BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH SESSION
(PUBLIC UTILITIES)
Springfield, Illinois
Wednesday, December 19, 2012
Met, Pursuant to notice, at 10:30 a.m.
in the Audiovisual Conference Room, Second Floor,
Leland Building, 527 East Capitol Avenue,
Springfield, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner
(Via audiovisual conference)

MS. ERIN M. O'CONNELL-DIAZ, Commissioner
(Via audiovisual conference)

MR. JOHN T. COGAN, Commissioner

MS. ANN McCABE, Commissioner

L.A. COURT REPORTERS, LLC.
BY: Lori Ann Asauskas
CSR: #084-002890
PROCEEDINGS

CHAIRMAN SCOTT: 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 Springfield are Commissioner Colgan and Commissioner McGabe. With us in Chicago are Commissioner Ford and Commissioner O'Connell-Diaz. 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 will 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 now to Public Utility agenda we will begin with the approval of minutes from our November 20th Regular Open Meeting. I understand amendments have been forwarded.
Is there a motion to amend the minutes?

. 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.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

CHAIRMAN SCOTT: The vote is five to nothing and the minutes for our November 20th Regular Open Meeting, as amended, are approved.

Up next is the approval of minutes from our November 28th Bench Session. I understand amendments have been forwarded. Is there a motion to amend the minutes?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER McCABE: Second.

CHAIRMAN SCOTT: It's been moved and seconded. All in favor, say aye.
COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

The vote is five to nothing and the amendments to the minutes are adopted. Is there now a motion to approve the minutes as amended?

COMMISSIONER McCABE: 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.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

The vote is five to nothing and the minutes for our November 28th Bench Session, as amended, are approved.

Turning to the electric portion of our agenda, Items E-1 and E-2 concern the adoption of 2010 Reliability Reports for MidAmerican and ComEd. In each case, Staff recommends entry of an Order adopting the Report.
Is there any discussion?
(No response.)

Is there a motion to enter the Orders?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

MS. McCABE: Second.

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

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?
(No response.)

CHAIRMAN SCOTT: The vote is five to nothing and the Orders are entered. We will use this five to nothing vote for the remainder of the Public Utility agenda unless otherwise noted.

Item E-3 concerns a filing by MidAmerican seeking permission for changes to the form of its bills. Staff recommends granting the company's request by not suspending the filing.

Is there any discussion?
(No response.)
Are there any objections?

(No response.)

Hearing none, the filing will not be suspended.

Item E-4 is Docket No. 12-0017.

This is a petition by Ameren Transmission Company seeking approval to enter into a long-term borrowing agreement with its parent company. The Commission entered its Order in this matter on December 5th and before us today is an Amendatory Order attaching an appendix to the original Order.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Amendatory Order is entered.

Item E-5 is Docket No. 12-0089.

This is Ameren’s multi-year performance metrics case currently on reopening and we will hold this matter for disposition at a future Commission meeting.

Item E-6 is Docket No. 12-0102.
This is Lydia Mahr's complaint against Ameren. ALJ Von Qualen recommends entry of an Order granting the complaint.

Is there any discussion?
(No response.)

Are there any objections?
(No response.)

Hearing none, the Order is entered.

Item E-7 is Docket No. 12-0296.

This is Steve and Linda Perry's complaint against Ameren. ALJ Von Qualen recommends entry of an Order denying the complaint.

Is there any discussion?
(No response.)

Are there any objections?
(No response.)

Hearing none, the Order is entered.

Item E-8 is Docket No. 12-0437.

This is Matthew Wolgast's complaint against ComEd. The parties have apparently settled their differences and have brought a Joint Motion to Dismiss, which ALJ Teague recommends we grant.
Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Joint Motion to Dismiss is granted.

E-9 is Docket No. 12-0321. This is ComEd's formula rate update filing under Section 16-108.5 of the Public Utilities Act. ALJs Sainsot, Kimbrel and Jorgenson recommend entry of an Order granting a rate increase, but denying ComEd's pending motion to supplement the record with respect to its rate case expenses.

We'll address the motion to supplement the record first. Is there any discussion on that motion? I would move to deny that motion. Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN SCOTT: Moved and seconded. Is there any discussion on the motion?

