

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

The Citizens Utility Board and The)	
Environmental Law And Policy Center)	
)	Docket No. 14-0135
)	
Petition to Initiate Rulemaking With)	
Notice and Comment for Approval of)	
Certain Amendments to Illinois)	
Administrative Code Parts 466 & 467)	
Concerning Interconnection Standards)	
for Distributed Generation)	

**BRIEF ON EXCEPTIONS
OF AMEREN ILLINOIS COMPANY**

DATED: September 11, 2015

INTRODUCTION

COMES NOW Ameren Illinois Company d/b/a Ameren Illinois (Ameren Illinois or the Company), by and through counsel, and, pursuant to 83 Ill. Admin. Code § 200.830, respectfully submits its Brief on Exceptions with regard to the Administrative Law Judge's (ALJ) Supplemental Proposed First Notice Order (the Proposed Order) issued in this proceeding on August 21, 2015.

Ameren Illinois' exceptions to the Proposed Order are discussed below and appropriate replacement language for the Proposed Order is set forth at the end of each section. Ameren Illinois has also included Appendices A and B, which includes proposed modifications to the Proposed Rules. For the reasons stated below, Ameren Illinois requests that the Commission accept Ameren Illinois' proposed changes. Further, Ameren Illinois reserves its right to reply to any argument of other parties, as appropriate.

I. Exception 1: Section 466.70(h) External Disconnect Switch

Section 466.70(h) contains the requirement that an inverter-based system below 25kW be installed with a utility accessible external disconnect switch (EDS). The Proposed Order requires the utilities to file a report with the Commission as to the frequency and circumstances in which EDS are utilized in order for the Commission to make an informed decision in the future. (Sup. Prop. Ord., p.20) There has been no discussion of this report in the record or proposed language regarding this report and the Company finds the requirement vague at best. The Company seeks guidance as to the formatting of the report, the frequency of filing, the duration of reporting, and with which department the report should be filed.

II. Exception 2: Section 466.110(f), “Supplemental Review”

Section 466.110(f)(5) of the Proposed Rule states, “if the proposed interconnection passes the Supplemental Review screening in this section, the Interconnection Request shall be approved and the EDC will provide the applicant with an executable interconnection agreement pursuant to Section 466.110(c), (d), and (e).” The Company opposes the Proposed Order’s adopted language for Section 466.110(f)(5), because it provides applicants with an opportunity to bypass the provisions of Section 466.110(c) and receive interconnection application approval without being responsible for facility costs related to interconnection. The Company recommends amending Section 466.110(f)(5), by eliminating language that would provide applicants a bypass of Section 466.110(c).

Section 466.110(c) states that once the interconnection application passes the Supplemental Review contained in Section 466.110(f), the utility will offer a standard interconnection agreement and advise the applicant of the facility costs it has to pay before the application is approved. However, in the proposed Section 466.110(f)(5), utilities are required to approve the interconnection application and provide an interconnection agreement if the proposed interconnection passes the Supplemental Review screening. Further, Section 466.110(f)(5) as written remains silent as to the responsibility of facility costs associated with interconnection. Thus as written, applicants who request Supplemental Review are entitled to be interconnected immediately following the Supplemental Review process, and would not be responsible for paying the costs of any modifications needed on the utility’s system to support the DG facility’s operation. The proposed language in Section 466.110(f)(5) creates confusion regarding whether applicants are required to adhere to the processes identified in Section 466.110(c).

By accepting the Company's recommendation and removing the language granting approval, the Commission would remove the confusion because by amending Section 466.110(f)(5), simply passing the Supplemental Review would not automatically grant approval for the applicant's Interconnection Request. Instead, after successfully passing the Supplemental Review in Section 466.110(f)(5), the applicant is now eligible to have the Interconnection Request approved by the EDC in accordance Section 466.110(c). As stated previously, Section 466.110(c) states that prior to being granted approval by the utility, the applicant will be advised of the facility costs it has to pay before the application is approved.

Therefore, the Company proposes amending Section 466.110(f)(5) as follows:

“If the proposed interconnection passes the Supplemental Review screening in this section, the Interconnection Request shall be approved and the EDC will provide the Applicant with an executable interconnection agreement pursuant to Section 466.110(c), (d) and (e).”

Ameren Illinois therefore recommends the “Commission Analysis and Conclusion” on Pages 38, 39 and 40 of the Proposed Order is stricken and amended as follows:

Commission Analysis and Conclusion

The Commission agrees with Ameren Illinois that Section 466.110(f)(5) as written in the Proposed Rule does allow applicants to bypass provisions of Section 466.110(c), and creates confusion regarding whether applicants are required to adhere to the processes identified in Section 466.110(c). Therefore, the

Commission adopts Ameren Illinois' recommendations for Section
466.110(f)(5).

