BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITY)

Springfield, Illinois
Wednesday, August 13, 2014

Met, pursuant to notice, at 10:30 a.m. at 527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman
MR. JOHN T. COLGAN, Commissioner
MS. ANN McCabe, Commissioner (by video)
MR. MIGUEL DEL VALLE, Commissioner (by video)

MIDWEST LITIGATION SERVICES, by Angela C. Turner, Reporter
CSR #084-004122
CHAIRMAN SCOTT: Pursuant to the provisions of the Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Springfield is Commissioner Colgan. With us in Chicago are Commissioner McCabe and Commissioner del Valle. I am Chairman Scott. We have a quorum.

Before moving into the agenda, according to Section 1700.10 of Title 2 of the Administrative Code, this is the time we allow members of the public to address the Commission. 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 requests to speak at today's Bench Session.

Moving on to the Public Utility Agenda. Turning first to the Electric portion of today's agenda. Item E-1 is ERM Number 14-092. This is MidAmerican Energy Company's filing to modify Rate Number 57, Cogeneration and Small Power Production Facilities. Staff recommends that we approve the modification by not suspending the filing.
Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to not suspend the filing?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER McCabe: Second.

CHAIRMAN SCOTT: Moved by Commissioner Colgan; second by Commissioner McCabe.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: All in favor say aye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is four to nothing and the filing is not suspended. We will use this four to nothing vote for the remainder of today's Public Utility Agenda unless otherwise noted.

Items E-2 and E-3 can be taken together.

These items are complaints against Ameren and ComEd as to billing and/or charges. In both cases, it appears the parties have settled their differences and filed a Joint Motion to Dismiss, which the ALJ in
each case recommends we grant.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item E-4 is Docket Number 14-0386. This is Osce McCallum's complaint against Ameren as to billing and/or charges. ALJ Yoder recommends entry of an Order dismissing the complaint without prejudice for want of prosecution.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item E-5 is Docket Number 14-0455. This is Dynergy Energy Services' Application for a Certificate of Service Authority under Section 16-115 of the Public Utilities Act to serve all eligible retail customers in the service territories of Ameren Illinois Company and Commonwealth Edison Company and
to provide single billing services in Commonwealth Edison Company's service territory. ALJ Von Qualen recommends entry of an Order granting the requested Certificate of Service Authority.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item E-6 is Docket Number 14-0352. This is Shane Hoeper doing business as Hoeper Green Power's Application for Certification as an installer of distributed generation facilities under Section 16-128A of the Public Utilities Act. ALJ Baker recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item E-7 is Docket Number 14-0354. This is
Sustainable Star LLC's Petition for the Confidential and/or Proprietary Treatment of certain portions of its re-certification report. ALJ Kimbrel recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item E-8 is Docket Number 14-0425. This is Spark Energy LLC's Petition for the Confidential and/or Proprietary Treatment of its continuing compliance report. This item has been pulled from today's agenda.

Item E-9 is Docket Number 14-0448. This is TERM Power and Gas, LLC, doing business as TERM Energy, doing business as ENCOA's Petition for the Confidential and/or Proprietary Treatment of its annual reports. ALJ Von Qualen recommends entry of Order granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?
CHAIRMAN SCOTT: Hearing none, the Order is entered.

Turning now to Natural Gas. Item G-1 is MidAmerican's filing to correct an inconsistency regarding the application of its daily balancing charges. Staff recommends that we approve the correction by not suspending the filing.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the filing is not suspended.

Item G-2 is Nicor's filing to change its customer bill format to incorporate changes to the front and back of its current bill format. Staff recommends we approve the change by not suspending the filing.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the filing is
1 not suspended.

2 Item G-3 is Docket Number 13-0031. This is
3 our reconciliation of revenues collected under
4 Nicor’s coal tar riders with prudent costs associated
5 with coal tar cleanup expenditures. ALJ Benn
6 recommends entry of an Order approving the
7 reconciliation statement.
8
9 Is there any discussion?
10
11 (No response.)
12
13 CHAIRMAN SCOTT: Any objections?
14
15 (No response.)
16
17 CHAIRMAN SCOTT: Hearing none, the Order is
18 entered.

