BEFORE THE
ILLINOIS COMMERCE COMMISSION

Regular Open Meeting
(PUBLIC UTILITY)

Chicago, Illinois
Tuesday, December 13, 2011

Met, pursuant to notice, at 10:30 a.m. in
N901, Eighth Floor, 160 North LaSalle Street,
Chicago, Illinois.

PRESENT:

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

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PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act I now convene a Regular Open Meeting of the Illinois Commerce Commission. With me in Chicago are Commissioner Ford, Commissioner O'Connell-Diaz and Acting Commissioner Colgan. I'm Chairman Scott. We have a quorum. I believe we have Commissioner Elliott available by phone.

Are you there, Commissioner Elliott?

COMMISSIONER ELLIOTT: I am, Mr. Chairman.

CHAIRMAN SCOTT: Very good. By rule we'll have to take a vote to allow Commissioner Elliott to participate by phone.

I move to allow Commissioner Elliott to participate by phone.

Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

COMMISSIONER FORD: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say, Aye.

(Chorus of ayes.)
CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 4 to nothing and Commissioner Elliott may participate by phone.

Welcome, Commissioner. We do -- all of us here want to offer you our condolences. Commissioner Elliott's brother-in-law passed away and Commissioner Elliott is away attending -- with his family. And we really want to offer you our condolences. It's very difficult at any time, but especially at this time of year. So we want you to know that our thoughts and prayers are with you and your sister and your family.

COMMISSIONER ELLIOTT: Thank you very much, Mr. Chairman. I appreciate it. And all of you, thanks.

CHAIRMAN SCOTT: Before moving into the Agenda, according to Section 1700.10 of Title II 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 our Commission meeting. According to the
Chief Clerk's Office we have no requests to speak at
today's Regular Open Meeting.

Moving into our Agenda, Item 1 is
Docket Nos. 11-0279 and 11-0282 consolidated. This
is the Ameren Illinois Utility's rate case. Before
us today is a motion to sever the electric docket
from the gas docket and dismiss the electric case.
We'll hold this motion for disposition at a future
Commission proceeding. Additionally, we've received
a request for oral argument in this matter and we
will send notice of the oral argument to parties in
the near future.

Item 2 is Docket No. 11-0469. This is
Ameren's Petition for authorization to use eminent
domain for building a transmission line in LaSalle
County. ALJ Albers recommends entry of an Order
granting the requested relief.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Is there a motion to enter the
Order?
COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say, Aye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5 to nothing and the Order is entered.

We will use this 5 to nothing vote for the remainder of today's meeting unless otherwise noted.

Item 3 is Docket No. 11-0660. This is the Illinois Power Agency's Petition for approval of its procurement plan. Before us today is a request for oral argument made by Comverge, which ALJ Wallace recommends we deny.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Are there any objections to denying the oral argument request?
CHAIRMAN SCOTT: Hearing none, the request for oral argument is denied.

We'll be entering an Order in this matter at our December 21st Bench Session. So we will hold final disposition of the IPA Procurement Order until then.

Items 4 through 11 can be taken together. These items are Applications for Licensure as Agents, Brokers and Consultants under Section 16-115C of the Public Utilities Act. In each case the ALJ recommends entry of an Order granting the requested Certificate.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Items 12 and 13 can also be taken together. These are Petitions for Certificates of Service Authority brought by XOOM Energy Illinois to
operate as an alternative retail electric supplier
and as an alternative gas supplier. In each case ALJ
Wallace recommends entry of an Order granting the
requested Certificate.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Orders are
entered.

Item 14 is Docket No. 11-0634. This
is Netrix's Application for Certificates of Service
Authority to provide resold and facilities-based
local and interexchange telecommunications in
Illinois. ALJ Teague recommends entry of an Order
grantsing the requested Certificates.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

CHAIRMAN SCOTT: Hearing none, the Order is
entered.
Item 15 is Docket No. 11-0644. This item concerns DISH Network Phone & Internet's Application for Certificates to provide resold local and interexchange and facilities-based local exchange telecommunications services in Illinois. Before us today is an Amendatory Order correcting the Applicant's name and ALJ Riley recommends entry of this Amendatory Order.

Is there any discussion?

(No response.)

CHAIRMAN SCOTT: Any objections?

(No response.)

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

Item 16 is a FERC matter which we'll address in closed session.

Is there a motion to go into closed session?

ACTING COMMISSIONER COLGAN: So moved.

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN SCOTT: Is there a second?

ACTING COMMISSIONER COLGAN: Second.
CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say, Aye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5 to nothing to go into closed session.

(Whereupon, at this point Pages 10-13 of the proceeding are contained in a separate closed transcript.)
CONTINUATION OF PROCEEDINGS

CHAIRMAN SCOTT: In closed session the Commission discussed filing Comments in FERC Docket No. ER-12-445-000.

Is there a motion to file the Comments with FERC?

ACTING COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER O'CONNELL-DIAZ: Second.

CHAIRMAN SCOTT: It's been moved and seconded.

All in favor say, Aye.

(Chorus of ayes.)

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is 5 to nothing and the Comments will be filed with FERC.

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

JUDGE WALLACE: I was just going to inquire if you had a time for the oral argument in Ameren yet?

CHAIRMAN SCOTT: No, we don't yet.

JUDGE WALLACE: We do need to send the notice
CHAIRMAN SCOTT: Well, we may change the day. So that's why we didn't make an announcement on that.

JUDGE WALLACE: The day or the time, sir?

CHAIRMAN SCOTT: The day.

JUDGE WALLACE: Okay. All right.

That's all there is at this meeting.

CHAIRMAN SCOTT: Okay. I think I have two quick -- quick announcements. One is we'll be back at 1:15 for oral argument on consolidated Docket Nos. 11-0280 and 11-0281.

I also want to congratulate Commissioner O'Connell-Diaz on being the new Chair of the NARUC Electricity Committee. So congratulations. Very good for you and very good for Illinois.

COMMISSIONER O'CONNELL-DIAZ: Thank you. I'm really honored to have been chosen, and I'm really glad that it is good news for our state and -- we need a lot of good news. So I'm very, very happy to continue to serve and thank you very much, Chairman.

COMMISSIONER FORD: It was a great appointment.

You've worked hard to -- on that election day.
COMMISSIONER O'CONNELL-DIAZ: Who would have thought.

CHAIRMAN SCOTT: Anything else?

COMMISSIONER ELLIOTT: Congratulations.

COMMISSIONER O'CONNELL-DIAZ: Thank you, Commissioners.

CHAIRMAN SCOTT: Hearing nothing, the meeting stands adjourned.

MEETING ADJOURNED