BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITY)

Springfield, Illinois

Wednesday, March 21, 2012

Met, pursuant to notice, at 10:30 a.m.
in Hearing Room A, First Floor, Leland Building, 527
East Capitol Avenue, Springfield, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman

MS. LULA M. FORD, Commissioner

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

MR. JOHN T. COLGAN, Commissioner

MS. ANN McCabe, Acting Commissioner

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710
CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a regularly scheduled Bench Session of the Illinois Commerce Commission. With me in Springfield are Commissioners Ford, O'Connell-Diaz, Colgan and our newest commissioner, Acting Commissioner Ann McCabe.

Commissioner, welcome to the Commission. Congratulations on your appointment. We look forward to working with you.

I am Chairman Scott. We have a quorum.

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 the Commission meeting. According to the Chief Clerk's Office, we have no requests to speak at today's Bench Session.
(The Transportation portion of the proceedings was held at this time and is contained in a separate transcript.)

CHAIRMAN SCOTT: Moving on to the Public Utility agenda, we will begin today with approval of minutes from our February 23 Bench Session. I understand amendments have been forwarded.

Is there a motion to amend the minutes?

COMMISSIONER FORD: So moved.

CHAIRMAN SCOTT: 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?

(No response.) The ayes have it. The vote is five to nothing, and the amendments are adopted.

Is there a motion to approve the
February 23 minutes as amended?

COMMISSIONER COLGAN: So moved.

COMMISSIONER FORD: 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

February 23 Bench Session minutes as amended are

approved.

Turning now to the Electric portion of
today's agenda, Item E-1 (12-0211) concerns
commencing a reconciliation proceeding for revenues
collected by Ameren under its Hazardous Materials
Adjustment Clause Rider. Staff recommends entry of
an Order initiating the reconciliation proceeding.

Is there any discussion?

(No response.)

Is there a motion to enter the Order?

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.)

The vote is five to nothing, and the Order is entered.

We will use this five to nothing vote for the remainder of the Public Utility agenda, unless otherwise noted.

Items E-2 (12-0212) and E-3 (12-0213) can be taken together. These items concern initiating a rulemaking proceeding pursuant to 16-128(a) of the Public Utilities Act regarding the development of certification requirements for vendors who install electric vehicle charging stations and for entities who install and distribute generation facilities. In each case Staff recommends entry of an Order initiating the rulemaking proceeding.

Is there any discussion?

(No response.)
Any objections?

(No response.)

Hearing none, the Initiating Orders are entered.

Items E-4 through E-6 can be taken together. These items concern tariff changes sought by Ameren and ComEd. In each case Staff recommends granting the company's request by not suspending the filing.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the filings will not be suspended.

Item E-7 is Docket Numbers 10-0141 through 10-0143 Consolidated. These items concern requests filed by ComEd in 2010 seeking authority to enter into a credit agreement with affiliated interests under Section 7-101 of the Public Utilities Act. ALJs Hilliard and Benn recommend that the Commission enter an Order on Reopening approving the
company's recently filed petitions to extend its
previously granted authority.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Order is entered,
and the extension is granted.

Item E-8 is Docket Number 11-0113.

This is Ameren's reconciliation case for revenues
collected under its Hazardous Materials Adjustment
Clause Rider 2010. ALJ Jones recommends entry of an
Order approving the reconciliation.

Is there any discussion?
(No response.)

Any objections?
(No response.)

Hearing none, the Order is entered.

Item E-9 is Docket Number 11-0434.

This item concerns an investigation of ComEd's Rate
GAP regarding municipal aggregation protocols. We
will be holding this item for disposition at a future
Commission meeting.

Item E-10 is Docket Number 11-0498.

This item concerns investigation of ComEd's supply rate design and non-coincidental peak demand allocation. We will also be holding this item for disposition at a future Commission meeting.

Item E-11 is Docket Number 11-0589.

This is Shawn O'Farrell and Kazmier Tooling's complaint against ComEd. ALJ Riley recommends entry of an Order granting in part and denying in part the company's complaint.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item E-12 is Docket Number 11-0718.

This is Linda Benoit's complaint against Ameren.

Mrs. Benoit seeks withdrawal of her complaint, and ALJ Albers recommends entry of an Order dismissing the complaint at the complainant's request.

Is there any discussion?
Any objections?

(No response.)

Hearing none, the Order is entered, and the complaint is dismissed.

Items E-13 and E-14 (12-0056, 12-0057) can be taken together. These items concern petitions by the Illinois Department of Transportation seeking eminent domain authority for easements on property owned by ComEd in connection with roadway improvement projects in Cook County and McHenry County. In each case ALJ Hilliard recommends entry of an Order granting eminent domain authority.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered, and the requested eminent domain authority is granted.

Items E-15 through E-21 (12-0134, 12-0139, 12-0147, 12-0148, 12-0156, 12-0165, 12-0172)
can be taken together. These items are petitions for the confidential and/or proprietary treatment of the petitioner's reports. In each case the ALJ recommends entry of an Order granting the requested protective treatment.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered.

Item E-22 is Docket Number 12-0154.

This is Ameren's petition for authority to construct a new transmission line in and around Bloomington, Illinois. Staff has made a motion to extend the deadline associated with this docket by 75 days, and ALJ Von Qualen recommends granting the motion.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the motion to extend the deadline is granted.
Item E-23 is Docket Number 12-0105.

