BEFORE THE

ILLINOIS COMMERCE COMMISSION

BENCH SESSION

(PUBLIC UTILITY)

Wednesday, January 28, 2015

Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M., at 160 North La Salle Street, Chicago, Illinois.

PRESENT:

BRIEN J. SHEAHAN, Acting Chairman
ANN McCabe, Commissioner
SHERINA E. MAYE, Commissioner
MIGUEL DEL VALLE, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170
ACTING CHAIRMAN SHEAHAN: All right. Pursuant to the provisions of the Open Meetings Act, I now convene a special open meeting of the Illinois Commerce Commission.

With me in Chicago are Commissioners McCabe, del Valle and Maye. I am Chairman Sheahan. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of the Title 2 of the Administrative Code, this is the time we usually consider public comments.

Members of the public wishing to address the Commission must notify the Chief Clerk's office at least 24 hours prior to Commission meetings. According to the Chief Clerk's office, we have no granted requests to speak at today's Bench Session.

We will move on to the Public Utility section of our agenda. We are going to take a matter of other business out of order. We have Mr. David Swain, President of Liberty Energy Utilities (Midstates Natural Gas) Corp., d/b/a
Liberty Utilities to present the Company's Annual Reorganization Report.

Welcome, sir. The floor is yours.

PRESENTATION

BY

MR. SWAIN:

Good morning. Thank you for inviting me to be here again today. I was here the last time on October 23, 2013 to provide a first update to the acquisition to Liberty Utilities and to provide a brief update today as to how that acquisition is going since then.

First of all, on July 30, 2014 we filed the reports that indicated total compliance and then, in addition, this presentation today would be the final presentation under that acquisition Order.

One thing I would like to point out is that since we have been operating as Liberty Utilities we wanted to insure, and certainly you had an expectation, that we would provide good customer service, that we did that and we were able to
So we have done two different customer satisfaction surveys that compared us to the benchmark of other utilities and both of those summaries reported in an 85 percent customer satisfaction growth for Liberty Utilities, and from all indications we're on the road to set those measurements that were considered best in class. So we are very proud of that, especially coming through two very cold winters that we've had since being Liberty Utilities, so several compliments to a lot of hard-working employees who have made me to be able to say that today.

In addition, if you are following along at Page 5, it's always a pleasure for me to brag on our front-line employees that's not just working for the utility but they provide good leadership within the communities that they serve. There's some pictures there of our employees that are involved in current events after a tornado where people lost their lives. We were some of the first individuals
on that scene and not only did the work that we were
required to do as a utility, they were there to help
that community in a lot of different ways, and then
you will see in the pictures after that, we were
still there to provide support and help them to
re-establish some funds that had been used and badly
needed today, so we helped with that.

The other pictures are of our
employees in the Harrisburg community. If you go
there, you will find that a lot of our employees are
providing leadership for the American Cancer Society
and recognized statewide as being leaders.

In virtually every community that we
serve, our employees are providing leadership.
They're a great asset to their communities, and it's
a great byproduct I think to have those kinds of
people working for Liberty Utilities. We are very
proud of them.

In addition, on the next page you can
see that since we were required as part of eight
audits that were completed by the Pipeline Safety
Division, and there were no notices of violations,
and some of those were record audits and some of those were field audits. We had to review our O & M Manual, and all of those have now been reviewed and in compliance and everybody has signed off on those.

In this business you recognize that our first and foremost priority has to be safety and I think out of safety, the byproduct becomes the necessary reliability and certainly our customers expect both of those.

One of the things that you I think have seen, as evidenced by the audits, that we were committed to that and I can assure you that as long as we're Liberty Utilities that will remain a priority and we'll make sure that those systems operate safely, efficiently and that they continue to be reliable.

We began last year in a ten-year Fiber Replacement Plan in the state. We are planning to replace all the bare steel, the ineffective utility pipe and the PVC pipe within the state over that ten-year period. So we are making a substantial
capital investment and we are making replacements in
conjunction with our ten-year plan, so we are well
on our way to doing that and we'll continue that in
2015.

We believe that the acquisition has
been successful for Liberty Utilities and for its
customers in the communities. We are looking
forward to continue to provide service to those
customers, and if the opportunity arises, we hope to
add communities to our customer list.

