BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION

Springfield, Illinois
Thursday, September 10, 2009

Met, pursuant to notice, at 10:30 a.m. in
Hearing Room A, First Floor, Leland Building, 527
East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. CHARLES E. BOX, Chairman
MS. LULA M. FORD, Commissioner
MS. ERIN M. O'CONNELL-DIAZ, Commissioner
MR. SHERMAN J. ELLIOTT, Commissioner

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710
PROCEEDINGS

CHAIRMAN BOX: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled bench session of the Illinois Commerce Commission. With me in Springfield are Commissioners Ford, O'Connell-Diaz and Elliott. I am Chairman Box; we do have a quorum.

Before moving into the agenda, 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 the bench section. According to the Chief Clerk's office, we have no requests to speak.

Beginning with the Transportation agenda, starting with Item RR-1 is Docket T07-0099. The Village of Oaklawn in Cook County petitions to convert an at-grade crossing of Cook Avenue over tracks owned by the Norfolk Southern and Metra for pedestrian use. No Grade Crossing Protection Funds have been requested. Administrative Law Judge Kirkland-Montaque recommends entering the Order.
granting the petition. Is there a motion to enter
the Order?

COMMISSIONER O'CONNELL-DIAZ: So move.

CHAIRMAN BOX: Is there a second?

COMMISSIONER ELLIOTT: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Any opposed?

The vote is 4-0. The grant -- I am

sorry, the Order is entered.

We will use this 4-0 roll call vote
for the remainder of the Transportation agenda unless
otherwise noted.

Item RR-2 is Docket T09-0074. This is

an amended proposal by the Illinois Department of
Transportation to rebuild two I70 bridges over tracks
owned by the Terminal Railroad Association of St.
Louis in St. Clair County. No Grade Crossing
Protection Funds are being used. This is part of a
much larger project to rebuild the I70 bridges over
the Mississippi River. Administrative Law Judge
Jackson recommends entering the order granting the amended petition. Is there any discussion? Any objections? Hearing none, the Order is entered.

Items RR-3 through RR-5 (T09-0096, T09-0098, T09-0099) will be taken together. These are stipulated agreements to make rail crossing improvements throughout Illinois. Over $450,000 from the Grade Crossing Protection Fund will be used.

Staff recommends entering the order granting the stipulated agreements. Is there any discussion? Any objections? Hearing none, the Orders are entered.

Item RR-6 is Docket T09-0099 Supplemental. This is an expansion of a project to improve an at-grade crossing over tracks owned by the Elgin, Joliet and Eastern Railway in Frankfort and Mokena in Will County. The parties have agreed to allow the railway to build an additional track at the railway's expense. Administrative Law Judge Kirkland-Montaque recommends entering the First Supplement Order. Is there any discussion? Any objections? Hearing none, the First Supplemental Order is entered.
Item RR-7 is Docket T08-0026 Second Supplemental. This is a project to improve an at-grade crossing of the Illinois Central Railroad Company in Irvington Township, Washington County. Due to unanticipated expenses, the County seeks an additional $10,898 from the Grade Crossing Protection Fund, as well as an extension of time. Finding the requests to be reasonable, Staff recommends entering the Second Supplemental Order approving the requests. Is there any discussion? Any objections? Hearing none, the Second Supplemental Order is entered.

Item RR-8 is Docket T08-0010 Seventh Supplemental. This project would build an at-grade crossing over tracks owned by the Illinois and Midland Railway for new property development in Springfield Township. Because of zoning restrictions and changing economic conditions the project has undergone numerous revisions since the Commission first approved it in 2000. The Commission seeks an additional extension of time. Staff and Intervenors have reviewed the latest version of the project and agree with the request for an extension of time.
Administrative Law Judge O'Brien recommends entering the Second Supplemental Order. Is there any discussion? Any objections? Hearing none, the Seventh Supplemental Order is entered.

Item RR-9 is Docket T09-0076 Interim.

This is a new at-grade crossing over unused tracks owned by the BNSF Railway in Canton. As a result of this project, a road extension for a new medical manufacturing facility will be built. Because work on the facility needs to start immediately, petitioner is seeking an Interim Order before all the issues have been resolved. No Grade Crossing Protection Funds will be used. Administrative Law Judge O'Brien recommends entering the Interim Order. Is there any discussion? Any objections? Hearing none, the Interim Order is entered.

That concludes the Railroad portion of today's agenda.

Under Motor Carriers, Items MC-1 through MC-5 (#07-1262, #07-1263, #07-1311, #08-1331, #09-0289) will be taken together. These are stipulated settlement agreements with for-hire motor
carriers operating without Commission authority.

Staff recommends accepting the stipulated settlement agreements. Is there any discussion? Any objections? Hearing none, the stipulated agreements are accepted.

Items MC-6 through MC-9 (842 RTV-D, 3291 RTV-O, 3731 RTV-O, 3841 RTV-O) will be taken together. These are applications for operator's employment permits or renewals of operator's employment permits. Administrative law judges recommend entering the Orders granting the applications and renewals. Is there any discussion? Any objections? Hearing none, the Orders are entered.

Item MC-10 (198 RTV-R) is a renewal of a commercial relocator's license. Staff recommends granting the renewal. Is there any discussion? Any objections? Hearing none, the renewal is granted.

There is one administrative matter on today's agenda. AM-1 concerns proposed rules for the provision, construction and maintenance of sanitation and shelter facilities for rail carrier employees.
On June 3, 2009, the Commission initiated the second notice period and submitted the proposed rules to the Joint Committee on Administrative Rules, which has issued its Notice of No Objection. The rules can now go into effect. Staff recommends adopting the resolution, making the rules effective October 1, 2009. Is there any discussion? Any objection? Hearing none, the resolution is adopted.

And that concludes the Transportation portion of today's agenda. Ms. Kelly, anything else to come before us today?

MS. KELLY: That's all today. Thank you.

CHAIRMAN BOX: Thank you. I look forward to seeing you and Mr. Stead and the others at the Pierce conference on Monday morning in Chicago.

MS. KELLY: Yes. I am looking forward to it.

Thank you.

(Whereupon the meeting concluded matters pertaining to Transportation.)
Whereupon the meeting turned to Public Utility matters.)

