

ICC Docket No. 14-0312

**Chicagoland Chamber of Commerce ("CCC") Response to
The People of the State of Illinois ("AG") Data Requests
CCC 1.01 – 1.11**

**Date Received: August 20, 2014
Date Served: August 25, 2014**

REQUEST NO. AG-CCC 1.01:

Re: CCC Ex 1.0, lines 96-103, 111-112, and 169-173. Please provide the pinpoint citation in Mr. Brosch's testimony where he disagrees with the cited portions of Mr. Carpenter's testimony stating that incentive compensation for ComEd employees based on operational metrics, without reference to a Shareholder Protection Feature, is good for customers.

RESPONSE:

The Chicagoland Chamber of Commerce ("CCC") objects to this request as vague and ambiguous. Subject to this objection, it does not appear that Mr. Brosch addresses this point in his direct testimony, and Mr. Carpenter has not reviewed Mr. Brosch's rebuttal testimony to determine whether he expresses this view. It should be noted that Mr. Carpenter and Mr. Brosch submitted their rebuttal testimony on the same day so it is not likely that Mr. Brosch takes issue or disagrees with Mr. Carpenter's testimony in rebuttal.

OFFICIAL FILE
I.C.C. DOCKET NO. 14-0312
AG Cross Exhibit No. 15
Witness Carpenter
Date 8/28/14 Reporter TO

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CCC 1.01 – 1.11

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REQUEST NO. AG-CCC 1.02:

Re: CCC Ex. 1.0, lines 107-109, 156. Mr. Carpenter suggests at lines 107-109 that "the AG's proposal, if adopted" would have the result that "a portion of employees' pay is no longer at risk based on performance (and instead paid as a fixed guarantee)". Similarly, at line 156, Mr. Carpenter suggests that the AG's proposal "would likely undo pay-at-risk compensation altogether." Does Mr. Carpenter believe that, if the Commission hypothetically disallowed recovery of ComEd AIP expense based on the Shareholder Protection Feature, ComEd would respond by ending the AIP rather than (i) doing nothing or (ii) modifying the AIP by removing the Shareholder Protection Feature? If Mr. Carpenter believes that it is likely or certain that ComEd would end the AIP, please provide any documents, data, or other information supporting that opinion.

RESPONSE:

The Chicagoland Chamber of Commerce ("CCC") objects to this request as vague and ambiguous. The CCC further objects to this request because it calls for speculation. The CCC also objects to the extent that the request implies that ComEd's AIP does not comply with applicable law. Subject to these objections, Mr. Carpenter makes no contention as to how ComEd would respond if the Commission were to disallow recovery of ComEd incentive compensation expense based on the Shareholder Protection Feature. Answering further, Mr. Carpenter believes that if the AG's proposal is adopted in this proceeding, ComEd could do any of a number of things to modify the AIP framework including removal of the Shareholder Protection Feature.

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REQUEST NO. AG-CCC 1.03:

Re: CCC Ex. 1.0, lines 125-126. Mr. Carpenter states that "Nothing in ComEd's AIP is tied to the prohibited net income or earnings per share metrics." Is it Mr. Carpenter's understanding that the amount of incentive compensation payments actually paid to Commonwealth Edison Company ("ComEd") employees under the ComEd Annual Incentive Plan ("AIP") is unaffected by Exelon Corporation's earnings per share? If the response is anything other than an unqualified "No", please provide any documents, data, or other information supporting Mr. Carpenter's opinion.

RESPONSE:

No.