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ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

Illinois Commerce Commission
On its own Motion

2002 OCT 17 A 10:42
CHIEF CLERK'S OFFICE

v.

ICC Docket No. 02-0067

Northern Illinois Gas Company d/b/a NICOR
Gas Company

Proceeding to review Rider 4, Gas cost, pursuant
To Section 9-244(c) of the Public Utilities Act.

**Objections To Nicor's Confidential Documents of
The Cook County State's Attorney's Office**

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October 15, 2002

Documents Disputed

Reason Not Confidential

1. NIC 2414
A 1999 sale transaction; terms already public; relevant to PBR review; only current data held confidential (Tr. 226-229, September 13, 2001 Docket 01-0423)
2. NIC 2777
Only annual amounts; no detailed contract information; some amounts already disclosed in Nicor testimony; relevant to PBR review; only current data held confidential (Tr. 226-229, September 13, 2001 Docket 01-0423)
3. NIC 3160-3166
Just gives recommendation; clearly shown to be estimated information prior to the year 2000; stale information; only current data held confidential (Tr. 226-229, September 13, 2001 Docket 01-0423); relevant to PBR review
4. NIC 3205-3206
Simply an analysis of benefits and risks; no competitive harm; relevant to PBR review; willing to redact all text except paragraph 2 & 3
5. NIC 3311-3312
No competitive harm; relevant to PBR review and allegations of fraud
6. NIC 3486-3488
Simply an evaluation of the effect of the PBR on Nicor's current services before PBR even filed or approved; explores rationale for use of PBR; relevant to PBR review; may have been submitted for initial approval of PBR pursuant to 220 ILCS 5/9-244(b)(2)
7. NIC 3583-3584
Simply describing Hub activities; this information already provided in testimony; if information was confidential in testimony, Nicor should be required to show that the testimony was confidential and provide docket number

8. NIC 3655-3671
Simply an evaluation of LIFO before PBR even filed or approved; no competitive harm; just explores rationale for use of PBR and LIFO; relevant to PBR review; may have been submitted for initial approval of PBR pursuant to 220 ILCS 5/9-244(b)(2)
9. NIC 3891-3893
Simply a draft outline of possible issues pertaining to LIFO storage accounting and the PBR; although the documents are labeled "Privileged", Nicor has not claimed any attorney/client privilege in its sequential list of confidential documents
10. NIC 4002-4004
This is exactly what CUB/CCSAO requested in its original data request (CUB 1.17); ratepayers have a right to know what was done since Nicor receives payment for it; information relevant to PBR review
11. NIC 4516-4518
In Docket No. 01-0423 determined that summary board meeting information not confidential (Tr. 387-399, September 20, 2001 Docket 01-0423); notwithstanding, this information is relevant to PBR review; information already reported for review such as PBR buckets
12. NIC 5681-5682
Simply notes, cannot identify who wrote them; relevant to PBR review; documents not dated; willing to redact company names and email address
13. NIC 6702
After further review resulting from meeting with Nicor, CCSAO withdraws its requests for non-confidentiality
14. NIC 8531
1999 document; material outdated; only current data held confidential (Tr. 226-229, September 13, 2001 Docket 01-0423); aggregate numbers; relevant to PBR review; no competitive harm
15. NIC 8534-8537
Simply explores strategies for the PBR; relevant for PBR review; since ratepayers are paying for likely benefits, information should be public; this document could have been presented for initial approval of the PBR pursuant to 220 ILCS 5/9-244(b)(2)

16. NIC 8538-8539 Simply a draft of a study; no competitive harm; relevant to PBR review; document could have been presented for initial approval of PBR pursuant to 220 ILCS 5/9-244(b)(5)
17. NIC 9347-9348 Information that has already been reported in the PBR docket; aggregate numbers; willing to redact phone numbers
18. NIC 9367-9368 An example of hedging inventory decrement; no competitive value; relevant to PBR review; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket 01-0423)
19. NIC 9955 A strategy relevant to PBR review; no competitive value; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket 01-0423); willing to redact names and handwritten notes
20. NIC 9960-9961 A strategy relevant to PBR review; prices given outdated and no longer need confidential status; only current data held confidential (Tr. 226-229, September 13, 2001, Docket 01-0423); Identical to NIC 11212 which Nicor agreed was non-confidential (Attached)
21. NIC 9962 An overview; intimate details not mentioned; outdated materials and prices; only current data held confidential; (Tr. 226-229, September 13, 2001, Docket 01-0423) willing to delete names
22. NIC 10519-10520 Required to be made public pursuant to 83 Ill. Admin. Code 506.10, 550.130, 550.140
23. NIC 10560-10585 After further review resulting from meeting with Nicor, CCSAO withdraws its request for non-confidentiality
24. NIC 10760 Relevant for PBR review and allegations of fraud; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); since ratepayers are paying for benefits should be public