(No response.)

All in favor of denying that motion
say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Opposed? The vote is five to nothing and the motion is denied.

Now, turning to the Order itself, we've had some revisions proposed and we will begin with Commissioner Colgan.

COMMISSIONER COLGAN: Yes. Thank you, Chairman. I am proposing amendments today to the "Accumulated Deferred Income Taxes" section of the Order. My amendments are offered for the purpose of clarifying the issue in this proceeding regarding the appropriate balance on which ADIT should be calculated.

My edits do not change the conclusion, but explain that the record in this case lacks the clarity and robustness that is necessary for the Commission to make the adjustment recommended by CUB and AG/AARP. I further suggest that in the future, the parties make arguments that are clear and concise and that they fully engage in issues even if they are new or complicated issues.
With that, Mr. Chairman, I request your support of these edits and move that they be approved.

CHAIRMAN SCOTT: It's been moved. Is there a second?

COMMISSIONER McCabe: Second.

CHAIRMAN SCOTT: It's been moved and seconded. Any discussion on these proposed revisions?

(No response.)

All in favor, say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

The vote is five to nothing and these revisions are adopted.

Next up, I have one set of two minor revisions to offer. My first revision is to the charitable contributions section of the Order, and my revisions maintain the existing conclusion of this section and simply point out that the additional information regarding the purpose of
donations that Ameren has provided in recent cases and how that information has been useful to the Commission, as well as adding some additional language on transparency.

My other revision concerns what schedules should be attached to our Order in this docket. This revision changes the Order's conclusion to instead conclude that only the traditional schedules should be included, and that the formula rate will be included as part of ComEd's compliance filing.

I would move for the adoption of these revisions, and I would appreciate your support on them.

Is there any discussion on these revisions?

(No response.)

Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN SCOTT: Any discussion?

(No Response.)

All in favor say aye.
COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

(No response.)

The vote is five to nothing and the revisions are adopted.

Those are the revisions that have been circulated. Is there any further discussion on this Order itself?

JUDGE SAINSOT: Mr. Chairman, I'm required by law to tell you how many comments there are.

CHAIRMAN SCOTT: Yes, please, Judge.

JUDGE SAINSOT: In this case, there are zero, but I am still required to tell you this.

CHAIRMAN SCOTT: We appreciate that. Thank you, Judge.

Any further discussion on this Order as revised?

(No response.)

I would move to enter the Order as revised. Is there a second?

COMMISSIONER COLGAN: Second.

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

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

COMMISSIONER O'CONNELL-DIAZ: No.

CHAIRMAN SCOTT: The vote is four to one and the Order as revised is entered.

Item E-10 is Docket 12-0544. This is the Illinois Power Agency's petition for the approval of its 2012 procurement plan. ALJ Jones recommends entry of an Order approving the plan as modified through the Order. We have had some revisions to consider here as well and I'll start with Commissioner Colgan. Commissioner?

COMMISSIONER COLGAN: Thank you, Chairman. I am proposing amendments today to the Commission's Conclusion in the Clean Coal section of the IPA Order. My edits change the Commission's determination from denying to approving the retrofitted clean coal facility known as FutureGen 2.0 as a part of the IPA's 2013 Procurement Plan.

My edits do the following:

Demonstrate that the Commission has the authority as
shown by the legislative intent in both the IPA Act and Public Utilities Act to include FutureGen in this Plan; demonstrate that the Commission has the authority to require both utilities and ARES to enter into a Sourcing Agreement with FutureGen; the edits approve a 20-year term for the Sourcing Agreement as proposed by FutureGen; it approves a 55/45 debt equity capital structure at a rate of return on equity of ten percent; it demonstrates that FutureGen's expected increase in customer rates is estimated to be below the statutory caps; the edits approved a two-phase process for approval of the FutureGen project; they demonstrate that the Commission must determine that the Plan as a whole, not be individual components, must meet the criteria in the Public Utilities Act Section 16-111.5(d)(4); they approve FutureGen's updated Sourcing Agreement as they are presented in Exhibit B of their brief on exceptions; and they approved Staff's alternative proposal that FutureGen contract only with ComEd and Ameren, who in turn would be permitted to recover the costs of the FutureGen purchases, including ARES on
a pro rata basis, through a new or modification of an existing tariff from all of their retail customers through a competitively neutral charge.