CHAIRMAN BOX: We have minutes to approve from the July 29, 2009, Electric Policy Committee Meeting and the August 4, 2004, Regular Open Meeting. Is there a motion to approve the minutes?

COMMISSIONER ELLIOTT: So move.

CHAIRMAN BOX: Is there a second?

COMMISSIONER FORD: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Opposed?

The vote is 4-0. The minutes are approved.

For your information Item T-8 has been withdrawn. Item W-2 is being held, although it will be discussed during the meeting today. And we are holding consideration of the triennial report on electric competition.

We will begin with the Electric
agenda. Item E-1 is Docket 09-0042. This is a complaint against AmerenIP that has been settled. The parties have moved jointly to dismiss. Administrative Law Judge Yoder recommends granting the joint stipulation to dismiss. Is there a motion to grant the joint stipulation to dismiss?

COMMISSIONER O'CONNELL-DIAZ: So moved.
CHAIRMAN BOX: Is there a second?
COMMISSIONER ELLIOTT: Second.

CHAIRMAN BOX: It's been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Opposed? The vote is 4-0. The joint stipulation to dismiss is granted.

We will use this 4-0 vote roll call vote for the remainder of the Public Utilities agenda unless otherwise noted.

E-2 is Docket 09-0076. This is a reconciliation of expenditures by AmerenIP associated with asbestos litigation. Administrative Law Judge Albers recommends entering the Order approving the reconciliation. Is there any discussion? Any
objection? Hearing none, the Order is entered.

Item E-3 is Docket 09-0206. This is a billing dispute by Ted Wrobel against Commonwealth Edison Company. The Order finds that the complainant failed to prove his case. Administrative Law Judge Riley recommends entering the Order denying the complaint. Is there any discussion? Any objections? Hearing none, the Order is entered.

Items E-4 (09-0218), E-6 (09-0325) and E-8 (09-0356) will be taken together. These are complaints against Commonwealth Edison that have been settled. The administrative law judges recommend granting the joint motions to dismiss with prejudices. Is there any discussion? Any objections? Hearing none, the motions to dismiss are granted with prejudice.

Items E-5 is Docket 09-0263. This is a petition for interlocutory review by the Commonwealth Edison Company to review an administrative law judge decision in the AMI pilot proceeding. The Commission discussed this matter at yesterday's pre-bench session. Administrative Law...
Judge Sainsot recommends denying the petition. Is there any further discussion?

Commissioner O'Connell-Diaz.

COMMISSIONER O'CONNELL-DIAZ: Yeah, I think it was clear that the Commission is concerned about we have these two dockets that are pending and how that all plays into the federal stimulus grant plan that is out there. And I think that we had a full discussion with regard to the other docket, the deadlines.

And looking at the Commission's schedule, I would propose that it would be an appropriate thing if we could keep the dockets on the same schedule as they are currently, with the exception of 09-0263. And looking at our Commission schedule for voting that out on the 14th of October, which would mean moving up the current briefing schedule, I know that the briefs were filed yesterday, initial briefs were filed yesterday on that. And so adjusting that briefing schedule such that a proposed order would be issued by the ALJs on 9/25, briefs on exceptions would be on the 2nd of
October, and a proposed order to the Commission or recommended order from the ALJs coming to the Commission on the 6th of October, so that the Commission could vote that matter out on a meeting on the 14th.

And then the other proceeding would continue on the track that it -- I don't even think a schedule has been set in that but with the, not the notion, but that it would be completed by the end of this calendar year. And that way we would be able to move forward and not have confusion with the two dockets.

So I guess my question is to the ALJ whether that would be the Commission's -- well, actually, I would ask my other Commissioners to comment on that.

CHAIRMAN BOX: I think if we can get that schedule working, we would have to get a response from the judges. But going back through the record also, I think even in Commonwealth Edison's petition for the interlocutory review they talk about the federal Department of Energy process. And I think on
page 2 it clearly states that if projects are in the works, what can be submitted with their plans, letters from this Commission and others that can be put in the application showing the timeline they are all on, especially since we started this process long before the federal moneys available and when do we think the decision would be made. And I agree we want to keep these two things separate. I think if we go this route, it should be incumbent upon the companies to put together that information that they would like to have filed with their application or with the plans so that we would have time to look at that in case the Department of Energy makes its decision in mid-November or early November or whenever they make it.

But I too believe that for clarity we should keep these two processes separate. Once again, I should have prefaced what I was saying. We still have to do our job to review those documents and review the judges' decisions to see if in fact there is cost recovery, and we will do that. But I think in order to fully comply with the Department of
Energy rules and make our companies as competitive as possible, we should take advantage of the fact that we can proceed correspondence, letting them know what we are doing, when we hope to make a decision, so that would not negatively affect their applications for the $175 million.

So I agree that we should keep these processes separate, have a full blown hearing on the second as we have on the first. And not to be a negative person, I think we should do it also because, for whatever reason, if the Department of Energy does not select Commonwealth Edison, we would like to think that the AMI that we started with over 200,000 meters would continue. That's why I think it is clear to keep the proceedings separate.

COMMISSIONER ELLIOTT: Well, I would support as expeditious a process as we can get. And also any correspondence that we can send that would outline to DOE what our process is and timelines are, just for informational purposes, that could provide any support to those types of inquiries would be helpful as well.
CHAIRMAN BOX: And not that we want to put a lot of pressure on Judge Sainsot, but the schedule Commissioner O'Connell-Diaz laid out with the final vote coming by October 14, I would like to think that would be somewhat do-able.

JUDGE SAINSOT: I think it is do-able. I will point out that there are a lot of issues in this docket. However, I started working on the HEPO the day after trial. So and some of the issues have to do with whether this tariff language should be in this docket or in the other docket.

