BEFORE THE
ILLINOIS COMMERCE COMMISSION

PUBLIC UTILITY BENCH MEETING

Chicago, Illinois
December 16, 2009

Met pursuant to notice at 10:30 a.m.

BEFORE:

MR. CHARLES E. BOX, Chairman

MS. LULA M. FORD, Commissioner

MS. ERIN M. O'CONNELL-DIAZ, Commissioner

MR. SHERMAN J. ELLIOTT, Commissioner

MR. JOHN T. COLGAN, Commissioner

SULLIVAN REPORTING COMPANY, by
Tracy L. Overocker, CSR
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CHAIRMAN BOX: Moving on to the Public Utilities. We have minutes to approve from the November 12th, 2009 Special Opening Meeting. Is there a motion to approve the minutes?

COMMISSIONER O'CONNELL-DIAZ: Chairman, has someone gone through these minutes?

CHAIRMAN BOX: We used to have a procedure where I think the assistants rotate in going -- I think Liz goes through them initially and then one of the assistants on a rotating basis go through the minutes.

COMMISSIONER O'CONNELL-DIAZ: Can we hold this one? I do see some mistakes in it.

CHAIRMAN BOX: In the minutes?

COMMISSIONER O'CONNELL-DIAZ: Yes.

CHAIRMAN BOX: We'll hold this. I'm looking for guidance there. There should be no problem holding this until the next meeting.

COMMISSIONER O'CONNELL-DIAZ: Yeah.

CHAIRMAN BOX: Before we move on, we're holding Items E-4 which is the IPA procurement order. We
tentatively scheduled that for a vote on the 22nd, next week. G-8, Peoples and North Shore Gas case, the deadline on that is January 25th of 2010. There's been a request for oral argument so, therefore, all the parties need to look at their calendars so we can schedule that oral argument well in advance of that date so we can be ready long before the 25th to vote that out. That's G-8. And we're also holding T-9, which is the AT&T reclassification case, and the deadline on that is the 26th of December. We'll vote on that on the 22nd. Okay. That's E-4, G-8 and T-9.

Item E-1 is an order reopening. Commonwealth Edison Company petitions to reopen these dockets to extend its financing authority previously granted. Administrative Law Judge Wallace recommends entering the order granting ComEd the extension it requested.

Is there any discussion?

(No response.)

Any objections?

(No response.)
Hearing none -- I'm sorry, is there a motion to enter the order?

COMMISSIONER ELLIOTT: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say "aye."

(Chorus of ayes.)

Opposed?

(No response.)

The vote is 5-0, the order is entered. We will use this 5-0 roll call vote for the remainder of the public utilities agenda, unless otherwise noted.

Item E-2 is Docket 09-0157. This is a complaint against Commonwealth Edison. The complainant failed to appear. Administrative Law Judge Hilliard recommends that the Commission dismiss this matter with prejudice for want of prosecution.

Is there any discussion?

(No response.)

Any objections?
(No response.)

Hearing none, the matter is dismissed with prejudice.

Item E-3 is Docket 09-0344. The parties have settled and moved to dismiss.

Administrative Law Judge Benn recommends that the Commission dismiss the complaint with prejudice.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the complaint is dismissed with prejudice.

Once again, Item E-4 is being held.

Item E-5 is Docket 09-0375.

AmerenIP petitions for approval of a territorial service agreement with a municipality for the purchase and sale of certain properties in Princeton, Illinois. Administrative Law Judge Jones recommends entering the order granting the petition.

Is there any discussion?

(No response.)
Any objections?
(No response.)

Hearing none, the order is entered.

Item E-6 is Docket 09-0379. This is Commonwealth Edison Company's 2007 reliability performance report. Staff recommends entering the order authorizing release to the public of the unredacted confidential version of the 2007 report accepted by the Commission on August 19th, 2009.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the order is entered.

Item E-7 through Items E-14 will be taken together. These are various applications for A, B, C licenses. Administrative Law Judge Yoder recommends entering the orders approving the applications.

Is there any discussion?
(No response.)

Any objections?
Hearing none, the orders are entered.

Item E-15 is Docket 09-0555.

Realgy, LLC, petitions for a certificate of service authority to operate as an ARES serving nonresidential customers greater than 15,000 kilowatts. Administrative Law Judge Yoder recommends entering the order granting the requested certificate of service authority.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the order is entered.

That concludes the Electric portion of today's agenda.

Turning now to Natural Gas,

Items G-1 through G-6 will be taken together. These are various filings submitted by Northern Illinois Gas Company and the three Illinois Ameren utilities to amend tariffs related to gas supply cost rider,
intrastate transportation and storage services rates and tax additions. Staff recommends not to suspend the filings.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the filings will not be suspended.

Item G-7 is Docket 09-0129. The parties have filed a joint motion to dismiss with prejudice. Administrative Law Judge Hilliard recommends granting the motion to dismiss with prejudice.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the motion to dismiss with prejudice is granted.

