BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITIES)

Chicago, Illinois
Thursday, November 4, 2010

Met, pursuant to notice, at 10:30 a.m. in the Main Hearing Room, Eighth Floor, 160 North LaSalle Street, Chicago, Illinois.

PRESENT:

MANUEL FLORES, Acting Chairman
LULA M. FORD, Commissioner
ERIN M. O'CONNELL-DIAZ, Commissioner
SHERMAN J. ELLIOTT, Commissioner
JOHN T. COLGAN, Acting Commissioner via teleconference

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PROCEEDINGS

ACTING CHAIRMAN FLORES: Pursuant to the provisions of the Illinois Open Meeting Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Chicago are Commissioner O'Connell-Diaz, Commissioner Ford, Commissioner Elliot and I am Acting Chairman Flores. We have a quorum.

Commissioner Colgan, are you there?

ACTING COMMISSIONER COLGAN: Yes, I am.

ACTING CHAIRMAN FLORES: Very well, good morning, sir.

ACTING COMMISSIONER COLGAN: Good morning.

ACTING CHAIRMAN FLORES: Commissioner Colgan's available by phone in Springfield. Per the Commission's rule, we must vote to allow Commissioner Colgan to participate by phone.

I will make a motion to allow Commissioner Colgan to participate by phone.

Is there a second?

COMMISSIONER ELLIOTT: Second.

ACTING CHAIRMAN FLORES: It's been moved and
All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 4-0, and we allow Commissioner Colgan to participate by phone in today's Bench Session.

Again, good morning, Commissioner.

ACTING COMMISSIONER COLGAN: Good morning.

ACTING CHAIRMAN FLORES: Before moving into the agenda according to Section 1700.10 of the Illinois Administrative Code, this is the time that we allow members of the public to address the Commission. Members of the public wishing to address the Commission must do so, must notify the Chief Clerk's Office at least 24 hours prior to the Bench Session.

According to the Chief Clerk's Office, we have no requests to speak at today's session.
(The Transportation portion of the proceedings was held at this time and is contained in a separate transcript.)

ACTING CHAIRMAN FLORES: Turning now to the Public Utility Agenda. We will start with the approval of minutes from the October 6th Bench Session. I understand that amendments have been forwarded.

I will make a motion to amend the minutes.

Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 amending the minutes.

I will make a motion to approve the
minutes as amended.

Is there a second?

COMMISSIONER ELLIOTT: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 approving the minutes for the October 6th as amended.

We will begin with the Electric Agenda. Items E-1 and E-2 will be taken together. These items concern the Commission's upcoming Smart Grid Policy Dockets, and we will hold these items until a future Commission proceeding.

Item E-3 concerns a filing by MidAmerican regarding the proposed tariff sheet to update its monthly charges set forth in its Rider 17 on realtime pricing. Staff recommends that we allow the Company's proposal by not suspending the filing.

I will make a motion to not suspend
the filing.

Is there a second?

COMMISSIONER ELLIOTT: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0 and the filing will not be suspended. We will use this 5-0 vote for the remainder of the Public Utilities Agenda unless otherwise noted.

Item E-4 concerns a filing by Ameren Illinois to create a new electric rate schedule from the current tariffs of Central Illinois Light Company, Central Illinois Public Service Company and Illinois Power Company. Staff recommends that we allow the Company's proposal by not suspending the filing.

Is there any discussion?

(No response.)
1 ACTING CHAIRMAN FLORES: Any objections?
2
3 (No response.)
4
5 ACTING CHAIRMAN FLORES: Hearing none, the
6 filing will not be suspended.
7
8 Item E-5 is Docket No. 10-0597. This
9 concerns a filing made by ComEd regarding its
10 Advanced Metering Pilot and the recovery of expenses
11 related to the pilot in its rate case. We will be
12 holding this matter for disposition at a future
13 Commission proceeding.
14
15 Item E-6 is Docket Nos. 09-0306
16 through 09-0311. This is the rate case for the
17 Ameren Illinois Utilities. Before us today is the
18 Order on Rehearing. We have some minor revisions
19 that were -- that were worked on by Offices of the
20 Chairman, my office and Commissioner O'Connell-Diaz,
21 concerning the accumulated depreciation section.
22 These revisions do not change the conclusion but just
23 change the characterization of the Appellate Court
24 Opinion contained in the Order and make other minor
25 revisions.
26
27 Commissioner O'Connell-Diaz.
JUDGE ALBERS: Mr. Chairman?