So Mr. Chairman and Commissioners,

I request your support of these edits and move that they be approved.

CHAIRMAN SCOTT: Thank you, Commissioner Colgan. I will second your motion. Is there any discussion on this matter?

COMMISSIONER O'CONNELL-DIAZ: Mr. Chairman?

CHAIRMAN SCOTT: Commissioner O'Connell-Diaz?

COMMISSIONER O'CONNELL-DIAZ: I appreciate Commissioner Colgan's work on this and this is -- you know, this is a situation the Commission finds itself in with regard to a timeframe that we're looking at and important legislation relative to a type of facility that will improve many things, not just for our state, but on a nationwide level.

However, I think that the legislation that's before us provides that there needs to be certain things in order for the Commission to be able to make that review to give
them the key in the door. And I just struggle with what this record has provided for us and in particular, the Sourcing Agreement.

I believe that ALJ Jones' conclusion on this was correct. The condition that is contained in the IPA Plan that the Sourcing Agreement be approved once agreed upon by all affected parties has obviously not been met.

To the contrary, there are many issues that appeared that have not been resolved. Such critical issues as application of Benchmark's annual rate cap tests, calculation and review of costs, changes in contract price, length of contract, and mandatory applicability of utilities in ARES.

These missing parts were identified by, I think, every other party except for FutureGen and IPA. And this is the -- this lack of completeness, I think, it makes it impossible for the Commission to do the analyses that we would need to do to, in fact, comply with the ability to look at this Sourcing Agreement and ensure that it is consistent with the statutory mandate of the lowest
total cost over time.

You know, as I read through all of these things, and I really read through the work that Commissioner Colgan did, and I appreciate it, it's just that this Sourcing Agreement is just not ready for prime time and I don't think that the legislature had in mind a unilateral imposition of terms in the Sourcing Agreement and that's what is before us right now.

So I just cannot see clear to -- in my mind, giving the key to the door and, in fact, kind of like a blank check on this important part of the process that for this Clean Coal facility, but again, you know, I -- it's a sticky wicket, to say the least, and I appreciate the work that Commissioner Colgan has done.

Hopefully, we'll have rehearing on this and maybe some more agreement will be hoisted through that process, but at this juncture, I just -- I cannot find my way to that part in the road.

COMMISSIONER FORD: Mr. Chairman?

CHAIRMAN SCOTT: Commissioner Ford?
COMMISSIONER FORD: I appreciate John's work and I am certainly in agreement with it because the federal government is giving us $1 billion and any money that we can get from the federal government to aid our clean coal facility, it's certainly needed and with the jobs that's going to go to that area of our great state of Illinois, I certainly appreciate it and I thank you, John, for your work. We were the lone two rangers last time and I certainly hope we have a third ranger this time. So thank you for your work.

COMMISSIONER COLGAN: Oh, you're very welcome.

CHAIRMAN SCOTT: Commissioner McCabe?

COMMISSIONER McCABE: While I respect the opinions of my colleagues on this issue, I will be voting against the edits to include the FutureGen Sourcing Agreement in the IPA plan. I agree that we need to continue to find ways to make our generation mix diverse, cleaner and more reliable and to utilize Illinois coal, but the question before us whether we should place a burden on Illinois utilities, retail
suppliers and ultimately ratepayers to finance this project.

The recommended proceeding demonstrates that Illinois businesses and consumers should not be required to pay for a project that does not contribute toward reliable, affordable or at least cost energy. For this reason, I will be respectfully voting no. Thank you.

CHAIRMAN SCOTT: I'm going to support the revisions and support Commissioner Colgan's work on this project. I agree with what has been said by -- really by all of the Commissioners about the importance of this particular project.

However, in looking at all of the facts that are before us and in applying the statutes to the record, clearly there is an intent that this project -- from the legislature that this project should move forward. And I find on balance that Commissioner Colgan's edits have struck the appropriate balance and found the places in the record that would support these revisions.