25. NIC 11086 Handwritten notes related to PBR; no time frame; no competitive value; willing to redact name, title and phone number
26. NIC 11316-11318 A meeting where options discussed; simply an outline no detailed discussion; information relevant to PBR; information would have been reported under PGA; outdated information, only current data held confidential (Tr. 226-229, September 13, 2001, Docket 01-0423)
27. NIC 11319-11321 Willing to redact information not PBR related; PBR information already reported; Required to be made Public under 83 Ill. Admin. 550.130 and 550.140; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
28. NIC 11433 Simply a proposal; outdated material since 2002 summer has ended; Nicor has done what is going to do; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); no competitive value
29. NIC 11500 Explores strategies for the PBR; relevant for PBR review; since ratepayers are paying for benefits, information should be public; this document could have been presented for initial approval of the PBR pursuant to 220 ILCS 5/9-244(b)(2)
30. NIC 11501-11503 Development of testimony not claimed as attorney/client privilege in Nicor's sequential list of Confidential/Proprietary documents; documents are not marked privileged; relevant to PBR review; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); handwritten notes not identifiable
31. NIC 11853-11854 Explores strategies for the PBR; relevant for PBR review; since ratepayers are paying for benefits, information should be public; this document could have been presented for initial approval of the PBR pursuant to 220 ILCS 5/9-244(b)(2); outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)

32. NIC 13713 Information provided in PBR; just aggregate information; no competitive harm; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
33. NIC 17123 Relevant for PBR review and allegations of fraud; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); handwritten notes not identifiable
34. NIC 17171-17177 Relevant for PBR review and allegations of fraud; since ratepayers are paying for benefits should be public; this document could have been presented for initial approval pursuant to 220 ILCS 5/9-244(b)(2); outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); handwritten notes not identifiable
35. NIC 17178-17182 Relevant for PBR review and allegations of fraud; since ratepayers are paying for benefits should be public; this document could have been presented for initial approval pursuant to 220 ILCS 5/9-244(b)(2); outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); handwritten notes not identifiable
36. NIC 17417-17422 Relevant for PBR review; since ratepayers are paying for benefits should be public; this document could have been presented for initial approval pursuant to 220 ILCS 5/9-244(b)(2); outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); a general board presentation; internal discussion not disclosed; board presentations and agendas not confidential (Tr. 387-399, September 20, 2001, Docket No. 01-0423)
37. NIC 18010-18012 Relevant for PBR review; since ratepayers are paying for benefits should be public; this document could have been presented for initial approval pursuant to 220 ILCS 5/9-244(b)(2); not even dated material

38. NIC 18109 Relevant for PBR review; since ratepayers are paying for benefits should be public; this document could have been presented for initial approval pursuant to 220 ILCS 5/9-244(b)(2); very dated material; prior to approval of the PBR; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
39. NIC 19908-19912 Explores strategies for the PBR; relevant for PBR review; since ratepayers are paying for benefits, information should be public; this document could have been presented for initial approval of the PBR pursuant to 220 ILCS 5/9-244(b)(2)
40. NIC 19930-19934 Explores strategies for the PBR; relevant for PBR review; since ratepayers are paying for benefits, information should be public; this document could have been presented for initial approval of the PBR pursuant to 220 ILCS 5/9-244(b)(2); outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
41. NIC 19935-19939 Relevant for PBR review and allegations of fraud; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); handwritten notes not identifiable
42. NIC 20903 Relevant for PBR review and allegations of fraud; just aggregate numbers and forecasts; not actual numbers; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
43. NIC 20962 Relevant for PBR review; simply aggregate numbers; not even dated material

