BEFORE THE

ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING

PUBLIC UTILITY

Wednesday, February 10, 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: All right. Are we ready to go in Springfield?

(No response.)

You can't hear us. How about now?

MR. HINES-SHAH: You are on.

CHAIRMAN SHEAHAN: Okay. All right. We have kind of a strange setup this morning. We are accommodating workshops going on next door regarding Peoples, so forgive the inconvenience.

Pursuant to the Open Meetings Act, I call the February 10, 2016 Regular Open Meeting of the Illinois Commerce Commission to order.

Commissioners McCabe, del Valle, Edwards and Rosales are present with me in Chicago. We have a quorum.

We have no requests to speak.

Moving on to our Public Utility agenda, there are edits to the Minutes of our January 5th and 13th meetings.

There are no edits to the Minutes of our January 20th Regular Open Meeting Minutes.

Is there any objection to approving those minutes?

(No response.)
Without objection, those minutes are approved.

Just a point of clarification, I suppose. Judge Kimbrel, is any motion required on closed meetings and transcript memorandum?

JUDGE KIMBREL: I'm not sure what you are talking about.

CHAIRMAN SHEAHAN: Okay. We will get back to that, if that is necessary.

Moving on to the Electric agenda,

Item E-1 concerns the Commencement of Reconciliation Proceedings Collected under Ameren's Hazardous Materials Adjustment Rider.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item E-2 concerns the 2016 Published Price Index for Electricity Pursuant to Part 451 of the Illinois Administrative Code.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.
Items E-3 through 5 concern various customer complaints.

Are there any objections to considering these items together and approving the ALJ's recommendations?

(No response.)

Hearing none, the ALJ's recommendations are approved.

Items E-6 through 7 concern various Joint Petitions for Approval of Residential Customer Releases.

Are there any objections to considering these items together and approving the proposed Orders?

(No response.)

Hearing none, the Orders are approved.

Item E-9 concerns ComEd's Petition for a Conditional Exemption from the Requirements of Section 280.5 of the Commission's Rules.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item E-10.
COMMISSIONER del VALLE: Mr. Chairman --

CHAIRMAN SHEAHAN: Commissioner del Valle.

COMMISSIONER del VALLE: -- I have a couple of questions.

CHAIRMAN SHEAHAN: Okay.

COMMISSIONER del VALLE: This is the Order that provides an exemption for ComEd, an exemption to the requirements that ComEd supply in each one of its bills definitions or explanations of any abbreviations of the technical words used on the bill.

CHAIRMAN SHEAHAN: Judge Dolan.

JUDGE DOLAN: Yes.

COMMISSIONER del VALLE: Do we provide the same exemption to Ameren?

JUDGE DOLAN: I'm sorry. That one I'm not sure.

COMMISSIONER del VALLE: You can get back to me.

JUDGE DOLAN: I will. I will check.

COMMISSIONER del VALLE: Thank you.

Then I have a quick comment, and this is directed to ComEd. I don't know if they're here. I appreciate the fact that this exemption still requires that this information get out, but it's going to get out in a different manner. It's not
going to be required as an explanation on each bill, right?

JUDGE DOLAN: That's correct.

COMMISSIONER del VALLE: And the reason for the exemption is ComEd argues that the cost for adding a second page to the bill is high. I was shocked at the amount.

JUDGE DOLAN: I was too.

COMMISSIONER del VALLE: I didn't know that adding a second page would cost $3.28 million annually, but that's the figure --

JUDGE DOLAN: That was presented.

COMMISSIONER del VALLE: -- that's been given.

JUDGE DOLAN: Yes. Yes.

COMMISSIONER del VALLE: And I appreciate the fact that all the bill inserts, and this is the first time I see a figure, allowed for collection of $275,000 in revenue that is used to offset costs, so that's good for the ratepayers.

JUDGE DOLAN: That's correct.