I appreciate all of the work
that went into this. It's not an easy case and I appreciate you sorting through all of the different portions of the record that were necessary to actually -- to get to the revisions that you did because it's not a simple, you know, one change or anything like that. There were a lot of things that had to go into that, but I think that not only is this project important, having said that, I voted against projects I found were important before because I didn't find the statutory language to back them up.

In this case, though, distinguishing it from projects like Chicago Clean Energy, I found the statutory provisions here and the way that you have explained that in your revisions support this particular facility. And so for those reasons, not only am I going to vote for this project, but again, thank you for all the work that you put into this. It's not an easy thing to -- as it wasn't for Judge Jones -- negotiate all of the different issues. Further discussion?

COMMISSIONER COLGAN: Well, I --
CHAIRMAN SCOTT: Commissioner Colgan?

COMMISSIONER COLGAN: I thank everybody for their serious consideration of this project. I think we all perceive that it's an important project and, you know, there are a couple of Commissioners that brought up concerns that are going to keep them from supporting this, but I think that the concerns that people have expressed have actually been dealt with in the revisions that have been made. And so I thank you, Chairman, and Commissioner Ford for your support and I would be remiss to not mention that I had a lot of help from my legal and policy advisor, Linda Wagner. Linda and I have had our heads in this proceeding for several weeks now. And so with that, I thank you for your support.

CHAIRMAN SCOTT: Commissioner Colgan has moved, and I have seconded the revision. Is there further discussion?

(No response.)

All in favor of the revisions say aye.

COMMISSIONERS: Aye.
CHAIRMAN SCOTT: Opposed?

COMMISSIONER McCabe: No.

COMMISSIONER O'Connell-Diaz: No.

CHAIRMAN SCOTT: The vote is three to two and Commissioner Colgan's revisions are adopted.

Next, I've got a set of revisions to offer. These revisions are to three different sections of the Order. None changes the conclusions to that particular section.

First, with respect to load forecasting, my revisions simply set out that while we appreciate that other parties may want to participate in a docketed proceeding for the approval of load forecasts in March, given that contract curtailments are at issue here, I don't believe that would be a fruitful process. So these revisions just state that the energy spent trying to fix the RPS would be better spent on some of the other ongoing processes and decline to create a new process around load forecast updates. Again, that doesn't change the conclusion to that section.

Second, with respect to the
renewable energy resources fund, my revisions state that while interpreting and enforcing Section 1-56 of the IPA Act is the responsibility of the IPA. We don't necessarily agree with the interpretation they've given to that section and 1-56(c) in particular.

The IPA's proposed interpretation would preclude it from conducting new REC procurement events using alternative compliance payments collected in that fund, and I simply cannot imagine that this is what the General Assembly envisioned in creating that fund and the alternative compliance payment mechanism. I can't believe that they would have wanted several million dollars to be sitting in that fund not being utilized.

And third, with respect to C3's energy efficiency program proposal, my revisions indicate while we're not adopting that proposal in this proceeding, we do acknowledge that their program has both technological and behavioral components and may well have a measure life beyond one year. So we'd look forward to considering that program in the
future with updated information. I would move for adoption of these revisions and would appreciate your support. Is there a second.

COMMISSIONER FORD: Second.

CHAIRMAN SCOTT: Thank you. Is there any discussion on these revisions?

(No response.)

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

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?

COMMISSIONER O'CONNELL-DIAZ: No.

CHAIRMAN SCOTT: The vote is -- go ahead.

COMMISSIONER O'CONNELL-DIAZ: Just consistent with my vote overall.

CHAIRMAN SCOTT: Okay. The vote is four to one and the revisions are adopted. Those are all the revisions that have been circulated.

Is there any further discussion on the Order itself?

(No response.)
Is there a motion to enter the Order as revised?

COMMISSIONER COLGAN: So moved.

COMMISSIONER FORD: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER COLGAN: Second.

CHAIRMAN SCOTT: Moved by Commissioner Ford.

Seconded by Commissioner Colgan.

Any further discussion?

(No response.)

Moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Opposed?

COMMISSIONER McCabe: No.

COMMISSIONER O'CONNELL-DIAZ: No.