ACTING CHAIRMAN FLORES: Yes.

JUDGE ALBERS: This is Judge Albers. If I may, before you discuss your changes, pursuant to the Public Utilities Act I have to update you on a number of comments that were filed at the Commission.

ACTING CHAIRMAN FLORES: Thank you, sir.

JUDGE ALBERS: As of this morning, we've received 270 comments regarding CILCO's Electric case; 219 regarding CILCO's gas case; 313 regarding CIPS electric; 153 regarding CIPS gas; 501 regarding IP Electric; 497 regarding IP Gas; and on October 26th the Commission received a petition from Representative Flider with 1,699 signatures opposing the new rate increase.

ACTING CHAIRMAN FLORES: Thank you.

JUDGE ALBERS: Thank you.

ACTING CHAIRMAN FLORES: Commissioner O'Connell-Diaz.

COMMISSIONER O'CONNELL-DIAZ: Chairman, just the item having to do with accumulated depreciation, your office and my office just kind of tightened up
the language in there. I'm not going to read it.

But it's been circulated among our colleagues, and so it doesn't change the outcome of it.

ACTING CHAIRMAN FLORES: Very well.

Is there any discussion of these revisions?

(No response.)

ACTING CHAIRMAN FLORES: I will make a motion to accept these revisions.

Is there a second?

COMMISSIONER ELLIOTT: Second.

COMMISSIONER COLGAN: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: The vote is 5-0. The revisions are accepted.

Is there any further discussion on the Order on Rehearing?
COMMISSIONER ELLIOTT: Yes, Mr. Chairman. I just would like to note that I've struggled with the issue with regard to the OPEB decision in this case. It was a very tough decision, but I respectfully dissent from the majority's opinion on this and will be filing a Dissent. I'll be concurring in part and dissenting in part on this issue.

ACTING CHAIRMAN FLORES: Very well.

Any further comments?

(No response.)

ACTING CHAIRMAN FLORES: Then I will make a motion to enter the Order on Rehearing as amended.

Is there a second?

COMMISSIONER FORD: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

COMMISSIONER O'CONNELL-DIAZ: Nay.

ACTING CHAIRMAN FLORES: Okay. We're going do a roll call.
Commissioner Ford?

COMMISSIONER FORD: Yes.

ACTING CHAIRMAN FLORES: Commissioner O'Connell-Diaz?

COMMISSIONER O'CONNELL-DIAZ: Nay.

ACTING CHAIRMAN FLORES: Commissioner Elliott?

COMMISSIONER ELLIOTT: Aye.

ACTING CHAIRMAN FLORES: Commissioner Colgan?

COMMISSIONER COLGAN: Aye.

ACTING CHAIRMAN FLORES: Chairman Flores votes aye.

Let the record reflect that the vote is 4-1 and the Order on Rehearing is entered.

Thank you, again, Administrative Law Judges Albers and Yoder for your hard work on this case as well as to all the parties that have been working on this case for now more than 18 months.

And just wanted to say again, thank you.

So Item E-7 is Docket No. 09-0499.

This concerns a petition filed by the Ameren Illinois Electric Utilities concerning the surcharge tariff for Smart Grid projects. The Petitioners now seek to
withdraw the petition and Administrative Law Judge Jones recommends that the Commission grant the motion to withdraw.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Motion is granted and the petition is withdrawn.

Item E-8 is Docket No. 09-0534. This item concerns Mt. Carmel Public Utilities Company's reconciliation of revenues collected under fuel adjustment charges with actual costs prudently incurred. Administrative Law Judge Jones recommends entry of an order approving the reconciliation.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered.

Item E-9 is Docket No. 10-0173. This
is a Petition for Eminent Domain for sitting -- for citing, rather, the construction of transmission lines filed by Ameren. We'll also be holding this matter for disposition at a future proceeding.

E-10 is Docket No. 10-0467. This is ComEd's 2010 rate case and before us today is a Petition for Interlocutory Review filed by the REACT Coalition seeking dismissal of this case over ComEd's late filing of its Cost of Service Study.

Administrative Law Judges Dolan and Sainsot recommend that the Commission deny the Petition for Interlocutory Review.

Is there any discussion?

COMMISSIONER ELLIOTT: Yes, Mr. Chairman.