COMMISSIONER del VALLE: But my concern is that it is important for people to understand their bills and what they committed to is including an explanation I guess once a year along with other
bill inserts.

JUDGE DOLAN: That's correct.

COMMISSIONER del VALLE: And so I know that when I see that bill, and it's thick, it's loaded with a bunch of paper, additional paper, but those are the added inserts that are put in. Sometimes it's as many as five or six, you know, selling things, selling products.

JUDGE DOLAN: Yes.

COMMISSIONER del VALLE: Those get put aside and thrown in the garbage many times. I know that's what happens in my household. We don't look at them.

So my concern is that this explanation that is sent out annually will get lost and buried in that large pile of bill inserts, and I just want that feedback to be conveyed, because it kind of defeats the purpose in part of making sure that consumers are educated about what their bill says, and what it means, and what the breakdown of the bill categories -- the technical categories.

JUDGE DOLAN: Well, it did say that any time a customer contacts ComEd they'll provide any information, even in Spanish, and also they can go
on their website.

COMMISSIONER del VALLE: That's true, but the customer -- but the purpose of the original law was to make sure that they saw it on a monthly basis.

JUDGE DOLAN: Yes.

COMMISSIONER del VALLE: This puts the obligation -- the responsibility on the customer, and I can understand that, but I just think that, for example, if this were a separate insert and the only insert, then maybe people will pay more attention to it, so it's feedback that I want to pass on.

JUDGE DOLAN: Okay.

COMMISSIONER del VALLE: Thank you.

COMMISSIONER McCabe: What percentage of customers get E-bills versus paper?

JUDGE DOLAN: I don't know that. I can find that one out for you.

COMMISSIONER del VALLE: Sure. I'm sure it's a growing percentage.

JUDGE DOLAN: Okay. I can find that one out for you, too, Commissioner.

CHAIRMAN SHEAHAN: Any other questions?

(No response.)
Do we want to approve this with unanimous consent? So without objection, Item E-9 is approved.

Item E-10 concerns ComEd's petition seeking approval to engage in transactions with affiliated interests and approval of various loan agreements.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item E-11 concerns ComEd's Petition Seeking Approval of Revisions to its General Terms and Conditions for Certain Estimated Meter Readings on Less Than 45 Days' Notice.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Items E-12 and 13 concerns a Petition to Cancel Certificates of Service Authorities.

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

Hearing none, the Orders are approved.

Items 14 through 16 involve Applications for Licensure of Agents, Brokers and Consultants under the Public Utilities Act.

Are there any objections to considering these items together and approving the proposed Orders?

(No response.)

Hearing none, the Orders are approved.

Item E-17 concerns Solar Plus' Application requesting Certificate of Service Authority to operate as an Installer of Distributed Generation Facilities.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Moving on to our Gas agenda, Item G-1 concerns Reconciliation of Revenues Collected under Nicor's Energy Efficiency Rider.

Are there any objections to approving the proposed Order?

(No response.)
Hearing none, the Order is approved.

Item G-2 concerns Ameren's
Reconciliation of Revenues Collected under its
Purchase Gas Adjustment Charges.
Are there any objections to approving
the proposed Order?
(No response.)
Hearing none, the Order is approved.

Item G-3 concerns Mt. Carmel Public
Utility's Reconciliation of Revenues Collected under
its Purchase Gas Adjustment Charges.
Are there any objections to approving
the proposed Order?
(No response.)
Hearing none, the Order is approved.

Item G-4 concerns a customer complaint
filed against Peoples Gas.
Are there any objections to approving
the proposed Order dismissing the complaint?
(No response.)
Hearing none, the Order is approved.

Item G-5 concerns HIKO Energy's
Petition for the Confidential Treatment of the 2015
Compliance Report.
Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item G-6 concerns Natural Gas & Electric's Application requesting Certificate of Service Authority to operate as an Alternative Gas Supplier.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item T-1 concerns CenturyTel and Gallatin River's Joint Application requesting relief from previously imposed merger conditions.

