BEFORE THE

ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING

PUBLIC UTILITY

Friday, April 7, 2017

Chicago, Illinois

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

PRESENT:

BRIEN J. SHEAHAN, Chairman

SADZI MARTHA OLIVA, Acting Commissioner

SHERINA E. MAYE EDWARDS, Commissioner

MIGUEL DEL VALLE, Commissioner

JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170
CHAIRMAN SHEAHAN: Good morning. Are we ready to proceed in Springfield?

CHIEF CLERK: Yes, we are.

CHAIRMAN SHEAHAN: Pursuant to the Open Meetings Act, I call the April 7, 2017 Special Open Meeting to order.

Commissioners del Valle, Edwards, Rosales, and Acting Commissioner Oliva are present with me in Chicago. We have a quorum.

We have no requests to speak this morning and will, therefore, move on to our Public Utilities Agenda.

There are edits to the Minutes of our March 15, 2017 and March 22, 2017 Regular Open Meetings.

Are there any objections to approving the Minutes as edited?

(No response.)

Hearing none, the Minutes are approved.

Moving on to our Electric Agenda, Item E-1 concerns ComEd's Reconciliation of Revenues.
Collected under its Purchase of Receivables and Consolidated Billing Rider.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item E-2 concerns Bio Energy reimbursing the State Treasury for Tax Credits relating to the Qualified Solid Waste Energy Facility.

Are there any objections to approving the proposed Order approving the Stipulated Repayment Schedule?

(No response.)

Hearing none, the Orders is approved.

Item E-3 concerns Ameren's Petition for Approval to enter into an Affiliated Services Agreement.

Is there a motion to approve the proposed Order?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHAN: Is there a second?
COMMISSIONER MAYE EDWARDS: Seconded.

CHAIRMAN SHEAHAN: Is there any discussion?

Commissioner del Valle.

COMMISSIONER del VALLE: Thank you, Mr. Chairman.

To approve an Affiliate Agreement, the General Assembly required that the agreements be scrutinized to determine a finding that they are in the public interest.

The Order before us today finds Ameren's updated General Service Agreement is in the public interest without even attempting to explain why it is so. There is the attempt at some light analysis but only to reject worthy intervenor proposals.

The underlying problem with these expenditures has been lack of clarity and transparency that provides insight and answers to whether this relationship between the public utilities and their holding companies, and the services they provide, indeed, serve the public interest.
For reasons that I will explain in greater detail in a Dissenting Opinion that I will be filing this docket, I will be voting no.

CHAIRMAN SHEAHAN: Thank you, Commissioner.

Any other discussion?

(No response.)

Hearing none, all those in favor of the proposed Order, say aye.

Aye.

COMMISSIONER MAYE EDWARDS: Aye.

COMMISSIONER ROSALES: Aye.

ACTING COMMISSIONER OLIVA: Aye.

CHAIRMAN SHEAHAN: Opposed, say nay.

COMMISSIONER del VALLE: Nay.

CHAIRMAN SHEAHAN: The vote is 4 to 1 and the item is approved.

Item E-4 concerns a consumer complaint against ComEd.

Are there any objections to granting the Joint Motion to Dismiss?

(No response.)

Hearing none, the motion is granted.
Items E-5 through 8 concern Applications for Certification as an Installer of Distributed Generation Facilities.

Are there any objections to considering these items together and approving the proposed Orders?

(No response.)

Hearing none, the Orders are approved.

Items E-9 and 10 concern Petitions for Confidential Treatment of certain commercial information.

Are there any objections to considering these items together and approving the proposed Order granting the petitions?

(No response.)

Hearing none, the Orders are approved.

Item E-11 concerns ComEd's Petition for Special Permission to file and put into effect on less than 45 days' notice provisions to its Energy Efficiency and Demand Response Adjustment Rider.

Are there any objections to granting
the special permission?

(No response.)

Hearing none, the special permission is granted.

Moving on to our Gas Agenda,

Item G-1 concerns MidAmerican's filing to Implement Cost Recovery for the Installation of an Excess Flow Valve.

Are there any objections to not suspending the filing?

(No response.)

Hearing none, the filing is not suspended.

Item G-2 concern MidAmerican's filing to remedy a number of housekeeping changes to its gas tariff.

Are there any objections to not suspending the filing?

(No response.)

Hearing none, the filing is not suspended.

Items G-3 and 4 concern
Reconciliations for Ameren and Nicor.

Are there any objections to considering these items together and approving the proposed Orders?

(No response.)

Hearing none, the Orders are approved.

We will move on to our Telecommunications Agenda items. Items T-1 through 3 concern Amendments to Parts 730, 731, and 736 of the Illinois Administrative Code.

Are there any objections to considering these items together and approving the proposed Orders?

(No response.)

Hearing none, the Orders are approved.

Item T-4 concerns Frontier North's Application for authority to provide Video Service.