CHAIRMAN BOX: I think you have already stricken it, and I think if we rule from what I think the Commissioners are saying here this morning, that we will -- hopefully, the motion would be to deny the motion for interlocutory review, let both petitions stand on their own, and this language for the second tariff would not be in the original proceeding. You will just be given what was filed earlier for the 200,000 meters. And the other proceeding that Commonwealth Edison filed, the '07 number, will have there are own separate hearing, evidence, briefs and
1 order.
2 JUDGE SAINSOT: Right, I am glad you said that.
3 I just didn't want to be presumptuous and assume
4 that's what the ruling was.
5 COMMISSIONER ELLIOTT: If it helps, I will make
6 a motion that we deny the interlocutory.
7 CHAIRMAN BOX: Is there a second?
8 COMMISSIONER FORD: Second.
9 CHAIRMAN BOX: It has been moved and seconded
10 to deny the petition for interlocutory review. All
11 in favor say aye.
12 COMMISSIONERS: Aye.
13 CHAIRMAN BOX: Any opposed?
14 The vote is 4-0. The petition for
15 interlocutory review is denied. And the other case,
16 the 07, I can't remember the exact number, 07 will
17 stand by itself. And hopefully, Judge, maybe at our
18 meeting on the 29th we can just get a little status
19 report as to this timetable so that we will know
20 going into October where we stand.
21 JUDGE SAINSOT: A status report on both cases?
22 CHAIRMAN BOX: No, just the first one.
JUDGE SAINSOT: Just the first one?

COMMISSIONER O'CONNELL-DIAZ: My intent was to establish that as the deadline date for Commission purposes so that all the parties can move forward with their briefing schedules in accordance with -- they are going to have to be working a little quicker than they would have been. So I think it would improve the process if we --

CHAIRMAN BOX: What we are trying to do is trying to make sure that we do our job, the judges do their job and analyze all these cases and make a decision, but also taking note of the Department of Energy's filing deadline. And that's why it is important for us to have those other documents laying out as part of their application, not saying what we are going to do when we get the stuff that matters, so that we can tell the Department of Energy that this is where we are and this is what we think the timetable will be.

And, of course, as you know, we have been changing some of our meetings around, so that's why the October 14 date is so important, because it's...
timed in with the decision timetable of the Department of Energy.

JUDGE WALLACE: Mr. Chairman, Judge Sainsot could bring back the schedule for -0407 on the 29th, if that's what you are looking for.

CHAIRMAN BOX: The second case.

COMMISSIONER ELLIOTT: No, we are talking about -0263.

JUDGE WALLACE: Well, you have already outlined the schedule. There is nothing --

CHAIRMAN BOX: We are asking if she could meet that. And it would be fine to have an update on the 07 case at that time. But I am more concerned about the original filing where a decision will be due sometime in November, but the Department of Energy's decision also is due about that time.

JUDGE WALLACE: Well, you said a status. There is really no status. She will be working on writing the order and getting it to you.

CHAIRMAN BOX: Well, that's fine, as long as, I think Commissioner O'Connell-Diaz said, we need to have this established as the timetable for the first
JUDGE WALLACE: As the new schedule for the first case.

CHAIRMAN BOX: Yes.

JUDGE SAINSOT: Okay. I am a little unclear as to what I will be reporting on, on the 29th.

CHAIRMAN BOX: Just forget that. Forget the status on the 29th.

JUDGE SAINSOT: Okay. And maybe just so it is clear and fair as to the parties, I will issue a ruling setting out the schedule that Judge -- excuse me, Commissioner O'Connell-Diaz laid out so that the parties will all have notice, and I will do it right away.

COMMISSIONER O'CONNELL-DIAZ: That will be great.

CHAIRMAN BOX: That would be great. Thank you.

Moving on to Item E-7, this is Docket 09-0341. This is a petition by HSBC Technology and Services (USA), Inc., for a certificate of authority to sell electricity and power to non-residential customers one megawatt or larger in Commonwealth
Edison's service territory. Administrative Law Judge Yoder recommends entering the Order granting the petition.

I think Commissioner Elliott has circulated revisions and has some concerns about the Order. Commissioner?

COMMISSIONER ELLIOTT: Yes, I do. Judge Yoder, if you could join us, please. My concerns with this case stem from our recent decision in Docket 08-0364 which is a verified complaint regarding Lower Electric for Blue Star, the issue there being whether or not they were in compliance with our ABC law. And in the docket before us, -0341, you indicate -- well, it appears to be a stipulation of facts that the company that they are utilizing to meet their financial, technical and managerial requirements have been managing applicant's electricity procurement for six years.

And my question is, from the period of time October 11, 2007, until this filing, it is unclear to me whether these companies Jones Lang LaSalle and EMC are in fact in compliance with
And it is unclear from the document before me whether that is in fact the case.

JUDGE YODER: Whether they are certificated as an agent/broker consultant?

COMMISSIONER ELLIOTT: Whether they are in fact in compliance with the law. I don't know if that was elucidated in the --

JUDGE YODER: Well, it wasn't because we have not had any applicants or received any applications by parties yet to become certificated as an agent/broker consultant under that legislation.

COMMISSIONER ELLIOTT: Right. It appears to me that these two companies are clearly operating in that context.

JUDGE YODER: Could be, uh-huh.

COMMISSIONER ELLIOTT: I think from that perspective it is difficult for me to say, with the question of whether the companies underlying their technical qualifications are in fact in compliance with our law, to agree to approval of this without that information somehow being in the record.

JUDGE YODER: Well, I mean, this being a 45-day
case and not really a record being over run but in this case --

COMMISSIONER ELLIOTT: Yeah, and that's the other issue. The deadline here doesn't lend itself to --

JUDGE YODER: This is a self-serve ARES that's been hiring out to procure their electricity.

COMMISSIONER ELLIOTT: Yeah, it is not so much what they are doing going forward. It's what's been going on in the past from the period of when the 16-115C became law. So it seems to me that we want to clarify and make a determination that the companies that they are using to support their application going forward are in fact in compliance with our laws.

And to the extent that they are or are not, I just don't know from the stage of where we are at. And, unfortunately, the timeline with the deadline in two days, it doesn't give us any opportunity to, I don't believe, procedurally to go back and ask the parties to clarify this issue.

JUDGE YODER: Right. I think -- Mr. Hickey,
clarify, but I think the ARES law allows parties to contract out servicing of parts of their requirements under the ARES.

COMMISSIONER ELLIOTT: Going forward.

JUDGE YODER: Yes. The question becomes, if they don't become a self-served ARES, I guess, it is kind of a question of if they are not an ARES, than the ECM is not an Illinois --

COMMISSIONER ELLIOTT: Before we get to the ARES issue, what I want to establish is whether the two companies, Jones Lang LaSalle and ECM, are in compliance with 16-115.