19 Item G-4 is Docket Number 14-0061. This is
20 Maria Abdon’s complaint against Peoples’ as to
21 discontinuance of service without notice in Chicago.
22 ALJ Riley recommends entry of an Order denying the
23 complaint, but disallowing People’s collection of the
24 entire amount they proposed to back bill the
25 Complainant.

26 My office had some edits to this Order. The
27 edits do not change the ultimate decision. They
28 further clarify that the Commission finds that the
29 evidence presented by Peoples’ did not adequately
explain its methodology to estimate unbilled usage.

Though Peoples' argued that the methods used were longstanding practices, it is unclear from the evidence why Peoples' chose the date it did for back billing, why they chose separate dates for the two floors of the residence at issue, and how the figures on the supporting worksheets for the back bills connect to the sums they propose to bill the Complainant.

The Commission agrees that there is evidence that tampering occurred at the residence, but believes that Peoples' must go back and more clearly explain when they believed the tampering occurred and exactly what calculations make up the total amount of unbilled usage in order to recover the cost.

With that, I would move for the adoption of these edits. Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN SCOTT: Second by Commissioner Colgan.

Is there any discussion on the edits?

(No response.)

CHAIRMAN SCOTT: All in favor say aye.

(Chorus of ayes.)
CHAIRMAN SCOTT: Any opposed?
(No response.)
CHAIRMAN SCOTT: The vote is four to nothing and the edits are adopted.
Is there now a motion to enter the Order as amended?
COMMISSIONER McCABE: So moved.
CHAIRMAN SCOTT: Is there a second?
COMMISSIONER COLGAN: Second.
CHAIRMAN SCOTT: Moved by Commissioner McCabe; second by Commissioner Colgan.
Any discussion?
(No response.)
CHAIRMAN SCOTT: All in favor say aye.
(Chorus of ayes.)
CHAIRMAN SCOTT: Any opposed?
(No response.)
CHAIRMAN SCOTT: The vote is four to nothing and the Order, as amended, is entered.

Item G-5 is Docket Number 14-0466. This is Consumers Gas Company's Informational Statement pursuant to Section 6-102 of the Public Utilities Act seeking authority to incur indebtedness in the amount of $1,500,000 to be repaid over a period of time in
excess of 12 months to give security therefore, to pay the proceeds of such funds received for such indebtedness, and determining the fee to be paid pursuant to Section 6-108 of the Public Utilities Act. ALJ Von Qualen recommends entry of an Order authorizing the requested financing.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

On to Telecommunications. Item T-1 is Docket Number 11-0132. This is our citation proceeding against Powercom Corp. for their failure to file an annual report. The Commission previously revoked Powercom's Certificate of Service Authority granted in 2005 in Docket Number 11-0132, but failed to revoke other outstanding Certificates of Service Authority granted to Powercom at an earlier date. Staff recommends entry of an Amendatory Order reopening Docket Number 11-0132 and revoking the remaining Certificates of Service Authority.

Is there any discussion?
(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Amendatory Order is entered.

Items T-2 through T-7 can be taken together. These items are Petitions for the Approval of or Modifications to 9-1-1 Emergency Telephone Number Systems. In each case, the ALJ recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item T-8 is Docket Number 14-0381. This is True Pinless' Application for a Certificate of Prepaid Calling Service Provider Authority throughout the state of Illinois. ALJ Riley recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?
(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item T-9 is Docket Number 14-0430. This is Midwest Cable Phone of Illinois' Application for Certificate of Local and Interexchange Authority to operate as a reseller and facilities-based carrier of telecommunications service in the state of Illinois. ALJ Riley recommends entry of an Order granting the requested certificates.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item T-10 is Docket Number 14-0437. This is Defense Mobile Corp.'s Application for a Certificate of Service Authority pursuant to Section 13-401 of the Public Utilities Act. ALJ Riley recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?
(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Judge Wallace, are there any other matters to come before the Commission today?

JUDGE WALLACE: No, there isn't, Mr. Chairman.

CHAIRMAN SCOTT: Thank you, sir.

Hearing none, this meeting stands adjourned.

Thank you, everyone.

BENCH SESSION CONCLUDED.
CERTIFICATE OF REPORTER

I, Angela C. Turner, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the proceeding aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

__________________________
Angela C. Turner
IL CSR #084-004122