Are there any objections to granting the proposed Order terminating the previously imposed merger conditions?

(No response.)

Hearing none, the Order is approved.

Item T-2 concerns Midway Broadcasting's complaint against Illinois Bell Telephone Company for failure to provide proper credits to account in Chicago.
Are there any objections to approving the proposed Order granting the parties Joint Motion to Dismiss?

(No response.)

Hearing none, the Order is approved.

Item T-3 concerns the Illinois Public Telecommunications Association's petition seeking an Order of relief against the LEC.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item T-4 concerns Televergence Solutions' Application for a Certificate of Interexchange Authority to Operate as a Reseller of Telecommunications Services.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item T-5 concerns X5 OpCo's Application for a Certificate of Interexchange Authority to Operate as a Facilities-Based Carrier of Telecommunications Services.
Is there any objection to approving X5's application?

(No response.)

Hearing none, the application is approved.

Items T-6 through 21 involve various petitions for confidential treatment of certain reports.

Are there any objections to considering these items together and approving the proposed Orders?

(No response.)

Hearing none, the Orders are approved.

Moving on to our Water and Sewer agenda, Item W-1 concerns Illinois-American Water's Petition Seeking Approval of its Qualifying Infrastructure Plant Surcharge Reconciliation for the Period of January 1 through December 31, of 2013.

Are there any objections to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item W-2 concerns Utility Services'
Motion to Withdraw a Request for Special Permission to Change Tariffs with Less Than 45 Days' Notice.

Are there any objections to granting the Motion to Withdraw?

(No response.)

Hearing none, the Motion to Withdraw is granted.

On our Miscellaneous agenda today, we have M-1 which concerns our own motion to Initiate a Notice of Inquiry regarding the Regulatory Treatment of Cloud-Based Solutions.

I move to initiate this Notice of Inquiry. Is there a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: Thank you.

The purpose of this notice is to gather more information on a topic that we held a Policy Session on. I believe that we will be the first Commission in the country to take a detailed look at this topic.

For the record, I want to make it very clear that it's our intention to get a complete, and thorough, unbiased view of this issue from all perspectives, including from business, academia and
from the consumer standpoint and that the final report will reflect a very unbiased, neutral view of the topic, and I ask for your support.

Is there any other discussion?

(No response.)

Hearing none, all those in favor, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)

The ayes have it and the NOI is approved. Thank you.

Moving on to other business, we have two items of other business, one will require our entering into closed session, and so --

COMMISSIONER MAYE EDWARDS: Mr. Chairman --

CHAIRMAN SHEAHAN: I'm getting to it.

The second item is an item that Commissioner Edwards would like to address, and we will handle that one first, and then we will go to closed session for a discussion of potential litigation, so, Commissioner.

COMMISSIONER MAYE EDWARDS: Thank you, Mr. Chairman. Good morning to all. Just a brief
quick comment here today.

One hundred and fifty years ago our own state great emancipator, Abraham Lincoln, called for the end of slavery, and while many great men and women have continued to carry freedom's torch for all Americans, I would like to take a moment to recognize February as Black History Month.

Black History Month honors the contributions of African Americans to the United States history, and from our very first African American State Legislator, John W. E. Thomas, in 1876, to our first African American President of the United States, Barack Obama, Illinois has been a trailblazer in equality for all.

Speaking of trailblazing, I would be totally remissed if I did not acknowledge this great agency's advancements as it relates to African Americans.

In the last year we have achieved two very big firsts. We hired our first African American Chief Administrative Law Judge, Mr. Ethan Kimbrel, as well as our first African American Bureau Chief of External Affairs Felicia Hall. It is a privilege to work for an organization that
understands the importance of diversity and leadership.

I am so very grateful to our Governor, Bruce Rauner, for his vision and support of diversity. I am extremely appreciative for the Chairman, Brien Sheahan, for the changes in every sense of the word, and I'm extremely humble in gratitude to my colleagues and our executive director for their support.

