BEFORE THE

ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITY)

Tuesday, December 4, 2013
Chicago, Illinois

Met, pursuant to notice at 10:30 a.m. at
160 North LaSalle Street, Chicago, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

MR. JOHN T. COLGAN, Commissioner

MS. ANN McCABE, Commissioner

MR. MIGUEL DEL VALLE, Commissioner

MS. SHERNA E. MAYE, Commissioner

ERIN D. MITORAJ
CSR No. 084-003582

Appearing on behalf of Midwest Litigation services
Chairman Scott: Is everything ready in Springfield?

Judge Wallace: Yes, it is.

Chairman Scott: Very good. 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 Chicago are Commissioner Colgan, Commissioner McCabe, Commissioner del Valle, and Commissioner Maye. I'm 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, we'll begin with the approval of minutes from our November 6th Bench Session. I understand the amendments have been forwarded.

Is there a motion to amend the minutes?
COMMISSIONER McCabe: So moved.
COMMISSIONER DEL VALLE: So moved.
CHAIRMAN SCOTT: Moved by Commissioner McCabe. Seconded by Commissioner Del Valle.
All in favor say aye.
(Ayes heard.)
CHAIRMAN SCOTT: Any opposed?
(No response.)
CHAIRMAN SCOTT: The vote is five to nothing, and the amendments are adopted.
Is there now a motion to approve the minutes as amended?
COMMISSIONER COLGAN: So moved.
CHAIRMAN SCOTT: Moved by Commissioner Colgan.
COMMISSIONER MAYE: Second.
CHAIRMAN SCOTT: Seconded by Commissioner Maye.
All in favor say aye.
(Ayes heard.)
CHAIRMAN SCOTT: Any opposed?
(No response.)
CHAIRMAN SCOTT: The vote is five to nothing, and the minutes from our November 6th Bench
Session as amended are approved.

Next we'll address the minutes from our November 13th Regular Open Meeting. I understand amendments have been forwarded.

Is there a motion to amend the minutes?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Moved by Commissioner Colgan. Seconded by Commissioner --

COMMISSIONER DEL VALLE: Second.

CHAIRMAN SCOTT: -- Del Valle.

All in favor say aye.

(Ayes heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the amendments are adopted.

Is there now a motion to approve the minutes as amended?

COMMISSIONER McCABE: So moved.

CHAIRMAN SCOTT: Moved by Commissioner McCabe.

COMMISSIONER MAYE: Second.

CHAIRMAN SCOTT: Seconded by Commissioner Maye.
All in favor say aye.

(Ayes heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the minutes from our November 13th Regular Open Meeting as amended are approved.

Turning now to the electric portion of today's agenda, Item E-1 is Docket No. 12-0649. This is our reconciliation of revenues collected under Mt. Carmel's fuel adjustment charges with actual costs prudently incurred. ALJ Jones recommends entry of an Order approving the reconciliation.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to enter the Order?

COMMISSIONER McCABE: So moved.

CHAIRMAN SCOTT: Moved by Commissioner McCabe. Is there a second?

COMMISSIONER MAYE: Second.

CHAIRMAN SCOTT: Second by Commissioner Maye.

All in favor say aye.
(Ayes heard.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the Order is entered. We'll use this five-to-nothing vote for the remainder of today's Public Utility Agenda unless otherwise noted.

Item E-2 is Docket No. 13-0301. This is Ameren's Rate MAP-P, Modernization Action Plan-Pricing, annual update filing. This item will be held for disposition at a future Commission proceeding.

Item E-3 is Docket No. 13-0476. This is Ameren's filing for revenue-neutral tariff changes related to rate design. The Commission's investigation in this matter has not yet concluded, and it is necessary, therefore, to suspend the period of suspension for the remainder of the 240 days, per Section 16-108.5 sub (e) of the Public Utilities Act, to March 19, 2014.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to resuspension of the filing?
CHAIRMAN SCOTT: Hearing none, the filing is resuspended.

Item E-4 is Docket No. 13-0546. This is the Illinois Power Agency's petition for approval of the 2014 IPA Procurement Plan. The Illinois Competitive Energy Association has filed a request for oral argument in this proceeding, which ALJ Yoder recommends we deny.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to denying the request for oral argument?

(No response.)

CHAIRMAN SCOTT: Hearing none, the request for oral argument is denied.

Items E-5 through E-7 can be taken together. These items are applications for licensure as an agent, broker, and consultant under Section 16-115C of the Public Utilities Act. In each case, ALJ Kimbrel recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)
CHAIRMAN SCOTT: Are there any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item E-8 is Docket No. 13-0586. This is MidAmerican's request pursuant to Section 6-102 of the Public Utilities Act for an order authorizing the issuance and sale of $350 million aggregate principal amount of the long-term debt. ALJ Teague-Kingsley recommends entry of an Order approving the proposed financing.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item E-9 is Docket No. 13-0633. This is Ameren's request pursuant to Section 6-102(d) of the Public Utilities Act to incur certain indebtedness on up to $400 million principal amount of senior secured notes for the purpose of refunding, redeeming, and/or refinancing outstanding evidences of indebtedness. ALJ Wallace recommends entry of an
Order approving the request.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item E-10 is Docket No. 13-0635. This is ComEd's Petition for Special Permission and approval on less than 45 days' notice and without suspension of tariffs authorizing a residential meter usage data sharing pilot tariff. Staff recommends that the Commission approve ComEd's request for special permission and allow the company to file a tariff on less than 45 days' notice.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to granting the request for special permission?