MR. HICKEY: Well, I am not sure we know the answer to that.

COMMISSIONER ELLIOTT: Exactly.

MR. HICKEY: And it is a little bit complicated because the applicant here is a huge corporation operating all over the globe. And it is clear to us that Jones Lang and ECM has been acquiring energy, electricity, outside of Illinois, probably doing what would constitute ABC work outside of Illinois.

What is not clear is whether or not
that's happening in Illinois, okay. And that's the reason, if you look at that language on page 3 of the Order that Judge Yoder put before you, it basically says the question of whether or not ECM and Jones Lang are ABCs is not reached here. We think there is a possibility that they will start doing that activity once the banking entity gets its certificate here.

And, again, as Judge Yoder said, the Commission don't have rules in place yet, have not had applications, and that's the reason -- again, I don't know what language you put forward, but that was the rationalities.

The Illinois Commerce Commission needs to make sure that ECM/Jones Lang LaSalle are following the ABC law/rules. But it appeared, based upon our existing rules in the statute, that the applicant here had met the requirements. And we just felt that the appropriate thing to do was to deal with the ABC issue subsequent to the certification.

That was our --

COMMISSIONER ELLIOTT: Yeah, and that's my
problem. The timing of this is clearly -- I mean, they are relying on these companies to meet their technical requirements, and I am unclear as to whether those companies being relied upon are in compliance with our laws.

And so, you know, normally if we had enough time in the record, I would request that you go back to the parties and clarify this issue for us. Seeing as the deadline is two days from now, I am hard pressed to come up with an administrative solution, other than to deny the application until we can clarify this. I mean, I would be open to parties filing a rehearing application to --

CHAIRMAN BOX: Could that be accomplished on rehearing?

JUDGE YODER: I am not sure. The parties, meeting the technical requirements, are not necessarily --

COMMISSIONER ELLIOTT: What I am looking for is the easiest, least administratively burdensome solution to answering this question.

CHAIRMAN BOX: It will have to be answered
eventually.

COMMISSIONER O'CONNELL-DIAZ: I will throw this out there. Would an interim order give them a certain amount of time to comply or is rehearing easier? And also since this is a --

JUDGE WALLACE: The deadline was kind of goofy. It doesn't really give us any leeway.

COMMISSIONER ELLIOTT: It doesn't indicate whether it is up or down, either, does it?

MR. HICKEY: Well, as I understand it, it seems like the order would have to be a final order. It has to be an order granting or denying the application.

COMMISSIONER ELLIOTT: That's what I thought.

MR. HICKEY: As you probably know, we have had rehearings on ARES cases before. I just -- you know, Judge Yoder and I were talking about this. It just kind of struck me as peculiar that of all the ARES cases we have worked on over the last ten years, here we are looking at this particular one where it's a self-serving ARES application.

COMMISSIONER ELLIOTT: Well, part of the issue
here in trying to determine this is, I don't think this is a particularly unusual situation. There are probably many companies out there like ECM and Jones Lang LaSalle that I am not sure are aware of our ABC rules or whether they are in fact in compliance. That's another reason for trying to determine just exactly what's going on in the marketplace and putting people on notice that somehow we need to be assured that everyone is in compliance, particularly if they are being relied upon to meet the qualifications for --

JUDGE YODER: I don't know if Judge Wallace would have an opinion whether it would be possible to put a provision in the order that HSBC is not to obtain power as an ARES until the certification issue as an ABC of ECM or Jones Lang LaSalle has been addressed. I know parties can have technical requirements filled by it which doesn't necessarily make those an ABC. But in looking at this, it seemed to me that ECM probably was an ABC under our laws, once they started buying, trying to procure the power, once HSBC --
COMMISSIONER ELLIOTT: Well, it states that they have been procuring power for them for six years.

JUDGE YODER: Well, I don't think that that's in the order.

COMMISSIONER ELLIOTT: The question is whether it is in Illinois. There is a lot of lack of clarity here in terms of relying on these two companies to meet their qualifications. So I don't think that we can qualify their certification in that manner. I mean, to me it just seems like the alternative is to deny and open the door for a rehearing application to provide clarity.

COMMISSIONER O'CONNELL-DIAZ: And at that rehearing, just so we are clear, could it be done by affidavit or would we be taking testimony or how would you envision it?

JUDGE YODER: We can probably do it by testimony, having a longer time frame.

COMMISSIONER ELLIOTT: I think an affidavit would suffice, if there is --

MR. HICKEY: I think there are provisions in
the rules to make this happen, whether it is through a paper hearing or verified filings or something. I think Judge Yoder can probably find a way to get the information. But the issue to me, the difficult issue is the rules for the ABC, the Commission rules, won't probably be established until next month. So we will -- hopefully next month. Hopefully we will have rules.

COMMISSIONER ELLIOTT: To the extent that there is a verified statement in the record that we have been in fact in compliance with the law and intend to continue that compliance going forward, that would be sufficient to at least take care of the concerns with regard to meeting the technical and management criteria, I would think.

COMMISSIONER FORD: Well, I guess I have an issue with the fact that our rules are coming into effect next month and without making a decision today. Wouldn't that --

COMMISSIONER ELLIOTT: Well, that's sort of the issue that we dealt with in Blue Star. We came to the conclusion in Blue Star that the law was in
effect from October of 2007. And the fact that the
licensing rules are not in effect was not the issue.
So it was compliance with the law from 2007 forward
that we resolved in that case.

COMMISSIONER FORD: And also, not being a
lawyer, but I always thought that we still had
jurisdiction over this issue. So even if we granted
it, we could still come back and rescind it.

COMMISSIONER ELLIOTT: That's true. But I
don't think by granting it we are going to have any
more information.

COMMISSIONER FORD: Yes, that would be a
condition of.

COMMISSIONER O'CONNELL-DIAZ: That's why I
would suggest possibly an interim order and then they
would be able to come in and provide the information
that you are concerned about.

COMMISSIONER ELLIOTT: Yeah, whatever.

COMMISSIONER FORD: Then come back to us with
that in a certain number of days.

COMMISSIONER ELLIOTT: I will look to the
judges to offer a solution.
JUDGE YODER: Sir?