Documents Disputed**Reason Not Confidential**

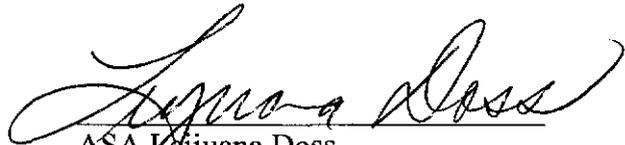
1. CUB DR 4.05
Explores strategies for PBR; relevant for PBR review; since ratepayers are paying for benefits, information should be public; no competitive harm
2. CUB 4.06
Explores strategies for PBR; relevant for PBR review; since ratepayers are paying for benefits, information should be public; no competitive harm
3. CUB 4.07
This is essentially what CUB/CCSAO requested in its original data request (CUB 1.17); ratepayers have a right to know what was done since Nicor receives payment for it; information relevant to PBR review
4. CUB 4.09
Definition is not confidential; Storage information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
5. CUB 4.11
Response not confidential; Documents relevant for PBR review and allegations of fraud; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); Request only for summary information
6. CUB 4.12
Response not confidential; Storage information relevant for PBR review and allegations of fraud
7. CUB 4.15
Response not confidential; Response is also questionable since Nicor was not under a PGA reconciliation in 2000 and 2001; Documents relevant for PBR review and allegations of fraud; Request is only for summary information
8. CUB 4.16
Response not confidential; No competitive harm; Response not shown to have any confidential information; outdated material; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)

9. CUB 4.17 Relevant for PBR review; since ratepayers are paying for benefits and bonuses, information should be public; no competitive harm
10. CUB 4.18 Response not confidential; Storage information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); reported to FERC
11. CUB 5.01 Response not confidential; Storage information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
12. CUB 5.03 Response not confidential; Storage information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
13. CUB 5.05 Response not confidential; Relevant for PBR review; since ratepayers are paying for benefits and bonuses, information should be public; no competitive harm
14. CUB 5.08 Response not confidential; Storage information relevant for PBR review and allegations of fraud, no competitive harm; since ratepayers are paying for benefits and bonuses, information should be public
15. CUB 5.13 Response not confidential; Storage information relevant for PBR review and allegations of fraud, no competitive harm; since ratepayers are paying for benefits and bonuses, information should be public
16. ICC 1.14 Relevant for PBR review; since ratepayers are paying for benefits and bonuses, information should be public; no competitive harm
17. ICC 1.19 Response not confidential; relevant for PBR review; since ratepayers are paying for benefits, information should be public; no competitive harm

18. ICC 1.22 Response not confidential; Storage information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)
19. ICC 2.08 Definition is not confidential; relevant for PBR review and allegations of fraud; no competitive harm
20. ICC 2.11 Response not confidential; relevant for PBR review and allegations of fraud; no competitive harm
21. ICC 4.07 Response not confidential; Storage information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423); since ratepayers are paying for benefits, information should be public; no competitive harm
22. ICC 4.09 Response not confidential; information relevant for PBR review and allegations of fraud; reported to FERC and Commission
23. ICC 4.18 Response not confidential; information relevant for PBR review and allegations of fraud; outdated material requested; only current data held confidential (Tr. 226-229, September 13, 2001, Docket No. 01-0423)

Respectfully Submitted,

October 15, 2002

A handwritten signature in cursive script, appearing to read "Lejuana Doss", written over a horizontal line.

ASA Lejuana Doss
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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

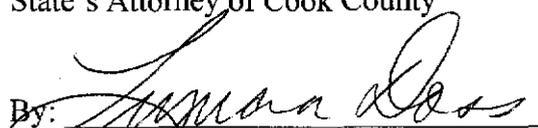
Illinois Commerce Commission)	
On its own Motion)	
)	
v.)	
)	ICC Docket No. 02-0067
)	
Northern Illinois Gas Company d/b/a NICOR)	
Gas Company)	
)	
Proceeding to review Rider 4, Gas cost, pursuant)	
To Section 9-244(c) of the Public Utilities Act.)	
)	

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on this date, October 15, 2002, we have filed with the Chief Clerk of the Illinois Commerce Commission the enclosed Objections to Nicor's Confidential Documents in the above-captioned docket.

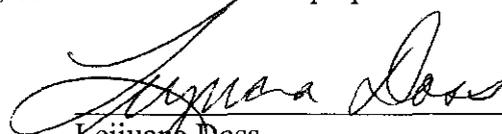
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By: 

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CERTIFICATE OF SERVICE

I, **LEIJUANA DOSS**, hereby certify that a copy of the enclosed Objections to Nicor's Confidential Documents was served on all parties on the attached list on the 15th day of October, 2002, by e-mail, hand delivery, Fed Ex, or U.S. first class mail prepaid.



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