CHAIRMAN SCOTT: The vote is three to two and the Order approving the plan as revised is entered.

And again, we thanked a number of people. I mentioned ALJ Jones, but I really want to thank him. I saw him earlier today. I know he's here somewhere. There he is in the back.
Thank you very much as this was a huge order to put together in only three months time featuring input from many different parties. I really appreciate all of the work they put in on that. So, Judge, thank you very much.

Item E-11 is Docket No. 12-0567. This is a petition by MidAmerican seeking authorization for the proposed issuance of $1.5 billion in long-term debt. ALJ Hilliard recommends entry of an Order approving MidAmerican's application.

Is there any discussion?

(No response.)

Are there any objections?

(No response.)

Hearing none, the Order is entered.

Item E-12 is Docket No. 12-0540. This is Todd Malcolm's application to be licensed as an agent, broker and consultant under Section 16-115C of the Public Utilities Act. The applicant has moved to withdraw his application and ALJ Albers recommends granting that motion and dismissing this proceeding.
Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the matter is dismissed.

Items E-13 through E-16 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 Albers recommends entry of an Order granting the certificate.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered.

Items E-17 and E-18 can be taken together. These items are joint petitioners for a customer release brought by Ameren and Southern Illinois Electric Cooperative and Ameren and Southern
Illinois Power Cooperative. In each case, ALJ Jones recommends entry of an Order granting the release.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered.

Turning now to Natural Gas, Item G-1, Docket Nos. 01-0705, 02-0067, 02-0725 consolidated. This is Nicor's gas storage case, and we'll hold disposition of this matter for a future Commission meeting. We do want to rule on the oral argument requests we have received though, and I move that we grant oral argument in this matter. Is there a second?

COMMISSIONER COLGAN: Second.

COMMISSIONER McCABE: Second.

CHAIRMAN SCOTT: It has been moved and seconded. All in favor say aye.

COMMISSIONERS: Aye.

CHAIRMAN SCOTT: Any opposed?
The vote is five to nothing and oral argument is granted. We are still in the process of determining the date, time and scope of oral argument however, so we will have a notice out to the parties when we've made that determination and that notice will be issued consistent with our seven-day notice requirement.

Item G-2 is Docket No. 10-0398.

This is our audit of Just Energy initiated in 2010 after the Commission made a series of adverse findings about the company's marketing practices, issued significant fines to the company, and called for this audit. Before us today is an Order dismissing this audit proceeding and we'll hold disposition of this item for consideration at a future Commission meeting.

Item G-3 is Docket No. 12-0348.

This is a rulemaking proceeding for Title 83, Part 595 of the Administrative Code concerning gas pipeline accident reporting. ALJ Benn recommends entry of an Order adopting the proposed amendments
with an effective date of January 1, 2013.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item G-4 is Docket No. 12-0350.

This is Sommatra Jackson's complaint against Nicor.

ALJ Teague recommends entry of an Order dismissing this matter without prejudice for want of prosecution.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Items G-5 and G-6 can be taken together. This is the rate case for North Shore Gas and Peoples Gas, and before us today are Resuspension Orders suspending the filings of an additional six months for further investigation.

Is there any discussion?
Any objections?  
(No response.)

Hearing none, the Orders are entered.

Item G-7, is Docket No. 12-0588. This is Nicor's petition seeking various forms of relief in connection with providing energy support services to United States government agencies. ALJ Jorgenson recommends entry of an Order granting the requested relief.

Is there any discussion?  
(No response.)

Any objections?  
(No response.)

Hearing none, the Order is entered.

Moving on to telecommunications,

Item T-1 is Docket No. 11-0680. This is Residential Long Distance's application for a certificate of interexchange authority. The company has moved to withdraw its application and ALJ Teague recommends granting that motion to withdraw.
Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the motion to withdraw is granted.

Item T-2 is Docket No. 12-0520.

This is ALEC’s petition to change the corporate form on its certificates of service authority. ALJ Riley recommends entry of an Order cancelling the certificates issued to ALEC, Inc. and granting those same certificates to ALEC, LLC.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Items T-3 through T-5 can be taken together. These are petitions by telecommunications providers seeking certificates of service authority under Title XIII of the Public Utilities Act. In each case, ALJ Benn recommends entry of an Order
granting the certificates.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the orders are entered.