COMMISSIONER ELLIOTT: I will look to you to offer a solution.

CHAIRMAN BOX: You just wanted to hear that again.

JUDGE YODER: Well, I mean, obviously my thought first was to grant the ARES authority to HSBC with the implicit direction to ECM to come in under our incoming rules for the ABC consultants, to seek their ABC certification.

COMMISSIONER FORD: That's it.

JUDGE YODER: That was my thought. That's why that was included in the order, to put them on notice.

CHAIRMAN BOX: Either way it would be brought to a head. You're way is probably quicker than a rehearing because that's 20 days. I could live with that.

COMMISSIONER ELLIOTT: I hope so. I hope they are in compliance.

COMMISSIONER FORD: We will work on that compliance.
CHAIRMAN BOX: And they are recommending granting the requested certificate of service authority.

COMMISSIONER ELLIOTT: I would think just for going forward purposes, again, if this is going to be the case, that obviously we would want to know, we will be assured that they are in compliance and are taking steps as the licensing rules come into effect to stay in compliance.

MR. HICKEY: Yeah, I suspect it will be easier to deal with once the rules are in place.

COMMISSIONER ELLIOTT: I would agree. I was just trying to reconcile this case with the Blue Star case, and it was very difficult to do, particularly when they are being relied upon to meet the qualifications.

CHAIRMAN BOX: Any further discussion? Any objections? Hearing none, the Order is entered.

Item E-9 is Docket 09-0368. This is an uncontested service territory adjustment between Corn Belt Energy Corporation and AmerenIP.

Administrative Law Judge Tapia recommends entering
the Order granting the requested relief. Is there any discussion? Any objections? Hearing none, the Order is entered.

Item E-10 is Docket 09-0370. Energy International Power Marketing Corp. has petitioned to cancel its certificate of service authority. Administrative Law Judge Yoder recommends entering the Order cancelling the certificate. Is there any discussion? Any objections? Hearing none, the Order is entered.

That concludes the Electric portion of today's agenda.

Under Natural Gas, Items G-1 (GRM #239) and G-2 (GRM #240) will be taken together. These are tariff filings by the North Shore Gas Company and Peoples Gas Light and Coke Company to correct an error found in their Rider EEP. Staff recommends that the tariffs not be suspended. Is there any discussion? Any objection? Hearing none, the tariffs are not suspended.

Item G-3 is Docket 09-0066. Atmos Energy Company has petitioned to reopen proceedings.
involving financing authority. Administrative Law Judge Wallace recommends granting the petition and entering the Order on reopening. Is there any discussion? Any objections? Hearing none, the docket is reopened and the Order on reopening is entered.

Item G-4 is Docket 09-0250. This is a complaint by Deborah Ying-Thomas against NICOR Gas Company. The parties have settled and moved to dismiss. Administrative Law Judge Hilliard recommends dismissing the complaint with prejudice. Is there any discussion? Any objections? Hearing none, the complaint is dismissed with prejudice.

Item G-5 is Docket 09-0355. Family Energy, Inc., has petitioned for a service authority as an alternative gas supplier. Finding that applicant failed to provide sufficient information to analyze the applicant's qualifications, the Order denies the request. Administrative Law Judge Yoder recommends entering the Order. Is there any discussion? Any objections? Hearing none, the Order is entered.
That concludes the Natural Gas portion of today's agenda.

Turning to the Telecommunications, Items T-1 through T-7 (TRM #342, TRM #356, TRM #407, TRM #408, TRM #454/456, TRM #462, TRM #462) will be taken together. These are tariff filings by the Illinois Bell Telephone Company to modify competitive retail and non-competitive wholesale services. Staff recommends that these filings not be investigated and/or suspended. Is there any discussion? Any objections? Hearing none, the filings will not be investigated or suspended.

Item T-8 (09-0285) has been withdrawn.

Items T-9 (09-0287) and T-10 (09-0345) will be taken together. These are petitions for new certifications of authority to provide various telecommunications services or to transfer existing certificates. The administrative laws judges recommend entering the Orders granting the requests. Is there any discussion? Any objections? Hearing none, the Orders are entered.

Items T-11 (09-0302) and T-12
(09-0346) will be taken together. These are petitions to withdraw certificates of service authority. Administrative Law Judge Benn recommends entering the Orders granting the requests. Is there any discussion? Any objections? Hearing none, the Orders are entered.

Item T-13 through T-15 (09-0415, 09-0416, 09-0417) will be taken together. These orders initiate citation proceedings against various telecommunications service providers for failure to maintain corporate status. Staff recommends entering the Order initiating the citation proceedings. Is there any discussion? Any objections? Hearing none, the Orders are entered.

Item T-16 is Docket 09-0351. This is a petition by Cellular Properties, Inc., for confidential and proprietary treatment of its 2008 and 2009 annual reports. Administrative Law Judge Benn recommends entering the Order exempting the reports from disclosure for five years. Is there any discussion? Any objections? Hearing none, the Order is entered.
Item T-17 is Docket 09-0107. This is an application by Delta Communications, LLC, for designation as an eligible telecommunications carrier. Administrative Law Judge Riley recommends entering the Order granting the application. Is there any discussion? Any objections? Hearing none, the Order is entered.

Item T-18 is Docket 09-0910. This is a petition by Illinois Bell Telephone Company for confidential and proprietary treatment of Exhibit K of its alternative regulation plan. Administrative Law Judge Dolan recommends entering the Order granting the relief for five years. Is there any discussion? Any objections? Hearing none, the Order is entered.

Item T-19 is Docket 09-0213. This is a petition by TracFone Wireless for designation as an eligible telecommunications carrier. Administrative Law Judge Riley recommends entering the Order granting the petition. Is there any discussion? Any objections? Hearing none, the Order is entered.

Items T-20 through T-22 (09-0336,
09-0337, 09-0340) will be taken together. These are interconnection agreements or amendments to interconnection agreements. The administrative law judges recommend entering the Orders approving the agreements and the amendments to the agreements. Is there any discussion? Any objections? Hearing none, the Orders are entered.

That concludes the Telecommunications portion of today's agenda.