We are, once again, holding Item G-8.
Item G-9 is Docket 09-0401.

Darlene E. Wikoff filed a complaint against AmerenIP concerning a billing dispute. The order dismisses the case for want of prosecution. Administrative Law Judge Tapia recommends entering the order dismissing the proceedings with prejudice.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the order is entered dismissing the case with prejudice.

Item G-10 is Docket 09-0429. The parties have settled and moved to dismiss the complaint which prejudice. Administrative Law Judge Gilbert recommends entering the order granting the motion to dismiss with prejudice.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the order is entered
dismissing the case with prejudice.

Item G-11 is Docket 09-0481. The parties have settled and moved to dismiss. Administrative Law Judge Kimbrel recommends that this docket be dismissed with prejudice.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the joint motion to dismiss with prejudice is entered. That concludes the Natural Gas portion of today's agenda.

Turning to Telecommunications.

Item T-1 is a filing by Illinois Bell Telephone Company. This filing establishes a retail and resale mobility national retail services connection charge waiver. Staff recommends the filing not be suspended.

Is there any discussion?
(No response.)

Any objections?
(No response.)
Hearing none, the filing will not be suspended.

Item T-2 is Docket 09-0274. This is an amendatory order correcting the name of the petitioner. Administrative Law Judge Haloulos recommends entering the order.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the amendatory order is entered.

Items T-3 through T-6 will be taken together. These are petitions by various telecommunications providers for certificates to provide various services. The Administrative Law Judges recommend entering the order granting the certificates.

Is there any discussion?

(No response.)

Any objections?

(No response.)
Hearing none, the orders are entered granting the certificates.

Item T-7 sets the maximum rates and charges for operator service providers. Staff recommends entering the order setting rates.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the order is entered.

Item T-8 is Docket 06-0027. This is a motion to dismiss. Administrative Law Judge Hilliard recommends dismissing this case with prejudice.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the case is dismissed with prejudice.

Once again, we are holding Item T-9.
Items T-10 through T-14 will be taken together. These are interconnection agreements and amendments to interconnection agreements. Administrative Law Judge Haloulos recommends entering the orders approving the interconnection agreements and amendments to the interconnection agreements.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the orders are entered. There are no Water and Waste Water items today.

Under Miscellaneous, we have Item M-1 is a rate of interest to be paid on customer deposits. Staff recommends entering the order setting the interest rate at 0.5 percent.

Is there any discussion?
(No response.)

Any objections?
(No response.)
Hearing none, the order is entered.

There are two FERC matters before the Commission today. The first is Docket ER10-268-000 and Docket AD09-8-000. Is there a motion to go into closed session?

COMMISSIONER ELLIOTT: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN BOX: It's been moved and seconded to go into closed session. All in favor say "aye."

(Chorus of ayes.)

Opposed?

(No response.)

The vote is 5-0, the Commission will go into closed session. It is 10:46. Let me know when we're ready in Springfield.

(Whereupon, a discussion was had in closed session.)
Whereupon, the following proceedings were had in open session.

CHAIRMAN BOX: During the closed session, we discussed two FERC matters. The first FERC item was Docket ER10-268-000. Staff recommends adopting these comments and filing them with FERC on December 16th.

Is there a motion to adopt and file the comments with FERC?

COMMISSIONER FORD: 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."

(Chorus of ayes.)

Opposed?

(No response.)

The vote is 5-0. The comments will be adopted and filed with the FERC today.

The second FERC item is Docket AD9-8-000. Staff recommends filing the reply comments with FERC.
Is there a motion to file the comments with FERC?

COMMISSIONER O'CONNELL-DIAZ: So moved.

CHAIRMAN BOX: Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN BOX: It's been moved and seconded.

All in favor say "aye."

(Chorus of ayes.)

Opposed?

(No response.)

The vote is 5-0. The comments will be filed with the FERC.

Judge Wallace, anything else to come before us today?

JUDGE WALLACE: Not today, Mr. Chairman.

CHAIRMAN BOX: And we have just a regular open meeting next -- Tuesday morning at 10:30 the 22nd?

JUDGE WALLACE: Yes.

CHAIRMAN BOX: Okay. With that, the meeting is adjourned.

JUDGE WALLACE: I'm sorry, did you want G-8 back on the 22nd?
CHAIRMAN BOX: Oh, I wouldn't think so.

COMMISSIONER O'CONNELL-DIAZ: Are we having a brief -- I think that might be helpful.

COMMISSIONER ELLIOTT: Are we going to schedule an oral argument?

CHAIRMAN BOX: Why don't we schedule the next meeting and have everyone look at their calendars and see when is the best because the deadline is the 25th, as I said, given the 7-day notice and the time to take into account what we heard and if there are any changes to be made to the orders, we'll do that all next Tuesday.

The meeting stands adjourned.

(Whereupon, the public utility bench meeting was adjourned.)