Items T-6 through T-7 can be taken together. These are petitions by telecommunications providers seeking the cancellation of previously-issued certificates of service authority. In each case, the ALJ recommends entry of an Order cancelling the certificates.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Joint Motion to Dismiss is granted.

Item T-8 is Docket No. 12-0557.

This is a joint petition for the approval of amendments to interconnection agreements between
telecommunications carriers. The parties have made a Joint Motion to Dismiss this proceeding, and ALJ Jorgenson recommends granting that Joint Motion to Dismiss.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Joint Motion to Dismiss is granted.

Items T-9 through T-13 can be taken together. These items are joint petitions by telecommunications carriers seeking the approval of amendments to interconnection agreements. In each case, the ALJ recommends entry of an Order approving the amendment.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the orders are entered.
Items T-14 through T-15 can be taken together. These items concern initiating citation proceedings against telecommunications carriers for failure to maintain their corporate status. In each case, Staff recommends entry of an Order initiating citation proceedings.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item T-16 concerns initiating a rulemaking proceeding for Title 83, Part 735 of the Administrative Code. The Commission had previously addressed this section of the Code in Docket No. 11-0688, but because over one year passed before JCAR could approve these amendments, Staff recommends entry of an Order initiating another rulemaking proceeding.

Is there any discussion?

(No response.)

Any objections?
Item T-17 is Docket No. 12-0349.

This is a rulemaking proceeding for Title 83, Part 725 of the Administrative Code concerning standards for 911 emergency systems. ALJ Haynes recommends entry of a Second Notice Order authorizing submission of the proposed amendments to JCAR.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item 18 is Docket No. 12-0413.

This is Consolidated Communications' petition for a declaratory ruling concerning the applicability of certain regulations to inmate calling services. Before us today is a Petition for Interlocutory Review filed by Securus Technologies concerning a discovery ruling made by the ALJ.

Is there any discussion?

(No response.)
Any objections?

(No response.)

Hearing none, the Petition for Interlocutory Review is denied.

Items T-19 through T-22 can be taken together. These items are petitions for the approval of corporate reorganizations brought by telephone companies under Section 7-204 of the Public Utilities Act. In each case, ALJ Yoder recommends entry of an Order approving the reorganization.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Items T-23 through T-25 can also be taken together. These items are petitions for the confidential and/or proprietary treatment of the petitioners' annual reports. In each case, the ALJ recommends an entry of an Order granting the requested treatment.

Is there any discussion?
Any objections?

(No response.)

Hearing none, the Orders are entered.

On to water and sewer, Item W-1 is Docket No. 12-0194. This is Aqua Illinois’ reconciliation case for revenues collected under its qualifying infrastructure plant surcharge. ALJ Hilliard recommends entry of an Order approving the reconciliation.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is approved.

We have one miscellaneous item for consideration today. Item M-1 concerns the rate of interest to be pay on utility customer deposits for 2013. Our rules require that rate to be based on the one-year treasury bill rates, rounded to the nearest
half percent. That rate is currently 0.18 percent, Staff recommends entry of an Order setting the customer deposit rate for 2013 at zero.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Just one brief comment on that, in this day and age where everything is done and set by computer, it seems a little archaic that we actually round to the nearest half. And so maybe at some point in the future, that may be something that's right for a rulemaking. It seems to me computers can do that sort of a thing fairly easily these days. So that's just something to think about for the future.

We have one Petition for Rehearing today. Item PR-1 is Docket No. 11-0685. This is that Jamal Shehadeh's complaint against Consolidated Communications. The complainant has filed an application for rehearing in this matter and ALJ Yoder recommends denying that application.
Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Petition for Rehearing is denied.

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

JUDGE WALLACE: I think we are done for the year.

CHAIRMAN SCOTT: Thank you, sir. Hearing none, this meeting stands adjourned. Thank you, everyone, and everyone have a very safe and happy holiday season. See you next year.

(Whereupon, no further proceedings were had at the Commission Bench Session.)