Recommendations if Company's Amendment to Section 466.110(f) is Not Adopted

If the Company's amendment to Section 466.111(f)(5) in Exception 2 or another substantially similar amendment effecting the same change is adopted, the Company has no further comments or requests for amendments to the Proposed Rule. However, if the Commission chooses not to adopt the Company's proposal the Company recommends the Commission adopt the following changes:

Strike Either the Supplemental Review or Level 2 Expedited Review Process

In the event the Commission elects not to amend Section 466.110(f)(5) as recommended , the Company requests that either the Level 2 Expedited Review process found in proposed Sections 466.90(b) and 466.110(a)-(e) or the proposed Supplemental Review found in proposed Section 466.110(f) process be struck from the Proposed Rule in its entirety. The Level 2 Expedited Review found in Sections 466.90(b) and Section 466.110(a)-(e) outlines what applicants must accomplish in order to receive approval on their Interconnection Request. However, Section 466.100(f) requires the offering of a Supplemental Review if an application fails any or all of the Level 2 Expedited Review Screens, but then requires the utility to approve the application for interconnection if the application passes the Supplemental Review and provide an executable agreement without taking into consideration the further requirements of Sections 466.110(c) –(e). The Supplemental Review effectively supplants the Level 2 Expedited Review criteria. Further, since the end result of both screening processes is the same (i.e. the application is deemed "approved"), the inclusion of both sections in the Proposed Rule is, at best, redundant and at worst, confusing. The Company requests

the removal of either the Level 2 Expedited Review process or the Supplemental Review process to eliminate any confusion that may be caused by the contradicting sections.

Therefore, the Company proposes amending the Proposed Rule by striking in their entirety either both Sections 466.90(b) and 466.110(a)-(e) and amending the rules as proposed in Appendix A (in which the Level 2 Expedited Review process is deleted) or Section 466.110(f) as proposed in Appendix B (in which the Supplemental Review process is deleted.)

Apply Existing Aggregate Generation as the Basis for Screens 466.110(f)(A)(ii) and (iii)

The Proposed Rule creates a conflict on the basis of generation used to conduct a screening between the Expedited Review and Supplemental Review processes. The Expedited Review process in Section 466.110(a)(1), (2), (3), (4), (7) and (9) requires the use of Existing Aggregate generation when reviewing the impact of DG on a particular circuit or circuit section. According to Section 466.50(b)(2), Existing Aggregate generation is the amount of generation online and interconnected to the circuit or circuit section. The Supplemental Review process in Section 466.110(f)(4)(A)(ii) and (iii) requires the utility disregard any existing generation and use only the output of the applicant's generator when reviewing the impact of a DG on a particular circuit or circuit section. The Proposed Rule directs applicants and utilities to use Existing Aggregate generation on a circuit or circuit section in one section but in different sections directs the same parties to completely disregard the Existing Aggregate generation and only use the net output from the applicant's generator without giving clear reason for the switch.

The use of two different measurements of generation is significant because determining the impact of a proposed DG facility on a circuit not only depends on the applicant's generation facility but the other generation systems attached to that circuit, and the resulting responsibility for costs of any facility upgrades needed as the result of interconnecting that facility. The Expedited Review

process uses the appropriate basis for considering existing generation, and if the Supplemental Review process remains in Part 466, it, too, should use the Existing Aggregate generation, instead of only taking the applicant's generator's capacity into consideration when reviewing the impact on the circuit when applying the load screens. Therefore, the Company requests that Existing Aggregate generation be the standard for measuring the impact of an applicant's generator on a circuit or circuit system.

Therefore, the Company proposes amending Section 466.110(f)(4)(A)(ii) and (iii) as follows:

~~“ ii) Only the net injection into the EDC's electric system will be considered as part of the aggregate generation.~~

~~ii)iii) For evaluating this screen, the EDC will not include as part of the aggregate generation any existing distributed generating capacity already reflected in the minimum load data.”~~

CONCLUSION

WHEREFORE, Ameren Illinois Company respectfully requests that the Commission grant its enumerated exceptions described above, amend Parts 466 and 467 accordingly, and grant any further relief it deems just and equitable.

DATED: September 11, 2015

Respectfully submitted,

AMEREN ILLINOIS COMPANY
d/b/a Ameren Illinois

A handwritten signature in black ink, appearing to read "G. F. Grammer". The signature is written in a cursive style with a horizontal line underneath it.

Geoffrey F. Grammer
Edward C. Fitzhenry
Counsel for Ameren Illinois
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149
(314) 554-3909, *voice*
(314) 554-4014, *facsimile*
efitzhenry@ameren.com
ggrammer@ameren.com

CERTIFICATE OF SERVICE

I, Geoffrey F. Grammer, counsel for Ameren Illinois Company, do hereby certify that a copy of the foregoing *Brief on Exceptions* was filed on the Illinois Commerce Commission's e-docket and was served electronically to all parties of record in Docket 14-0135 on this 11th day of September, 2015.

A handwritten signature in black ink, appearing to read "G. F. Grammer". The signature is written in a cursive style with a large initial "G" and "F".

Geoffrey F. Grammer