And thank you for the opportunity and
the trust that you put in us to allow us to operate
this system. I'll be glad to answer any questions
that you might have.

ACTING CHAIRMAN SHEAHAN: Thank you.

Commissioners del Valle.

COMMISSIONER del VALLE: Thank you, Mr. Chairman.

On your customer satisfaction level,
the survey indicated 85 percent customer
satisfaction, and I know that there will always be a
customer out there who's not satisfied for some type
of legitimate reason, and sometimes there are other
reasons, but could you tell me out of the 15 percent what were the main issues or reasons, I should say, for customer dissatisfaction, what steps are you taking to address some of those?

MR. SWAIN: Yes. The survey is based on dozens of different questions, and so the compilation of all those questions -- the answer to all those brings up to the 85 percent mark.

I am personally familiar with some of the small number of complaints that we have had. Obviously, those customers were not satisfied with us if they filed a complaint, most of which center around our collection activities.

A customer would naturally be upset because we disconnected their service, and that would have been the result of not paying their bill, and in every case that we have looked at we did follow those rules. We did it according to the questions that are already set, but, obviously, when a customer's utilities are interrupted, they're not always happy and I can tell you that over the last winter we had many discussions about that and we
knew that some of our customer were going to be in a bad spot because energy usages were up and bills were higher, and we went above and beyond to try to work with those customers.

What I can say if they tried -- if they worked with us and they did their best, then we did what we could to lead them along. Some customers were upset about that.

There might have been some situations where somebody thought that we were suppose to be there when we made an appointment, although I can tell you that those are few and far between. I do know that probably over the last year a couple of those situations where we made a commitment to be at somebody's house and we didn't show up, and there's two that I'm thinking of, as it were, were a result of a reconnect as a result of the customer being shutoff for non-pay, but we had some communication issues with the CSR on the phone and said we will get this back on, and once they communicated with the field personnel, we had to go back on.

I know in at least one of those
situations we did that on a weekend. We made it
right, turned that customer back on. Those are a
couple of examples.

ACTING CHAIRMAN SHEAHAN: Thank you for your
response.

MR. SWAIN: Thank you.

ACTING CHAIRMAN SHEAHAN: Commissioner Maye.

COMMISSIONER MAYE: Thank you. Good morning,
Mr. Swain. Have you had any safety incidents in
internal or otherwise in the last year?

MR. SWAIN: Can you ask that again.

COMMISSIONER MAYE: I was curious to know whether
or not you had any safety incidents internal or
otherwise.

MR. SWAIN: We have not. Now on a day-to-day
basis we will receive calls from customers saying
they smell gas or that they have an issue with
pressure. Those come in on a daily basis. We
respond to those in a timely manner, but beyond
that, no, we have not had any others.

COMMISSIONER MAYE: Thank you.

ACTING CHAIRMAN SHEAHAN: Commissioner McCabe.
COMMISSIONER McCabe: Yes. I would like to ask you about your Pipeline Replacement Program. At the end of the ten-year program will all of the bare steel and PVC pipe be replaced in your territory or will those be remaining?

Mr. Swain: Yes. We have planned over the next ten years to replace all of that bare steel and PVC pipe a hundred percent.

Acting Chairman Sheahan: Any other questions?

(No response.)

Okay. Thank you, sir.

Mr. Swain: Thank you.

Acting Chairman Sheahan: We will turn now to our electric portion of today's agenda, and we will begin with the approval of the minutes from January 6th. I understand there was a Scribner's error that was corrected and circulated.

Is there a motion to approve the amendments with the correction of that Scribner's error?

Commissioner Maye: So moved.

Acting Chairman Sheahan: Is there a second?
COMMISSIONER McCABE: Seconded.

ACTING CHAIRMAN SHEAHAN: All those in favor, say aye.

(Chorus of ayes.)

The Minutes of the January 6th open meeting, as amended, are approved.

Item E-1 is Ameren-Illinois Company's filings to revise its gas and electric tariff pages governing eligibility for service, deposits, payment practices, and discontinuance of electric and gas service consistent with the recent Commission Order in Docket No. 06-0703 regarding 83 Illinois Code Part 280. Staff recommends that we approve the revisions by not suspending the filing.