This is a -- has been a difficult decision as well with regard to Commission discretion in allowing testimony to be entered at a late stage in this case. I, for one, would register my support to support the Petition for Interlocutory. I participated in the Commission decisions with regard to the Cost of Service Studies and that I think that we were pretty straightforward about what we required
of the Company with regard to this issue and I think it's a major flaw in the case. And I would register my support for REACT's petition in this case.

ACTING CHAIRMAN FLORES: Is there any further discussion on this matter? Comments?

I would just like to add that I'm troubled by the fact that this Commission had entered a very clear Order requiring the utility, ComEd, to file the Cost of Service Study prior to submission of the next rate case. I might add that that Order was not filed -- was not complied with requiring the Illinois Commerce Commission to file a deficiency letter with the utility instructing them to follow the previous Order.

I can't stress enough how important it is that when the Illinois Commerce Commission makes an Order that all of the litigants before the Commerce Commission who appear before here follow the Orders that this Commission makes. The Orders are extremely important and we take pains to make sure that they are clear so that there is no confusion for all the parties in terms of what it is that the
Illinois Commerce Commission expects of all of the litigants who appear before this body. We do so for the purposes of providing all of the parties the opportunity to litigate fairly before the Illinois Commerce Commission.

It is also a disservice to the Illinois Commerce Commission when we do not receive the information that we request from all of the parties in a timely manner. The reason we request this information is for all of us to have an opportunity to review the voluminous records that are typically submitted when you have large cases such as the rate cases that come before the Illinois Commerce Commission. So I can't stress enough how important it is to follow the Orders. I'm very troubled by the fact that an Order was not complied with in this case.

Any further comments or discussion on this matter?

COMMISSIONER O'CONNELL-DIAZ: Mr. Chairman, I just agree with the comments that you've enunciated with regard to the need to -- any litigant at the
Commission to follow what the Commission has ordered. I also, you know, read through this carefully. I agree with the conclusion because it's a realistic conclusion that the ALJs have recommended to us. The Company has filed those -- those cost studies at this point in time. Additionally, a deficiency letter in a rate case is usually several pages long, but usually those are for things that are not set forth in an order, which is what the problem here is, that the Commission's succinctly stated that in the Order.

And so now we're in this situation where if we were to deny this, the Company would just refile and we would use up resources and people's time to address this, pretty much same issues. So I think that the realistic approach that the ALJs have recommended to us is the way to go.

That being said, you know, we've been around and around with regard to Cost of Service Studies. We had a water company that had issues with getting a Cost of Service Study with us. So it's kind of puzzling to me that the Company in this
instance would not have taken the Commission's concern about that seriously. So...

That's really all I have to say. Thank you.

ACTING CHAIRMAN FLORES: Any further comments?

Is there a motion to deny the Petition for Interlocutory Review?

COMMISSIONER ELLIOTT: I'll make that motion.

ACTING CHAIRMAN FLORES: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

COMMISSIONER ELLIOTT: Opposed.

ACTING CHAIRMAN FLORES: We're going to have to do a roll call.

Commissioner Ford?

COMMISSIONER FORD: Aye.

ACTING CHAIRMAN FLORES: Commissioner O'Connell-Diaz?
COMMISSIONER O'CONNELL-DIAZ: Aye.

ACTING CHAIRMAN FLORES: Commissioner Elliott?

COMMISSIONER ELLIOTT: No.

ACTING CHAIRMAN FLORES: Commissioner Colgan?

COMMISSIONER COLGAN: Aye.

ACTING CHAIRMAN FLORES: Chairman Flores votes aye.

The vote is 4-1 and the Petition for Interlocutory Review is denied.

I cannot stress this enough, if the Commission makes an Order, we expect full compliance with the Order. In particular, this issue of Cost of Service Studies, this is not the first time that this has come up. So, again, I stress the importance of following the Orders.

Item E-11 is Docket --

JUDGE WALLACE: Mr. Chairman?

ACTING CHAIRMAN FLORES: Yes, sir.

JUDGE WALLACE: Did you guys vote on the Resuspension Order? And I used the term "you guys" very affectionately.

JUDGE DOLAN: It's on the same docket,
Mr. Chairman, on E-10.

ACTING CHAIRMAN FLORES: Well, first do we have -- you've already taken down the vote for the -- on the denial of the --

JUDGE DOLAN: Yes.

JUDGE WALLACE: Yes, we've recorded the vote for the Petition for Interlocutory Review. I was just checking on the Resuspension Order. I don't believe that the vote has been taken on that yet.

ACTING CHAIRMAN FLORES: So we're going to vote to suspend then.