Turning to the Water and Wastewater items, Item W-1 is Docket 08-0218. This amendatory order makes minor changes to an Order entered on August 19, 2009. Administrative Law Judge Riley recommends entering the amendatory order. Is there any discussion? Any objections? Hearing none, the amendatory Order is entered.

Item W-2 is Docket 08-0490 and 08-0491 Consolidated. RME Illinois, LLC, has filed petitions for certificates of public convenience and necessity to build wastewater systems to the Falcon Crest and Eastgate developments in Lake County. Finding that the proposed rates would be abnormally high and that
the petitioner's initial investment would be insufficient, the Order denies the petitions. Administrative Law Judge Riley recommends entering the Order.

Judge Riley, you are available?

JUDGE RILEY: Yes, I am.

CHAIRMAN BOX: Could you just brief us on this? As indicated earlier, we will not be voting on this but we just want to be briefed on it at this meeting.

JUDGE RILEY: Sure. What it comes down to, this is RME's second attempt to obtain these certificates of public convenience and necessity for these two subdivisions up in Lake County, Falcon Crest and Eastgate Estates. And the principal issue that arose in this matter that forms the basis for the denial is the proposed amount of investment.

Staff has proposed that the company invest upwards of approximately $638,000 to be held in escrow, and that would enable the company to earn a return sufficient to properly maintain the system over time. The problem is that the petitioner does not have the necessary capital and does not plan to
borrow it. And Staff also acknowledged that if the petitioner investigated such a sum of money, they would have to charge $181 a month to a Falcon Crest customer and nearly $200 a month to an Eastgate Estates customer, and that would cause a violation of Section 8-406(b)3 which requires service be provided without significant adverse financial consequences for the utility or its customers. And staff on that basis recommended that the petitions be denied.

The petitioner countered that it would invest funds via refunds to the developers of $934 for each Falcon Crest customer and 936 for each Eastgate Estate customer as they attach over ten years. However, this would result in an investment, a total investment, of just under $50,000. And what petitioner states is that it would also result in a rate of only $52.30 per customer per month under a single tariff pricing format. Staff's objection to that is that the amount of return on an investment that small wouldn't allow them to properly maintain the system. So that is what forms the basis of the denial.
CHAIRMAN BOX: Questions of the judge? Okay.

Thank you very much.

Moving on to Item W-3, Docket 09-0251.

This is a resuspension order in a case involving a request by the Illinois-American Water Company for implementation of a qualifying infrastructure plan surcharge rider. Also the City of Champaign has petitioned for interlocutory review of an administrative law judge's decision not to consolidate this case with IAWC's pending rate case. Administrative Law Judge Yoder recommends denying the petition for interlocutory review.

Judge Yoder, could you brief us on this matter?

JUDGE YODER: Yes, Chairman. As indicated, this matter filed by Illinois-American Water Company is seeking to implement their QIP rider in additional districts. The City of Champaign and the Attorney General have intervened in the docket. Both are supporting consolidation of this matter with the Illinois-American rate case. The City of Champaign initially filed a motion to consolidate which was
denied by the administrative law judge. Champaign then filed their petition for interlocutory review, citing some additional information reasons they think the petition should be granted, did not really address the initial reasons for the denial of the motion to consolidate.

Staff of the Commerce Commission and Illinois-American both argue against consolidating, indicating that the rate case and the QIP riders are two completely separate cases and it would not be helpful to consolidate them; there will be different issues addressed. Additionally, the rate case has a deadline, I believe, of April 25. This matter has a deadline of, I believe, March 20. So if you consolidate these, I believe the only result would be to knock about five weeks off the rate case deadline which has already had a schedule set which has many more parties than this QIP has, has I believe about a week or four days of testimony set. To consolidate these matters would not be in the best interests of any of the parties, in my opinion.

CHAIRMAN BOX: Any questions of the judge? Is
there a motion to deny the petition for interlocutory review?

COMMISSIONER ELLIOTT: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN BOX: It has been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Any opposed?

The vote is 4-0. The petition for interlocutory review is denied.

Now turning to the resuspension order.

Is there a motion to enter the resuspension order.

COMMISSIONER ELLIOTT: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Any opposed?

Vote is 4-0. The resuspension order is entered.
That concludes the Water and Wastewater portion of today's agenda.

There are three other matters on today's agenda. First of all, as indicated the fourth triennial report on the state of retail and wholesale competition in the electric markets will be held.

The other two, the first one is the annual report on the telecommunication markets in Illinois. Staff recommends approving the report and forwarding to the General Assembly. Is there a motion to approve the report and sending it to the General Assembly?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER ELLIOTT: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Opposed?

The vote is 4-0. The report is approved and it will be forwarded to the General Assembly.
Assembly.

The last item on today's agenda is a FERC item, proposed ICC comments on the proposal by FirstEnergy Service Company to leave MISO and to join PJM, Docket ER09-1589-000. This requires the Commission to go into closed session. Is there a motion to go into closed session?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN BOX: Second?

COMMISSIONER ELLIOTT: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Opposed?

The vote is 4-0. We will now go into closed session. Please let me know when the room is clear in Chicago.

(Whereupon the proceedings contained in pages 47 through 52 were considered proprietary and are contained in a separate transcript.)
CONTINUATION OF PROCEEDINGS

CHAIRMAN BOX: You want to let me know when everybody is back in the room in Chicago.

CHICAGO: Anyone that came back is back, Chairman.

CHAIRMAN BOX: Anyone that came back is back.

Can I use that in the future?

CHICAGO: Because everybody left that left at open session.

CHAIRMAN BOX: In closed session the Commission discussed the proposed comments to FERC regarding the proposal by FirstEnergy Service Company to leave MISO and join PJM, Docket ER09-1589-000. Is there a motion to file the comments?

COMMISSIONER FORD: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN BOX: It's been moved and seconded to file comments. All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN BOX: Opposed?

Vote is 4-0. The comments will be
filed with FERC.

Judge Wallace, anything else to come before us today?

JUDGE WALLACE: Not today. We have the admin meeting.

CHAIRMAN BOX: The admin meeting, we will recess until 11:30. It is 11:20 now, give everybody time. We meet again on the 29th in Chicago.

JUDGE WALLACE: Yes.

CHAIRMAN BOX: Anything further? Meeting is adjourned.