Is there any discussion?

(No response.)

Is there a motion not to suspend the filing?

COMMISSIONER McCABE: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER MAYE: Seconded.

ACTING CHAIRMAN SHEAHAN: All in favor, say aye.
(Chorus of ayes.)

The motion carries 4 to 0 and the filing is not suspended.

We will ask for leave for unanimous consent for the following items: Item No. E-2 is MidAmerican Energy Company's filing updating Rider Energy Efficiency Cost Recovery (Rider EECR) to include an information sheet and to comply with Docket No. 13-0423/13-0424 (Consolidated).

Staff recommends that we approve the update by not suspending the filing.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Without objection, the Order is entered.

Item No. E-3 is our investigation into the Customer Authorization Required for Access to Third Parties Other Than Retail Electric Suppliers to Advanced Metering Infrastructure Interval Meter Data.
Staff recommends entry of an Order initiating the investigation.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item No. E-4 is Docket 12-0456. This is our rulemaking proceeding to develop and adopt rules concerning municipal aggregation.

On June 11, 2014, the Commission issued its Second Notice Order authorizing the Proposed Rules to be submitted to the Joint Committee on Administrative Rules ("JCAR") to begin the Second Notice Period.

At JCAR's October 14, 2014 meeting, JCAR voted objection to, and prohibited the filings of, the Proposed Rules.

Since that time, the parties to the proceeding have suggested additional changes to the Part 470 language to provide additional RES customer protections. The language requires an additional
statement be included in the customer disclosure sent to RES customers. It also requires that the RES customer information not be retained by the Aggregation Supplier and prohibits further use of the information for marketing.

ALJ Haynes recommends entry of the Post-prohibition Order and Appendix.

Is there any discussion?
(No response.)

Are there any objections?
(No response.)

Hearing none, the Order and Appendix are entered.

Item E-5 is Docket 13-0527. This is our Reconciliation of Revenues Collected under Ameren's Power Procurement Riders with Actual Costs Associated with Power Procurement Expenditures.

ALJ Sainsot recommends entry of an Order approving the reconciliation.

Is there any discussion?
(No response.)

Are there any objections?
Hearing none, the Order is entered. We can consider E-6, 7 and 8 together. These items are Applications for Certification as an Installer of Distributed Generation Facilities under Section 16-128A of the Public Utilities Act. In each case the ALJ recommends entry of an Order granting the requested certificate. Is there any discussion? (No response.) Any objections to combining and approving E-6, 7 and 8? (No response.) COMMISSIONER McCabe: I will just note that two of those are starting vehicles. ACTING CHAIRMAN SHEAHAN: So with that correction, are there any other objections? (No response.) Hearing none, the Order is entered. Item No. G-1 has been pulled from the agenda.
Item G-2 and G-3 can be considered together. These items are our reconciliation of revenues collected under North Shore Gas Company and Peoples Gas, Light and Coke Company’s Coal Tar Riders with prudent costs associated with Coal Tar Cleanup Expenditures.

In both cases ALJ Haynes recommends entry of an Order approving the reconciliation.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Orders are entered.

Item G-4 is Docket 13-0460. This is our citation proceeding against The Peoples Gas, Light and Coke Company for two alleged violations of CFR Sections 192.615(a) and 192.703(b), which are among the federal safety requirements that the Commission has adopted in its rules at Part 590 and which concern emergency operation procedures.

Peoples Gas and Staff have come to an agreed Stipulation in which the company agrees to
pay a fine of $400,000 into the State of Illinois General Revenue Fund and agrees to take several steps to address unauthorized gas use.

ALJ Benn recommends entry of an Order adopting the stipulation.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered.

Item G-5 is Docket No. 14-0445. This is Steven Smith's complaint against Peoples Gas as to inaccurate billing in Chicago. It appears the parties have settled their differences and filed a stipulation and joint motion to dismiss. ALJ Benn recommends that we grant this motion and dismiss the complaint.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the motion is granted
and the complaint is dismissed.

Item G-6 is Docket 14-0677. This is Thomas Coyle's complaint as to inappropriate billing in Lake Bluff, Illinois. The petitioner has filed a voluntary withdrawal of his complaint.

