BEFORE THE

ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING

PUBLIC UTILITY

Tuesday, December 20, 2016

Chicago, Illinois

Met, pursuant to notice, at 10:30 A.M.,
at 160 North La Salle Street, Chicago, Illinois.

PRESENT:

BRIEN J. SHEAHAN, Chairman

ANN MCCABE, Commissioner

SHERINA E. MAYE EDWARDS, Commissioner

MIGUEL DEL VALLE, Commissioner

JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170
CHAIRMAN SHEAHAN: Good morning. Are we ready to proceed in Springfield?

CHIEF CLERK: Yes, we are.

CHAIRMAN SHEAHAN: Pursuant to the Open Meetings Act, I call the December 20, 2016 Regular Open Meeting to order.

Commissioners McCabe, del Valle, and Edwards, and Rosales are present with me in Chicago.

We have a quorum.

We have no requests to speak and will, therefore, move on to our Public Utility Agenda.

There are no edits to the Minutes of our December 6, 2016 Regular Open Meeting.

Are there any objections to approving the Minutes?

(No response.)

Hearing none, the Minutes are approved.

Moving on to our Electric Agenda, Item E-1 concerns a consumer complaint against ComEd.

Are there any objections to granting the Stipulation and Joint Motion to Dismiss?
(No response.)

Hearing none, the stipulation and motion are granted.


Are there any objections to approving the proposed Order granting the application?

(No response.)

Hearing none, the Order is approved.

Item E-3 concerns Mt. Carmel's proposed increase in electric rates.

Are there any objections to approving the proposed Resuspension Order?

(No response.)

Hearing none, the Resuspension Order is approved.

Items E-4 and 5 concern Applications for ABC Licenses.

Are there any objections to considering these items together and approving the proposed Orders granting the certificates?
(No response.)

Hearing none, the Orders are approved.

Item E-6 concerns Starion Energy's Application for a Certificate of Service Authority.

Is there a motion to grant the certificate?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCABE: Seconded.

CHAIRMAN SHEAHAN: Any discussion?

Commissioner del Valle, I believe you have comments.

COMMISSIONER del VALLE: Yes. Thank you, Mr. Chairman.

This Order grants Starion Energy's Application for a Certificate of Service. This is despite the fact that Starion is the subject of five investigations in four states seeking a binding determination regarding Starion's compliance with rules and regulations related to solicitation and authorization. Of these investigations, Starion disclosed only one with its application.
In addition, no evidence was provided by Starion about its compliance management, its quality assurance for marketing, and steps it has taken in response to these investigations to support a finding that Starion has the ability to properly manage customer solicitation and authorization.

I believe the Commission should deny this application because of the omission of this information and the absence of evidence to provide assurances that it can comply with solicitation and authorization rules, particularly in light of the amendments to Part 412 that we are considering in Docket No. 15-0512.

Accordingly, I will be voting no and I will be filing a dissent. Thank you.

CHAIRMAN SHEAHAN: Thank you, Commissioner.

Any other discussion?

(No response.)

All those in favor, say aye.

COMMISSIONER MAYE EDWARDS: Aye.

COMMISSIONER ROSALES: Aye.

CHAIRMAN SHEAHAN: Aye.
Opposed, say nay?

COMMISSIONER McCabe: Nay.

COMMISSIONER del Valle: Nay.

CHAIRMAN SHEAHAN: The ayes have it and the vote is 3 to 2 and the Certificate is granted.

Item E-7, American Power & Gas, is an Application for a Certificate of Service Authority.

Are there any objections to approving the proposed Order -- excuse me -- granting the Certificate?

(No response.)

Hearing none, the Order is approved.

Moving on to our Gas Agenda, Item G-1 concerns Nicor's filing to update citations and certain tariffs.

Are there any objections to not suspending the filing?

(No response.)

Hearing none, the filing is not suspended.

Item G-2 concerns U.S. Steel's plan for the inspection and maintenance of its pipeline
facilities.

Commissioner del Valle, I believe you have a comment.

COMMISSIONER del VALLE: Yes. Thank you, Mr. Chairman.

This Order finds that the Commission has jurisdiction over the pipes in question here. This Order also finds that none of the Commission's pipeline safety regulations cover these types of pipes. I agree on both and will be voting to approve.

I disagree, however, that Staff should be instructed to put together a report making its case for why regulation is necessary when Staff has already done so in testimony, which is quoted by this Order, explaining the need for regulation based on safety concerns.

Rather than unnecessarily delaying this process, Staff should have been clearly instructed to return to us with the proposed rulemaking that would cover these and similarly-situated pipes that are not covered by our
existing rules.

I urge Staff not to delay in submitting its report and for it to include a proposal to initiate a rulemaking and proposed rules. This is a safety concern. Thank you.

CHAIRMAN SHEAHAN: Thank you.

Are there any other comments?

(No response.)

Are there any objections to approving the proposed Order dismissing the proceeding?

(No response.)

Hearing none, the Order is approved.

Moving on to Item G-3 concerns a consumer complaint against Peoples Gas.

Any objections to granting the Joint Motion to Dismiss?

(No response.)

Hearing none, the motion is granted.

Moving on to our Telecommunications Agenda, Item T-1 concerns Onvoy Spectrum's Application for a Certificate of Service Authority.

Are there any objections to approving
the proposed Order granting the Certificate?

(No response.)

Hearing none, the Order is approved.

Item T-2 concerns Vodafone's Application to Cancel its Certificate of its Associated Tariff.

Are there any objections to approving the proposed Order canceling the certificate as to its Associated Tariff?

(No response.)

Hearing none, the Order is approved.

Move on to the Petitions for Rehearing, PR-1 concerns North Shore and Peoples' Purchase of Receivables Rider.

Is there a motion to deny the Application for Rehearing?

COMMISSIONER MAYE EDWARDS: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: Any discussion?

(No response.)

All those in favor, say aye.
COMMISSIONER MAYE EDWARDS: Aye.

COMMISSIONER ROSALES: Aye.

COMMISSIONER McCabe: Aye.

CHAIRMAN SHEAHAN: Aye.

Opposed, say nay.

COMMISSIONER del VALLE: Nay.

CHAIRMAN SHEAHAN: The vote is 4 to 1 and the Application for Rehearing is denied.

Item PR-2 concerns ComEd's Formula Rate Update and Revenue Requirement Reconciliation.

Are there any objections to granting the Joint Application for Rehearing and directing the Administrative Law Judge to set a schedule in the rehearing proceeding consistent with the schedule proposed in the application?

(No response.)

Hearing none, the application is granted.

Judge Kimbrel, do you have any other matters to bring before the Commission?

JUDGE KIMBREL: No, Mr. Chairman.

CHAIRMAN SHEAHAN: Commissioners, do you have any
other matters you would like to bring before the Commission?

(No response.)

Seeing none and without objection, we stand adjourned. Thank you.

(Whereupon, the above matter was adjourned.)