MEETING ADJOURNED
BEFORE THE
ILLINOIS COMMERCE COMMISSION

ADMINISTRATIVE MEETING

Springfield, Illinois
Thursday, September 10, 2009

Met, pursuant to notice, at 11:40 a.m. in the
Video Conference Room, Second Floor, Leland Building,
527 East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. CHARLES E. BOX, Chairman
MS. LULA M. FORD, Commissioner
MS. ERIN M. O'CONNELL-DIAZ, Commissioner
MR. SHERMAN J. ELLIOTT, Commissioner

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710
MR. ANDERSON: We will start with the calendar.
Mike, do you want to --

JUDGE WALLACE: With the assistance of my able
assistants we put together a calendar proposal for
you. It essentially mirrors last year's except for
March and April. And the reason it looks really
heavy is that we have a lot of cases coming due and I
didn't know if you would want extra time or not.
That's the reason that it looks like I am overworking
you. But the reason is the Illinois-American,
MidAmerican, Ameren.

MR. ANDERSON: When does Peoples come due?
Because it comes due first, right? I think it is
January.

JUDGE WALLACE: I do, too.

MS. STEPHENSON-SCHROEDER: It is January -- is
it the 26th or the 23rd, 26th? Does that sound
right, Mike?

COMMISSIONER O'CONNELL-DIAZ: They filed in
February so January sounds right.

MR. ANDERSON: So, yes, starting with that one
and then the other ones all come at once. Everything
else got filed pretty much at the same time.

JUDGE WALLACE: And I relied on -- for the NARUC and the Mark dates, I relied on the websites. The Mark website, at least the one I went to, doesn't seem to be very much up-to-date, so I don't know if you have additional information.

CHAIRMAN BOX: I know it is Kansas City in June.

COMMISSIONER ELLIOTT: It is usually in the --

CHAIRMAN BOX: Is it NARUC in July?

JUDGE WALLACE: The one I found was Mark in Kansas City.

COMMISSIONER ELLIOTT: There is also the Mark in San Antonio which is January. That may not have been on the website.

JUDGE WALLACE: That was not. Because someone asked me aren't there two Mark meetings and I said, well, I can't find the second one.

COMMISSIONER ELLIOTT: It is usually the first or second week in January, and I think it is okay with this calendar, so.

MR. ANDERSON: Does this generally look okay?
CHAIRMAN BOX: The State Fair is the 13th of August? I mean, Lu always wants to be --

COMMISSIONER FORD: I love the State Fair. We have got a new leader.

MR. ANDERSON: But she is not stepping down.

COMMISSIONER FORD: I want to see how that works. They fired a friend of mine. She said she wasn't stepping down, but if they don't force her -- they will be sued, the State will be sued.

JUDGE WALLACE: I am not sure on the state fair date.

CHAIRMAN BOX: I think I had Carol look at it. I think it is the 13th through the 22nd. It is usually in August.

COMMISSIONER ELLIOTT: That's always when it is.

CHAIRMAN BOX: So we will be down here.

JUDGE WALLACE: I think that's what we intended to do. I don't know where I left my notes. When you rely on your memory, that's --

COMMISSIONER O'CONNELL-DIAZ: Dangerous.

COMMISSIONER FORD: That's deadly.
CHAIRMAN BOX: Okay.

COMMISSIONER O'CONNELL-DIAZ: Looks good.

CHAIRMAN BOX: You will get this out today?

JUDGE WALLACE: Yes.

MR. ANDERSON: Did you want it out today?

CHAIRMAN BOX: Or tomorrow, I don't care. I will be here tomorrow. Some of us stay here and work.

MR. ANDERSON: All right. Mary and I were talking, and with NARUC being in Chicago in November, there has been a lot of questions about, you know, what -- if there is a rule lined up or if staff should be doing something that we are not aware of or if anybody knows.

Mary, you might have had some other thoughts.

MS. STEPHENSON-SCHROEDER: Well, I received a lot of inquiries from people within my division, as well as some other divisions, as well as some external government agencies. You know, a lot of them would like to participate in the NARUC. There has been some questions about if there is any waiver
of fees. I just don't know that.

We think it would be beneficial to have a strong presence of Commission people there. Obviously, we all know we do have some budgetary constraints. So that is all my questions, as far as what type of presence would we like the Commission to have. You know, I can work with what I have to make sure I can get as many people there as possible.

CHAIRMAN BOX: Give me a number. How many people do you think might be interested in going to the sessions?

COMMISSIONER ELLIOTT: Well, one problem is the registration fees. I mean, that's the only thing that never waives.

CHAIRMAN BOX: We have an executive meeting in Washington the 22nd and I can bring that up or I could call Michelle Malloy if we need answers before that, to see what they can do or what they require.

MR. ANDERSON: Going back several years ago when I was still with the legislature, the NCSL would usually do some different things for host people if they volunteered to do things. I don't know whether...
it is volunteer to work or do things. I don't know if NARUC does anything like that.

CHAIRMAN BOX: We can find out.

MR. ANDERSON: That would help us.

COMMISSIONER ELLIOTT: What I remember from NARUC is they will offer travel, hotel stipends, but they don't cover registration fees.

COMMISSIONER O'CONNELL-DIAZ: And since our people will most likely be located where they can travel to and from their home, what we would be looking for really is the registration fee pickup.

COMMISSIONER ELLIOTT: Some sort of waiver, yeah. To my knowledge they just don't do that. They may do it for the host state, but I don't know.

CHAIRMAN BOX: Let me talk to them because I know they did it, not for the whole state, but --

MR. ANDERSON: Because ideally we would like to be aggressive in terms of allowing staff to attend and be part of things.

COMMISSIONER O'CONNELL-DIAZ: Exactly.

JUDGE WALLACE: What does registration cost?

COMMISSIONER O'CONNELL-DIAZ: I think it is
COMMISSIONER ELLIOTT: For November I think it was $500.

MR. ANDERSON: That would -- I don't think we've got it. I don't think we have it.

CHAIRMAN BOX: Let me talk to them, see what we can do. How soon -- if we let you know on the 29th, would that be soon enough?