As a result, ALJ Benn recommends we dismiss the complaint without prejudice.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the complaint is dismissed.

Item G-7 is Docket No. 14-0687. This is Nicor's application pursuant to Section 9-201 and Section 19-140 of the Public Utilities Act for consent to and approval of an increase in funding for its On-bill Financing Program.

ALJ Teague-Kingsley recommends entry of an Order approving the request to increase On-bill Financing Funding and a related change to the company's tariff.
Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered.

Item G-8 is Docket No. 14-0224 and 14-0225 (consolidated). This is North Shore Gas Company and The Peoples Gas, Light and Coke Company's proposed general increase in gas rates.

Staff identified some numerical errors in the January 21, 2015 Order, and ALJs Hilliard and Kimbrel recommend entry of an Amendatory Order correcting those errors.

Is there any discussion?

(No response.)

Any objections.

(No response.)

Hearing none, the Amendatory Order is entered.

Moving onto telecommunications Item No. T-1 is Docket 14-0695. This is Metro Fibernet, LLC's application for a Certificate of Local and
Interexchange Authority to Operate as a Reseller and Facilities-based Carrier of Telecommunications Services in the State of Illinois. ALJ Benn recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered.

Item T-2 is Docket No. 14-0705. This is MTI (USA) LLC's Application for a Certificate of Prepaid Calling Service Provider Authority in the State of Illinois.

ALJ Riley recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item T-3 has been pulled from the
agenda.

Item T-4 is Docket No. 14-0686. This is Century Link Communications LLC d/b/a Madison River Communications Petition to Discontinue ATM Services in Peoria and Bloomington, Illinois.

ALJ Riley recommends entry of an Order granting the requested relief.

Any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item T-5 is Docket No. 14-0743. This is AMI Communications Inc.'s Application for Cancellation of its Certificate of Local and Interexchange Authority.

ALJ Benn recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

Any objections?

(No response.)
Hearing none, the Order is granted.

Item T-6 is Docket No. 14-0756. This is Data-Tel of Illinois, Inc., d/b/a Data-Tel Communications Petition to Withdraw its Certificates of Local Exchange and Interexchange Service Authority and to Cancel its Tariffs.

ALJ Riley recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered.

Item T-7 is Docket No. 14-0129. This is Mary Weathersby's complaint against Illinois Bell Telephone Company d/b/a AT&T Illinois d/b/a AT&T Wholesale as to billing/charges in Chicago.

ALJ Haynes recommends entry of an Order denying the complaint, in part and granting the complaint, in part.

Is there any discussion?

(No response.)
Any objections?

(No response.)

Hearing none, the Order is entered.

Items T-8, 9 and 10 can be considered together. These items are petitions for Confidential/Proprietary Treatment of Petitioners' Annual Reports for not less than two years.

In each case the ALJ recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered.

Items T-11, 12, 13, 14 and 15 may be considered together. These items are Joint Petitions for Approval of Interconnection Agreements or amendments to Interconnection Agreements pursuant to 47 U.S.C., Section 252.

In each case the ALJ recommends entry of an Order approving the agreement or amendment to the agreement.
Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Orders are entered.

Moving on to our Water and Sewer agenda, Item No. W-1 is Docket 14-0447. This is Illinois-American Water Company's Application for a Consolidated Certificate of Public Convenience and Necessity for its Peoria District, pursuant to Section 8-406(e) of the Illinois Public Utilities Act.

ALJ Yoder recommends entry of an Order approving the Certificate of Public Convenience and Necessity.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Order is entered.

Item W-2 is Docket 15-0017. This is Aqua Illinois and IAWC's Petition to Initiate a
Rulemaking for Approval of Amendments to 83 Illinois Administrative Code Part 656, Qualifying Infrastructure Plant Surcharge.

ALJ Jones recommends that we initiate the rulemaking proceeding by commencing hearings pursuant to 83 Illinois Administrative Code 200.210.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the ALJ is directed to commence hearings in this matter.