COMMISSIONER ELLIOTT: Yeah, I'll make a motion that we resuspend.

ACTING CHAIRMAN FLORES: And I will second it.

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Let the record reflect it's a 5-0 vote to resuspend.

Thank you.

JUDGE WALLACE: Thank you, Mr. Chairman.

ACTING CHAIRMAN FLORES: Item E-11 is Docket No. 10-0569. This is the docket for DCEO's
three-year energy efficiency plans. DCEO has brought
a motion to withdraw its petition for approval in
this docket as these matters can be addressed in the
other open dockets. And Administrative Law Judge
Yoder recommends we grant this Motion.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objection?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the
Motion to Withdraw is granted.

The Natural Gas Section, Item G-1

concerns the initiation of a proceeding under
Section 5 of the Illinois Gas Pipeline Safety Act for
formal determination of the plan U.S. Steel must have
in place for the inspection and maintenance of its
pipeline facilities in and near Granite City Works.
Staff recommends entry of an order initiating the
proceedings.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections --
COMMISSIONER FORD: Mr. Chairman, I certainly wanted to thank Staff and Mr. Burke for this because we've been round and around with them on this issue. And as you know from the set bringing -- San Bruno in California, and our recent one here in the State of Illinois, that this is an important issue, and I can't say enough about pipeline safety. So I recommend --

COMMISSIONER ELLIOTT: I agree. It's a very complicated issue --

COMMISSIONER FORD: Very.

COMMISSIONER ELLIOTT: -- and I know Staff's done an enormous amount of work both locally and federally and Downstate Illinois. So, I agree.

COMMISSIONER FORD: Absolutely. Because they keep saying that -- we do not have jurisdiction over --

COMMISSIONER ELLIOTT: Right.

COMMISSIONER FORD: -- certain parts, and so this will clarify on that.

COMMISSIONER O'CONNELL-DIAZ: I would just concur with Commissioner Ford and Commissioner
Elliott. This is -- at the bottom of all of this is safety and -- I know this is just the area that you can -- you got to double back and be, like, two times safe.

So I really commend Staff for working through the many layers of this to initiate this particular proceeding and it's necessary and, you know, it's part of our job as a Commission to make sure that safety is the hallmark of any company that operates within our state.

Thank you.

ACTING CHAIRMAN FLORES: Any further discussion? Objections?

(No response.)

ACTING CHAIRMAN FLORES: Very well then, the Order is entered.

Item G-2 concerns the filing of Ameren Illinois to create a new gas rate schedule form -- excuse me -- a new rate schedule from the current tariffs of Central Illinois Light Company, Central Illinois Public Service Company and the Illinois Power Company. Staff recommends that we allow the
Company's proposal by not suspending the filing.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the filing will not be suspended.

Item G-3 is Docket No. 10-0493. This concerns a complaint by Irene Bober against Just Energy concerning billing and charges. The parties have now settled their differences and brought a Joint Motion to Dismiss, which Administrative Law Judge Gilbert recommends that we grant.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Joint Motion to Dismiss is granted.

Moving on to the Telecommunications Section of the agenda, Item T-1 is Docket No. 10-0260. This item concerns Pay Tel's request for
authority pursuant to Section 13-404 of the Public
Utilities Act to provide resold interexchange
telecommunications services in Illinois.
Administrative Law Judge Kimbrel recommends that the
Commission enter an order granting the requested
certificate.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the
Order is entered and the certificate is granted.

Item T-2 is Docket No. 10-0526. This
item concerns Clear Wireless, LLC's Certificate of
Service Authority to provide a commercial mobile
radio service in Illinois. Before us today is an
Amendatory Order correcting the applicant's name
throughout the Order to read, Clear Wireless, LLC,
d/b/a Rover, d/b/a Evology, d/b/a Evology.com.
Administrative Law Judge Riley recommends that we
grant this Amendatory Order.

Is there any discussion?
ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Amendatory Order is entered.

Item T-3 is Docket No. 10-0545. This item concerns the application by UPNI Merger Sub, LLC, seeking a Certificate of Interexchange Service Authority, Certificate of Service Authority and Certificate of Exchange Service Authority pursuant to Sections 13-403, 13-404, and 13-405 of the Public Utilities Act and seeking cancelation of the same certificates issued to Unite Private Networks-Illinois, LLC, in Docket No. 05-0302.