(No response.)

CHAIRMAN SCOTT: Hearing none, the request for special permission is granted.

Item E-11 is Docket No. 11-0644. This is Maneri-Agraz's request to cancel its Certificate to
Operate as an ABC in Illinois. ALJ Riley recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Turning now to natural gas, Item G-1 is Docket No. 06-0741. This is our reconciliation of revenues collected by Atmos Energy under its gas adjustment charges with actual costs prudently incurred. ALJ Yoder recommends entry of an Order approving the reconciliation.

I have some proposed edits to the Order which do not alter the conclusion, but the additional edits that we would include would admonish the company that in the future, the Commission will look critically at their decisions. I would encourage Atmos to establish practices that both maximize the number of potential bidders and best protect the ratepayers.

I would move for adoption of these edits.

Is there a second?
COMMISSIONER MAYE: Second.

CHAIRMAN SCOTT: Seconded by Commissioner Maye.

Is there any discussion on the edits?
(No response.)

CHAIRMAN SCOTT: All in favor of the edits say aye.
(Ayes heard.)

CHAIRMAN SCOTT: Any opposed?
(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the edits are adopted. Is there any other discussion on this matter?
(No response.)

CHAIRMAN SCOTT: Is there a motion to enter the Order as amended?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Moved by Commissioner Colgan. Is there a second?

COMMISSIONER DEL VALLE: Second.

CHAIRMAN SCOTT: Seconded by Commissioner Del Valle. It's been moved and seconded.

All in favor say aye.
(Ayes heard.)
CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing, and the Order as amended is entered.

On to telecommunications, Items T-1 and T-2 can be taken together. These items are citation proceedings against CSP Telecom and Illinois Telephone Corporation for failure to maintain or meet certain obligations required under the Public Utilities Act. In both cases, staff recommends entry of an Order initiating the citation proceeding.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item T-3 is the Commission's own proceeding to set the maximum rates and charges for 2014 for operator service providers pursuant to 83 Illinois Administrative Code Section 770.40(e). Staff recommends entry of an Order setting the appropriate rates.

Is there any discussion?
(No response.)

CHAIRMAN SCOTT: Are there any objections?
(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item T-4 is Docket No. 13-0628. This is Crosslink Long Distance Company's petition for emergency relief for the confidential and/or proprietary treatment of their annual report for not less than two years. ALJ Riley recommends entry of an Order granting the petition.

Is there any discussion?
(No response.)

CHAIRMAN SCOTT: Are there any objections?
(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

On to water and sewer, Item W-1 is Docket No. WRM 13-007. This is Powers Water Company's filing to implement increased water rates pursuant to the simplified rate case procedure. Staff recommends that we approve the company's request by not suspending the filing and by not holding a public forum.

I just have a few comments with regard to
the company's filing in this matter that we've
discussed in previous cases before, and that involves
the water quality issue which was brought up by the
customers. I think that's an important issue for us
to continue to monitor, and I know our staff does that
as well. And it's an issue that's been raised by the
customers in this case. And I think in the past when
we have seen that the water usage wasn't -- the water
in the case wasn't available to be used for most of
the services that one would want to use water for,
that we have ordered further investigation.

In this matter, given that we're really
dealing with an iron content issue here and that it
does meet all of the EPA regulations, I don't feel
that there's a need to do that at this time. But I
still think it's an important issue, and obviously, we
need to be protective of the customers and make sure
that the product they're buying is something that can
be used for the purposes for which it's intended.

So I just wanted to say that. I didn't know
if there was any other discussion. Commissioner
McCabe?

COMMISSIONER McCabe: No. As you know, I
asked some questions about this case, and I just want
to commend staff for all their work on trying to
resolve the issues and for the public forum.

CHAIRMAN SCOTT: Further discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to
not suspending the filing?

Hearing none, the filing is not suspended.

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

JUDGE WALLACE: No, not today, Mr. Chairman.

CHAIRMAN SCOTT: Thank you, sir. You said that
very foreboding, like there will be in the future.

JUDGE WALLACE: Yes. Monday will be a nice
meeting, I'm sure.

CHAIRMAN SCOTT: Hearing nothing further that
comes before the Commission, this meeting stands
adjourned. Thank you, everyone.

END OF PUBLIC UTILITY AGENDA
CERTIFICATE OF REPORTER

STATE OF ILLINOIS   )
                     )  SS.
COUNTY OF COOK      )

I, ERIN D. MITORAJ, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

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