On to Petitions for Rehearing, Item No. PR-1 is Docket No. 07-0446. This is Illinois Extension Pipeline Company, LLC's (IEPC) Application pursuant to Sections 8-503, 8-509 and 15-401 of the Public Utilities Act, to Construct and Operate a Petroleum Pipeline and when necessary, to Take Private Property as Provided by the Law of Eminent Domain. Petitions for Rehearing have been filed by the Pliura Intervenors, Turner Intervenors and IEPC.

ALJ Jones recommends that we deny all
three petitions.

Is there any discussion?

(No response.)

Any objections to denying all three petitions?

(No response.)

Hearing none, the petitions are denied.

Item PR-2 is Docket 14-0312. This is ComEd's Annual Formula Rate Update and Revenue Requirement Reconciliation under Section 16-108.5 of the Public Utilities Act.

We have three petitions for rehearing, the first by ComEd, the second by CUB/IIEC and the third by the AG's office. ALJ Haynes and Teague-Kingsley recommend that we deny all three petitions.

Beginning with ComEd's petition for rehearing, is there any discussion?

(No response.)

Is there a motion to deny the petition for rehearing?
COMMISSIONER McCabe: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER Maye: Seconded.

ACTING CHAIRMAN SHEAHAN: It's been moved and seconded.

All in favor, say aye.

(Chorus of ayes.)

Opposed?

(No response.)

The vote is 4 to 0 and ComEd's Petition for Rehearing is denied.

Is there any discussion regarding CUB/IIEC's petition for rehearing?

(No response.)

Is there a motion to deny the petition for rehearing?

(No response.)

COMMISSIONER Maye: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Seconded.

ACTING CHAIRMAN SHEAHAN: It's been moved and seconded. All in favor, say aye.

(Chorus of ayes.)
Opposed, say no.

(No response.)

The vote is 4 to 0 and CUB/IIEC's Petition for Rehearing is denied.

Is there any discussion with respect to the AG's petition for rehearing the topic of either the reconciliation balance and ADIT or ComEd's Annual Incentive Compensation Program (AIP)?

We will handle this in two motions.

The first will be with respect to the reconciliation balance and ADIT or ComEd's Annual Incentive Compensation.

Is there a motion to deny the rehearing on the issues related to ADIT?

COMMISSIONER McCabe: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER Maye: Seconded.

ACTING CHAIRMAN SHEAHAN: All those in favor, say aye.

(Chorus of ayes.)

Any opposed?

(No response.)
The rehearing on the topic of ADIT is denied.

Is there a motion to deny the rehearing on the issue related to AIP?

Is there a motion to deny that rehearing?

COMMISSIONER MAYE: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Seconded.

ACTING CHAIRMAN SHEAHAN: Is there any discussion?

(No response.)

All those in favor of denying the motion for rehearing, say aye.

(No response.)

Opposed, say no.

COMMISSIONER del Valle: No.

ACTING CHAIRMAN SHEAHAN: The vote is 3 to 1 and the rehearing on the topic of AIP is denied.

Along with its Petition for Rehearing, the Attorney General also filed a Motion for Partial Collection of Revenues Subject to Refund which ALJs
Haynes and Teague-Kingsley recommend we grant in part with regard to ADIT and deny in part with regard to API.

Is there a motion to deny the motion for rehearing?

COMMISSIONER McCabe: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER MAYE: Seconded.

ACTING CHAIRMAN SHEAHAN: All those in favor, say aye.

(No response.)

Opposed, say no.

COMMISSIONER del Valle: No.

ACTING CHAIRMAN SHEAHAN: The vote is 3 to 1 and the motion is denied.

Item PR-3 is Docket 14-0317. This is Ameren's Rate MAP-P Modernization Action Plan-Pricing Annual Update Filing. We have two Applications for Rehearing in this proceeding, the first by CUB/IIEC (collectively "CI") and the second by the Attorney General's office.

ALJs Albers and Von Qualen recommend
that we deny both applications.

JUDGE WALLACE: Mr. Chairman --

ACTING CHAIRMAN SHEAHAN: Sure.

JUDGE WALLACE: -- This is Judge Wallace.

Could we back up to PR-2. I think that last one is a motion rather than a Petition for Rehearing. It's slightly different. The AG has a motion for partial collection of revenues subject to refund. That's separate from the Petitions for

Rehearing.