MS. STEPHENSON-SCHROEDER: Oh, I believe so. Would you like from us -- you know, I can talk with Mike and Jane to see, maybe try and get a total number of people from the Commission that may have an interest so that you have some sort of idea of a number. I mean, it wouldn't be a solid number but just so you have some --

MR. ANDERSON: My guess is that, cost aside, that the level would be high.

CHAIRMAN BOX: Well, the cost. But I think if you take out the receptions, there is, what, the commissioners-only lunch. Do they have a lunch for the regular non-commissioners? I don't think so. So you are only really looking at the reception and --
COMMISSIONER O'CONNELL-DIAZ: The thing, though, too, is that if we have folks coming from Springfield, then we are going to have hotel fees that have to be thought about because --

COMMISSIONER FORD: You register to get a hotel, in the host hotel.

COMMISSIONER O'CONNELL-DIAZ: Well, but they could be in another hotel.

CHAIRMAN BOX: You ought to have -- since we are talking about that, I don't know if Carol got you in, but I am going in. Because we are going to be meeting on the 13th, I have got an executive meeting on the 14th, so I am in there the 12th, 13th, 14th. And the rates we got are cheaper than the conference rates. I am with the Marriott and our rate we got is cheaper than the conference rate.

Let me talk to them. I think we can work out something on that. Because Harvard did it for us when our lawyers wanted to go to that. They all charged us a --

MR. ANDERSON: I think it might be interesting if people were expected to do some work at it to get
that. Then that would also probably focus the people
that really wanted to be there, too.

COMMISSIONER ELLIOTT: Sure. There are some
voluntary activities that our staff could perform for
them, administrative. I know they do a lot of back
office stuff.

CHAIRMAN BOX: All right. Let me talk to them.

MR. ANDERSON: In that case then you would get
the staff people that are really interested.

COMMISSIONER ELLIOTT: One other FYI, I was at
the February NARUC because -- well, the Smart Grid
collaborative back then, I don't know if any of you
went back then, but they did sort of a tour of the
Smart House. They had buses and that was sort of a
gee whiz thing they did for the collaborative. And I
was talking to ComEd after that and we had been
trying to figure out a way to do a plug-in hybrid car
and connect to the PJM system so that everybody could
look at it. So I don't know if that's going to
happen, but I have been talking to them about it and
they are trying to work things out with PJM and the
hotel. They are trying to get one of the Teslas.
Tesla has opened a dealership in Chicago, a really nice sports car, a couple hundred grand. But they are trying to get one of those.

MR. ANDERSON: But you don't have to buy any gas.

COMMISSIONER O'CONNELL-DIAZ: You couldn't buy gas.

COMMISSIONER ELLIOTT: Right. So, I don't know if that would happen, but that would be in some way through the Smart Grid collaborative. Other than that, I haven't talked to anybody about specifically Illinois.

COMMISSIONER O'CONNELL-DIAZ: Well, you know, the other thing is that for purposes of when we had the visitor from Kosovo, we do have that Smart House thing at --

CHAIRMAN BOX: Museum of Science and Industry.

COMMISSIONER O'CONNELL-DIAZ: That could be something that we could do.

COMMISSIONER ELLIOTT: Also, one of the backup plans that was suggested was the Illinois Institute of Technology which has a little smart conclave with
ComEd. But that's a serious bus trip away.

COMMISSIONER FORD: Ten hours.

COMMISSIONER ELLIOTT: I don't know if that would --

MR. ANDERSON: Just as a heads up, something that is kind of related to that, the governor and his staff is putting together a group, an energy group, to look at things going from Smart Grid to energy efficiency to climate. You know, it's a fairly broad thing. But we have been asked to participate in that and that's going to start tomorrow.

So that could be a very helpful thing with making sure that maybe the state does a little bit better job of making sure that everybody is on the same page policy-wise, especially if we tell the legislature about it. Because some of these things get passed and they don't make sense between the left and right hand.

So I think we view that as a very positive development. Hopefully, it's got some potential. So we will keep you advised as to how that goes.
And then the last one, this is a review of the minutes.

CHAIRMAN BOX: Right. Carol came to me. Liz has agreed to go through the minutes that are taken for minor spellings and minor corrections. She wouldn't know of any substantive changes or things that were substantively not correct. We need to set up a system for one of our assistants to take one meeting and rotate it, rotate it to go through and make sure that things are there substantively.

COMMISSIONER ELLIOTT: I know they do that for the transportation agenda. Maybe we can just add that onto that.

CHAIRMAN BOX: I can make a copy of my script and whoever has it, have Tiffany and Louis make an extra copy and they can rotate it.

COMMISSIONER O'CONNELL-DIAZ: Everybody takes turns.

CHAIRMAN BOX: Because I will have Louis and Tiffany start setting up the schedule. It shouldn't take them very long to go through it.

COMMISSIONER ELLIOTT: That means that they
will have to pay attention at the actual meeting.

CHAIRMAN BOX: Yeah. We are not questioning your accuracy, miss. My suspend or not to suspend might get mixed up.

That's all I have.

JUDGE WALLACE: Do you have any problem getting the transcripts or is Liz going to forward them to you?

COMMISSIONER FORD: We have got them.

CHAIRMAN BOX: They are always in the package when we come down here. They are always here two or three days before the meeting and staff will have them.

Mary, could you give me, say, some ballpark figure, going back to that second topic, of how many people? What, 20 people maybe, lawyers, engineers, all different categories?

MS. STEPHENSON-SCHROEDER: I would say 20 would probably be a good estimate. I would say from OGC I would think about six persons, six to seven might. I don't know from the ALJ division how many you are thinking.
JUDGE WALLACE: If you are talking interest, probably all of them would be interested.

CHAIRMAN BOX: But they all wouldn't go every day, so it is more rotating. But 20 is a ballpark figure?

MS. STEPHENSON-SCHROEDER: Uh-huh.

CHAIRMAN BOX: That I don't think they will object to. Now, when Brandy went to -- you had to pay registration?

COMMISSIONER O'CONNELL-DIAZ: Uh-huh.

CHAIRMAN BOX: But then we have had other people go to various conferences. Mary Collins went to one in D.C. I think Charlotte went to one.

MS. STEPHENSON-SCHROEDER: Yeah, and I have been to one.

CHAIRMAN BOX: They all had to pay. Okay.

Thank you.

MEETING ADJOURNED