Before us today is an Amendatory Order making clarifications on the merger and the timing surrounding these certificates. And Administrative Law Judge Riley recommends the Commission enter this Amendatory Order.

Is there any discussion?

(No response.)

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

Item T-4 is No. 10-0487. This item concerns Comtel Telcom Assets LP's Petition to Withdraw its Certificate of Service Authority and Certificate of Exchange Service Authority previously issued by the Commission in Docket No. 05-0610. Administrative Law Judge Teague recommends entry of an Order granting withdrawal.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered.

Items T-5 through T-7 will be taken together. These items each involve joint petitions surrounding Resale and Interconnection Agreements under 47 U.S.C. Section 252. In each docket the Administrative Law Judge recommends entry of an Amendatory Order or entering an order approving an
amendment to an existing order -- excuse me -- to an existing Agreement.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Orders are entered.

Item T-8 is Docket No. 09-0381. This item concerns proposed revisions to Part 730 of Title 83 of the Illinois Administrative Code concerning standards of service for local exchange telecommunications carriers. Administrative Law Judge Hilliard recommends entry of a Second Notice Order in the rulemaking.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Second Notice Order is entered.

Item T-9 is Docket No. 09-0586. This
item concerns Global Connections, Incorporated of America's Application For Designation as an eligible telecommunications carrier pursuant to the Telecommunications Act of 1996. The Company now moves to withdraw its application. And Administrative Law Judge Riley recommends that we grant this Motion to Withdraw.

Is there any discussion?

(No response.)

ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Motion to Withdraw is granted.

Item T-10 is Docket No. 10-0290. This item concerns a petition by NextG Networks of Illinois to protect against a disclosure of confidential and/or proprietary information in its 2009 Annual Report. Administrative Law Judge Teague recommends entry of an Order granting the requested relief for a period of two years.

Is there any discussion?

(No response.)
ACTING CHAIRMAN FLORES: Any objections?

(No response.)

ACTING CHAIRMAN FLORES: Hearing none, the Order is entered and the requested relief is granted for two years.

We have a couple of other matters that we need to address today. Our first item is a very important item as it concerns a resolution regarding a Staff member who after many years of service is moving on.

So she is someone who is held in very high regard and that is Kathleen Rodriguez. I'm going to turn it over to Commissioner O'Connell-Diaz.

COMMISSIONER O'CONNELL-DIAZ: Thank you.

Good morning, Kathleen. And I'm sure everybody in this room knows Kathleen as she's been such a fixture at our Commission for the whole time I've been here. And she's been a great help to everybody that comes here. She is a wonderful public servant. She is sometimes out at our front desk. She takes calls from outside the Commission. She
works in the Commissioner area, but she also is our office manager. And it is those type of employees that it's really hard to see them leave their service with us, but Kathleen is going to be taking her retirement. And so we have proposed a resolution, which I will read for her. And this comes from my heart because Kathleen has been my assistant for all my time as a Commissioner. And I really appreciate all the hard work she's done for us.

So this is a proclamation resolution by the State of Illinois, a resolution extending appreciation and best wishes to Kathleen Rodriguez upon her retirement from the Illinois Commerce Commission. Resolution by the Commission, whereas, Kathleen Rodriguez who is a general service administrator in the Office of Chairman and Commissioners of the Illinois Commerce Commission is resigning effective December 1, 2010.

And, whereas, throughout her 26 years of service at the Commission Kathleen has held various positions with increasing responsibilities and has always displayed her loyalty and her
conscientiousness by her actions and deeds on a daily basis.

And, whereas, Kathleen has consistently demonstrated her interest and concern for the benefit of the Commission by her attitude and excellent quality of her work.

And, whereas, due to her many administrative roles, Kathleen was very often the first person any new employee encountered on their initial day at the Commission. She ensured that all of our new employees got organized with the important details of insurance, Commission policies and the all-important office assignment and gathering of furniture to appoint that base of work operations. At times she could be like Mary Poppins with her magic carpetbag by appearing at one's door with a chair, a lamp or a credenza retrieved or unearthed from some hidden-away locale inside the Commission offices.

And, whereas, despite her important role at the Commission, Kathleen always had time for her family and devotedly assisted her parents in
their golden years and actively planned and
participated in family vacations and special times
with her beloved grandson.

And, whereas, Kathleen's retirement
will create a great void with respect to her
knowledge of Commission practices and procedures as
well as her ability to serve the people of the State
of Illinois in a professional and respectful manner.