ACTING CHAIRMAN SHEAHAN: Right. And I think we voted to deny both of those.

JUDGE WALLACE: I just wanted to clarify that it was to deny the motion.

ACTING CHAIRMAN SHEAHAN: That's correct.

JUDGE WALLACE: Okay. Thank you, sir.

ACTING CHAIRMAN SHEAHAN: Thank you for that clarification.

Back to 14-0317, this is PR-3 Docket 14-0317. The ALJs recommend that we deny both applications.

Is there any discussion on the
Applications for Rehearing?

(No response.)

Is there a motion to deny the applications?

COMMISSIONER MAYE: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Seconded.

ACTING CHAIRMAN SHEAHAN: It's been moved and seconded that we deny that application.

All in favor, say aye.

(Chorus of ayes.)

Opposed, say no.

(No response.)

The vote is 4 to 0 and both applications are denied along with the Petition for Rehearing. The Attorney General has also filed a Motion for Partial Collection of Revenues Subject to Refund which ALJs Albers and Von Qualen recommend we grant.

Is there a motion to grant the motion consistent with the ALJs recommendation?

COMMISSIONER del Valle: So moved.
ACTING CHAIRMAN SHEAHAN: Is there a second?

(No response.)

There's no second.

So, for the lack of a second, we will not take any action on Docket No. 14-0317.

COMMISSIONER MAYE: Mr. Chairman, if I may, I would like to move to deny the motion.

COMMISSIONER McCabe: Seconded.

ACTING CHAIRMAN SHEAHAN: Is there any discussion?

(No response.)

All those in favor, say aye.

(No response.)

Opposed, say aye.

COMMISSIONER del Valle: No.

ACTING CHAIRMAN SHEAHAN: The vote is 4 to 0 and the motion is granted.

COMMISSIONER del Valle: Three.

ACTING CHAIRMAN SHEAHAN: The vote is 3 to 1 and the motion is granted.

COMMISSIONER MAYE: Denied.

ACTING CHAIRMAN SHEAHAN: Denied. So I thank
you.

Moving on to other business, we have two remaining items of other business on today's agenda. The first is the ICC's 2014 Annual Report on Gas, Electricity and Water.

Are there any questions on the annual report?

COMMISSIONER McCabe: I just want to ask if Staff would accept a few non-sub edits.

MR. Feipel: Always.

COMMISSIONER McCabe: Thank you.

ACTING CHAIRMAN Sheahan: Is there a motion to approve the report to be sent to the Governor and General Assembly.

COMMISSIONER del Valle: So moved.

COMMISSIONER McCabe: Seconded.

ACTING CHAIRMAN Sheahan: All those in favor, say aye.

(Chorus of ayes.)

Any opposed, say aye.

(No response.)

The vote is 4 to 0. That's the item
on our agenda that concerns pending litigation, and
we'll go into closed session to discuss that.

Is there a motion to go into closed
session?

COMMISSIONER McCabe: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER Maye: Seconded.

ACTING CHAIRMAN SHEAHAN: It's been moved and
seconded that we go into closed session.

All in favor, say aye.

(Chorus of ayes.)

Opposed, say no.

(No response.)

The vote is 4 to 0 to go into closed
session, and we just ask to clear the room.

(Whereupon pages 37 through
44 are contained in a
separate transcript for
Closed Session)
(Whereupon, the commission returned to open session)

So we'll open the doors here and reconvene into open session.

JUDGE WALLACE: We are ready in Springfield.

(A brief pause.)

Okay. We are back in open session.


Is there a motion to pre-file these comments with FERC?

COMMISSIONER McCABE: So moved.

ACTING CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER MAYE: Seconded.

ACTING CHAIRMAN SHEAHAN: It's been moved and seconded. All in favor, say aye.

(No response.)

Opposed, say no.
(No response.)

The vote is 4 to 0.

Judge Wallace, is there anything to come before the Commission?

JUDGE WALLACE: No. That's all, Mr. Chairman.

Thank you.

ACTING CHAIRMAN SHEAHAN: Without objection, we are adjourned.

(Whereupon the meeting was Adjourned)