filed 1.3 and
5 2.3.

6 MS. MITCHELL: Thank you, Your Honor.

7 JUDGE JORGENSEN: Staff.

8 MS. SWAN: On July 30, 2013, Staff filed on
9 E-Docket the direct testimony of Eric Lounsberry,
10 L-o-u-n-s-b-e-r-r-y, which is marked as ICC Staff
11 Exhibit 1.0 and which consists of a cover page and eight
12 pages of narrative questions and answers. In support of
13 that exhibit Staff will late file on E-Docket the
14 affidavit of Eric Lounsberry which will be marked as ICC
15 Staff Exhibit 1.1.

16 On July 30th, 2013, Staff also filed on
17 E-Docket the direct testimony of Michael McNally,
18 M-c-N-a-l-l-y, which is marked as ICC Staff Exhibit 2.0
19 and which consists of a cover page and three pages of
20 narrative questions and answers. In support of those
21 exhibits, staff will file on E-Docket the affidavit of
22 Michael McNally which will be marked as ICC Staff

1 Exhibit 2.0. So Staff moves for admission into the
2 record of ICC Staff Exhibit 1.0, 1.1, 2.0 and 2.1.

3 JUDGE JORGENSEN: Any objections?

4 MR. TOWNSEND: None, Your Honor.

5 MS. MITCHELL: No objection.

6 JUDGE JORGENSEN: All right. I will admit into
7 the record Staff Exhibits 1.0, 1.1 which will be late
8 filed, 2.0 and 2.1 which will be late filed.

9 Is there anything further for the record today?

10 MS. MITCHELL: Your Honor, I would just note on
11 the record that the company is preparing a draft order
12 that it will circulate to the other parties for review
13 before submission and filing on E-Docket in this
14 proceeding.

15 JUDGE JORGENSEN: Okay. There being no matters
16 in --

17 MR. TOWNSEND: Can I mention one thing, Your
18 Honor?

19 JUDGE JORGENSEN: Yes.

20 MR. TOWNSEND: Jo-Carroll would like to say we
21 intend to continue monitoring this case, and we
22 appreciate staff and the company's efforts in letting us

1 continue to monitor.

2 JUDGE JORGENSON: There being no further
3 matters in dispute I will mark the record heard and
4 taken.

5 MS. SWAN: Thank you.

6 MS. MITCHELL: Thank you, Your Honor.

7 MR. TOWNSEND: Thank you.

8 (WHEREUPON, the deposition being
9 heard and taken concluded at
10 approximately 11:15 a.m.)

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