And, now, therefore be it resolved
that the Illinois Commerce Commission hereby extends
its deepest appreciation and gratitude to Kathleen
Rodriguez for her devotion -- her dedication -- it
should be devotion -- and outstanding service to this
Commission and conveys its best wishes to her upon
her retirement from the State of Illinois.

 Adopted by the Commission this 4th day
of November 2010.

And I'm going to come over here and
present this to Kathleen.

ACTING CHAIRMAN FLORES: Kathleen, did you want
to say a few words?

MS. KATHLEEN RODRIGUEZ: No, not right now.
But thank you very much.

JUDGE WALLACE: Mr. Chairman, for the record, there was applause in Springfield, too.

ACTING CHAIRMAN FLORES: Very good. Very good.

Any other -- do any of the Commissioners wish to say anything?

COMMISSIONER ELLIOTT: Mr. Chairman, thank you.

I would echo everything that Erin just said. From the first day I got here she made me feel at home, and she's going to be missed. There's no question about it. Thanks, Kathleen.

COMMISSIONER FORD: Congratulations on your retirement, Kathleen.

MS. KATHLEEN RODRIGUEZ: Thank you.

ACTING CHAIRMAN FLORES: Commissioner Colgan?

COMMISSIONER COLGAN: Just echoing everybody else's comments. And thank you very much, Kathleen.

ACTING CHAIRMAN FLORES: Kathleen, I would also just say thank you so much for your service to not only the Illinois Commerce Commission, but also to the people of the State of Illinois through your dedication and your work here as a public servant.
And that, you know, it's -- you will be missed and, unfortunately, I've been -- I feel like I've been robbed of the opportunity to get to know you and to work with you.

But, clearly, you've made a lasting impact here at the Illinois Commerce Commission and you have set a very high bar, high standard for the expectations that we have of future employees here at the ICC. And, clearly, everyone will -- you know, you're not -- as we always say, I mean, once in the ICC, you're always in the ICC. So you're never gone.

So, again, thank you so much for your dedication and your service to the State of Illinois.

MS. KATHLEEN RODRIGUEZ: Thank you very much.

ACTING CHAIRMAN FLORES: At this time we're going to -- we have a FERC matter -- well, hold on.

We didn't even -- we got to approve the resolution.

So I'm going to make a --

MS. KATHLEEN RODRIGUEZ: Uh-oh, now I'm in trouble.

ACTING CHAIRMAN FLORES: I'm going to extend
the opportunity to Commissioner O'Connell-Diaz to
make the motion.

Commissioner.

COMMISSIONER O'CONNELL-DIAZ: If anybody
doesn't vote for this motion, I'll meet them in the
back alley.

So I would ask support from my fellow
Commissioners with regard to this excellent
resolution.

ACTING CHAIRMAN FLORES: Very well.

COMMISSIONER ELLIOTT: I'm happy to second.

ACTING CHAIRMAN FLORES: Very well.

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: Any opposed?

(No response.)

ACTING CHAIRMAN FLORES: I didn't think there
was going to be anyone opposed, especially after
that -- the comment by Commissioner O'Connell-Diaz.

But, again, congratulations and thank
you for your service.

MS. KATHLEEN RODRIGUEZ: Thank you.
ACTING CHAIRMAN FLORES: Very well. We have a FERC item and that must be considered in closed session. So I'm going to motion to go into closed session.

Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

COMMISSIONER COLGAN: Second.

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

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: The vote is 5-0 to go into closed session.

(Whereupon, at this point Pages 37-41 of the proceedings are contained in a separate transcript.)
CONTINUATION OF PROCEEDINGS

ACTING CHAIRMAN FLORES: In closed session the Commission discussed filing comments with FERC regarding FERC Docket No. RM-10-23-000 concerning Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities. Commissioner Elliott.

COMMISSIONER ELLIOTT: I will make a motion that we file the Comments.

ACTING CHAIRMAN FLORES: Very well. I will second it.

It's been moved and seconded.

All in favor say "aye."

(Chorus of ayes.)

ACTING CHAIRMAN FLORES: All in favor -- all opposed, rather?

(No response.)

ACTING CHAIRMAN FLORES: That vote is 5-0. The comments will be filed with FERC.

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

JUDGE WALLACE: Nothing further, Chairman.
ACTING CHAIRMAN FLORES: Judge, thank you so much for intervening earlier.

And hearing none, this meeting stands adjourned. Thank you, everybody.

MEETING ADJOURNED