Are there any objections to reopening the record, admit exhibits, and reissuing the authorization?

(No response.)

Hearing none, the authorization is
reissued.

Items T-5 through 34 concern Citations for Failure to maintain Managerial Resources and Abilities.

Are there any objections to considering these items and approving the proposed Orders revoking the certificates?

(No response.)

Hearing none, the Orders are approved.

Items T-35 through 39 concern Petitions for Confidential Treatment of certain information.

Are there any objections to considering these items together and approving the proposed Orders granting the petitions?

(No response.)

Hearing none, the Orders are approved.

Moving on to Petitions for Rehearing, Item PR-1 concerns Ameren's Petition for a Certificate of Public Convenience and Necessity.

Is there a motion to grant the Petition for Rehearing?
COMMISSIONER ROSALES: So moved.
CHAIRMAN SHEAHER: Is there a second?
COMMISSIONER MAYE EDWARDS: Seconded.
CHAIRMAN SHEAHER: Any discussion?
Commissioner del Valle.
COMMISSIONER del VALLE: Thank you, Mr. Chairman.
The Commission can approve the accounting treatment requested by Ameren where the acquired utility is small and troubled and the public interest is served by its acquisition.
The Commission concluded in its Final Order that the facts in this case do not support the treatment requested by Ameren.
Ameren offers no additional evidence in this Rehearing Petition, nor do they seek to amend their application to include 4-502. Rather, Ameren argues that it should get the same treatment as it would under Section 4-502 without making any of its required findings, and if it doesn't get its way, they may not go through with the acquisition.
The Commission's analysis was thorough, and, based on substantial evidence, I
will, therefore, be voting no on granting rehearing.

CHAIRMAN SHEAHHAN: Thank you, Commissioner.

Any other discussion?

(No response.)

All those in favor of granting the

Petition for Rehearing, say aye.

Aye.

COMMISSIONER MAYE EDWARDS: Aye.

COMMISSIONER ROSALES: Aye.

ACTING COMMISSIONER OLIVA: Aye.

CHAIRMAN SHEAHHAN: Opposed, say nay.

COMMISSIONER del VALLE: Nay.

CHAIRMAN SHEAHHAN: The ayes have it and the

Petition for Rehearing is granted.

Item PR-2 concerns Ameren's

Revenue-Neutral Tariff Changes related to Rate

Design.

Is there any objections to granting

the Petition for Rehearing?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHHAN: Is there a second?

COMMISSIONER MAYE EDWARDS: Seconded.
CHAIRMAN SHEAHAN: Commissioner del Valle.

COMMISSIONER del VALLE: Thank you, Mr. Chairman.

Ameren has long been advocating for increases in the fixed charges for its customers. In the last two proceedings the Commission has rightly moved away from Ameren's proposals to increase fixed charges and moved toward cost-causation principles and the Cost-of-Service Studies submitted by the company.

Further, Ameren has repeatedly failed to bring robust analysis to support its proposals to increase fixed charges.

The Commission, again, rightly found that increasing fixed charges threatens low usage customers, increases cost-subsidies, blunts the proper price signals to customers, and threatens the goal of increasing energy efficiency.

Instead of proposing to impose high-fixed charges on an entire rate class, if Ameren truly wishes to be proactive, they should perform a robust hosting capacity study coupled with a value of resource proceeding.
Accordingly, I will be voting no.

CHAIRMAN SHEAHAN: Thank you, Commissioner.

Any other comments?

(No response.)

All those in favor of granting the Petition for Rehearing, say aye.

Aye.

COMMISSIONER MAYE EDWARDS: Aye.

COMMISSIONER ROSALES: Aye.

ACTING COMMISSIONER OLIVA: Aye.

CHAIRMAN SHEAHAN: Opposed, say nay.

COMMISSIONER del VALLE: Nay.

CHAIRMAN SHEAHAN: The ayes have it and the Petition for Rehearing is granted.

Moving on to Other Business, the first item concerns IPA's April 2017 Solicitation of Bids.

Are there any objections to approving the Procurement Administrator's Recommendations on Selection of Winning Bids?

(No response.)

Hearing none, the recommendations are approved.
The next item under Other Business concerns FERC Docket No. ER17-1016-000. This item involves potential litigation, so we will enter into a closed session for our discussion.

Is there a motion to move into closed session?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHAN: Is there a second?

ACTING COMMISSIONER OLIVA: Seconded.

CHAIRMAN SHEAHAN: Those in favor of moving into closed session, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)

The ayes have it and we invite our public to exit the room.

(Whereupon, closed session commenced from Pages 15 to 18.)
Whereupon, the following proceedings commenced in open session:

CHAIRMAN SHEAHAN: We are back in open session.

Is there a motion to approve the Commission's answer in FERC Docket ER17-1016-000?

ACTING COMMISSIONER OLIVA: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: All those in favor, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)

The ayes have it and the item is approved.