What we have done here is the ICC has done more than make Black history a month. We have made it a reality, and I truly thank you for that. I'm honored and privileged to work for an agency that understands diversity and leadership. It's phenomenal.

This month I encourage you to take the time to examine the many examples of the fight for freedom and the struggle for equality that lies within American history, the heroes who fought and risked their lives for fair treatment under the law, such heros as Dr. Martin Luther King, Jr., who spoke of his dream on the steps of the Lincoln Memorial.

As Dr. King famously said, "Life's most persistent and urgent question is, what are you
"doing for others." Thus, I encourage you to consider the ways that you can help your communities and those around you.

To that end, the ICC will be planning and hosting a community service event in the coming months in which we will invite you to attend. There will be more information in the coming months, so please attend. Thank you, Mr. Chairman.

CHAIRMAN SHEAHERAN: Thank you.

You know -- let me also note that, you know, we've created an office of supplier diversity for the first time in this agency's history, and, you know, this is something that you talked about at my very first meeting. Commissioners Edwards and del Valle have a presentation.

I want to thank all of the Commissioners for their support and help in real leadership on this issue. We are doing things at this agency that had never been done, and we should be proud of it, and there is a lot more work left to be done, and so we'll continue down this path.

Thank you.

With that, the next item we have to consider is PJM's cost allocation in FERC Dockets
ER16-736-000, ER15-1344-001, ER15-1344-002, ER15-1387-001, and EL05-121-009. A discussion of these items involve potential litigation, and so we will move into closed session for discussion.

Is there a motion to enter into closed session?

COMMISSIONER ROSALES: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Seconded.

CHAIRMAN SHEAHAN: All those in favor, say aye.

(Chorus of ayes.)

The ayes have it. We will clear the rooms here in Chicago and in Springfield.

(Closed Session

Pages 21 to 33)
Okay. We are back in open session here. We are going to need to do a little bit of housekeeping. We are going to have a motion to approve comments on FERC Docket ER16-736 and ER15-1344-1 and 2. Is there a motion to that effect?

COMMISSIONER McCabe: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: Any discussion?

(No response.)

All those in favor, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)

The ayes have it and those comments are approved.

Also moving back to approval of Minutes for the Public Utility Regular Open Meeting, the closed meeting and transcript memorandum is something that we do need to approve. It's something that we do biannually. Is there a motion to approve?

COMMISSIONER ROSALES: So moved.
CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER McCabe: Seconded.

CHAIRMAN SHEAHAN: Any discussion?

(No response.)

All those in favor, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)

The ayes have it and the closed meeting transcript memorandum is approved.

There was some discussion about whether we had approved E-8. I believe that we have handled Items E-6 through 8 various joint petitions for approval of residential customer leases by unanimous consent and the record should reflect that those items were approved by unanimous consent. I believe that is all we have.

Judge Kimbrel, are there any other items?

JUDGE KIMBREL: No other items.

CHAIRMAN SHEAHAN: Commissioners, any other business to consider?

COMMISSIONER del VALLE: Mr. Commissioner, thank you.
Peter Muntaner was in the room earlier, and I guess he stepped back out, but I wanted to thank him for his service at the ICC and I think he's been here seven years, and I can tell you that I have put him to work soon after my arrival here and still get calls from customers on utility issues, and his staff has always been very responsive, particularly with the Spanish-speaking individuals needing to talk to someone who can walk them through issues and advocate on their behalf and deal with the utilities, so I want to thank him for his use of service here and say that he will be greatly missed.

CHAIRMAN SHEAHAN: I would second that. I had occasion on a couple of occasions that asked Pete to help to go above and beyond the call of duty to help a couple of folks that came before us, and he did that very successfully and professionally, so a great guy and he'll definitely be moving on to bigger and better things.

Any other items of other business?

(No response.)

Hearing none, we stand adjourned.

Thank you.
(Whereupon, the above matter was adjourned.)