Moving on to other announcements, the Commission would like to recognize Governor Rauner's proclamation of April as National Safety Month across the State of Illinois.

Every six minutes an underground utility line is damaged which may cause service interruption and environmental destruction, even
death.

We encourage all of those who are planning an outdoor digging project, regardless of size, to call 8-1-1 at least two full business days ahead of the project.

8-1-1 is a convenient phone number to reach either "JULIE," outside of the City of Chicago, or "DIGGER," within the City of Chicago. It's a free 24-hour service that notifies utilities to mark their underground lines on the property before digging begins.

2017 marks the 10th Anniversary of the National Safe Digging Month, and the ICC is proud to participate through public notification and education across the state.

We also have a number of new legal and policy advisors we would like to introduce. I would like to give Commissioner Edwards the opportunity to introduce her new assistant first.

Commissioner Edwards.

COMMISSIONER MAYE EDWARDS: Thank you,

Mr. Chairman.
Good morning, everyone. I'm pleased to welcome Johanne Verpil-Greer as my newest legal and policy advisor. Johanne was most recently an attorney for the Illinois State Attorney's Appellate Prosecutor Office for the Second District of Illinois.

In her role, she composed appellate briefs, represented the state in oral arguments, and advised State's Attorneys regarding trial level issues.

Prior to this position, Johanne was a Loyola Public Interest Fellow with the Legal Assistance Foundation.

Since graduating from Loyola University Chicago Law, Johanne has maintained a commitment to her community through serving as a coach for Loyola's Frederick Douglass Moot Court Team in addition to being an active member of the Loyola Externship Leadership Circle, and volunteering with One Million Degrees.

Johanne earned her B.A., in English from the University of Wisconsin-Madison while also
a member of the Women's Track and Field Team. I am excited to bring yet another dynamic woman into the world of energy. And, on that note, I would like to acknowledge Nakhia Crossley for her service to my office for the last 18 months and congratulate her on her new role as staff attorney of the Office of General Counsel. Thank you and please welcome Johanne.

(Appplause.)

CHAIRMAN SHEAHAN: Thank you.

Acting Commissioner Olivia, I believe you have a couple of introductions as well.

ACTING COMMISSIONER OLIVA: Thank you.

Please join me in welcoming to the Commission Azeema Akram and Gerardo Julian Delgado in their Legal and Policy Advisor roles.

Azeema Akram previously served as an Assistant General Counsel at the Illinois Department of Financial and Professional Regulations. In her role, she advised the Director of the Division of Professional Regulation, Department staff, and
Professional Boards (e.g., Medical Disciplinary Board) on legal and policy matters, including final agency action. She also drafted and negotiated legislation and administrative rules with various professional industries and members of the General Assembly.

Prior to that, Azeema clerked in the Department's General Prosecutions Unit under Supreme Court Rule 711 where she prosecuted dentists, funeral directors, and embalmers, collection agencies, and other professionals for violations of state regulations governing those industries.

Prior to that, Azeema clerked for Judge Mark J. Lopez in the Domestic Relations Division and also at Children's Law Group, a small firm dedicated to representing children with disabilities.

Since graduating from DePaul University College of Law, Azeema has continued to mentor law students and coach transactional moot court teams with DePaul's Jaharis Health Law Institute.
In connection with her passion for advocating for people with disabilities, she served as the Chair of the Young Professionals Board for the Midwest Center on Law.

Azeema earned her B.A., in International Studies from the University of Missouri-Columbia and studied abroad in London.

Gerardo Julian Delgado previously worked as an attorney at McDermott, Will & Emery, LLP. He is not only licensed to practice law in Illinois but also in Massachusetts. Before returning to Chicago, Gerardo was an associate at a civil litigation firm in Boston.

Gerardo earned his Juris Doctorate at Suffolk University Law School. While at Suffolk Law, he served as a judicial intern for Justice Diana L. Maldonado at The Chelsea District Court and was a corporate legal intern for Reebok Sports Club/NY's operating company, Millennium Partners.

Gerardo is also a graduate of the University of Illinois where he received a Bachelor of Arts in Political Science and Economics.
Throughout his academic career, Gerardo has received accolades for his scholastic achievements, including being inducted into the National Honor Society and recognized in Suffolk Law's Dean's List.

Championing diversity initiatives is one of Gerardo's passions. He volunteers for various charities and has served as a board member of organizations like ALPFA Association of Latino Professionals for America.

I'm really happy to have Azeema and Gerardo on board and hope you get a chance to meet them soon.

(Applause.)

CHAIRMAN SHEAHAN: Thank you.

Judge Kimbrel, do you have any other matters to bring before the Commission this morning?

JUDGE KIMBREL: No, Mr. Chairman.

CHAIRMAN SHEAHAN: Commissioners, do any of you have any other matters you would like to discuss this morning?

(No response.)
Hearing none and without objection,
this meeting stands adjourn.

(Whereupon, the above
matter was adjourned.)