This is Smart Energy's application for licensure as an alternative retail electric supplier. The ALJ recommends entry of an Order granting the certificate.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item E-24 is Docket Number 12-0167.

This is Public Power, LLC's, application for a Certificate of Authority under Section 16-115 of the Public Utilities Act. We will be holding this item for disposition at a future Commission meeting.

Items E-25 and E-26 (12-0113, 12-0125) 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?
Any objections?

(Hearing none, the Orders are entered.)

Turn now to Natural Gas. Item G-1 is Docket Number 09-0538. This is Ameren's reconciliation case for revenues collected under gas adjustment charges in 2009. ALJ Albers recommends entry of an Order approving the reconciliation.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item G-2 is Docket Numbers 11-0280 and 11-0281 Consolidated. This is North Shore Gas' and Peoples Gas' rate case, and before us today is a motion for a stay or for alternative relief brought by the Attorney General's Office. Pursuant to our discussion at the March 7 Bench Session, we have an Amendatory Order before us which would grant alternative relief to revisions to pages 237 and 238
of our Final Order. So we will first take a vote on entering that Amendatory Order.

Is there discussion on the Amendatory Order?

ACTING COMMISSIONER McCabe: I abstain.

CHAIRMAN SCOTT: Any objections to entering the Amendatory Order?

(No response.)

Hearing none, the Amendatory Order is entered by a four to nothing vote.

As this came up in the context of a motion for a partial stay of the Order, we will also address that motion directly.

Is there any discussion on the Motion to Stay?

(No response.)

Are there any objections to denying the Motion to Stay?

(No response.)

Hearing none, the Motion for a Partial Stay is denied by a four to nothing vote, and the Order will not be stayed, although the Commission
will enter an Amendatory Order consistent with our
prior vote.

Item G-3 is Docket Number 11-0476.

This is a petition by Peoples Gas seeking approval
for the purchase and resale of securities under
Section 7-102 of the Public Utilities Act. ALJ
Hilliard recommends entry of an Order granting the
petition.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item G-4 is Docket Number 12-0123.

This is a petition by Integrys Energy Services
seeking confidential and/or proprietary treatment of
its Annual Dekatherm Report. ALJ Yoder 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.

Item G-5 is Docket Number 11-0795.
This is Kenneth Cunningham's complaint against Nicor.
The parties have apparently settled their differences and brought a Joint Motion to Dismiss which ALJ Teague recommends we grant.

Is there any discussion?
(No response.)
Any objections?
(No response.)
Hearing none, the Joint Motion to Dismiss is granted.

Item G-6 is Docket Number 12-0098.
This is HIKO Energy's application for a Certificate of Service Authority to operate as an alternative gas supplier. The company is requesting to withdraw its application without prejudice, and ALJ Yoder recommends entry of an Order granting withdrawal.

Is there any discussion?
(No response.)
Any objections?
(No response.)
Hearing none, the Order is entered, and the application is withdrawn.

Moving on to Telecommunications, Item T-1 concerns a filing by Illinois Consolidated Telephone Company seeking to add tariff language to clarify on how we determine appropriate rates for Voice Over Internet Protocol and Public Switch Telephone Network traffic. Staff recommends granting the company's request by not suspending the filing.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the filing will not be suspended.

Item T-2 is Docket Number 12-0150.

This is T6 Communications' petition for the withdrawal of its Certificates of Service Authority previously issued in Docket Number 07-0450. ALJ Riley recommends entry of an Order granting the withdrawal of those certificates.

Is there any discussion?
(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered, and the certificates are withdrawn.

Item T-3 is Docket Number 11-0799.

This is Angela Foster's complaint against Illinois Bell. The parties have apparently settled their differences and have brought a Joint Motion to Dismiss which ALJ Haynes recommends we grant.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Joint Motion to Dismiss is granted.

Item T-4 is Docket Number 12-0019.

This is 1 800 Collect's application for a Certificate of Interexchange Authority to operate as a reseller of telecommunication services in Illinois. ALJ Teague recommends entry of an Order granting the requested authority and granting confidential
treatment for the company's financial statements.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item T-5 is Docket Number 12-0021.

This item concerns an investigation into M.T.I.'s compliance with requirements for an eligible telecommunications carrier and into its eligibility for Linkup Subsidy Reimbursement. ALJ Riley recommends entry of an Interim Order terminating M.T.I.'s Wireless Service Certificates issued in Docket Numbers 10-0229 and 10-0230 and terminating its ETC certificates issued in Docket Numbers 06-0038 and 10-0524.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Interim Order is entered.
Items T-6 through T-9 (12-0126, 12-0135, 12-0137, 12-0143) can be taken together. These items are petitions for the confidential and/or proprietary treatment of the petitioners' Annual Report. In each case the ALJ recommends entry of an Order granting the requested protective treatment.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered.

Now on to Water and Sewer. Item W-1 is Docket Number 11-0519. This concerns Peter White's complaint against Aqua Illinois. The complainant has filed a Motion to Withdraw its complaint, and ALJ Yoder recommends entry of an Order granting withdrawal.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered,
and the complaint is withdrawn.

Item W-2 is Docket Number 11-0767.

This is Illinois-American Water Company's rate case, and before us today is a Resuspension Order suspending the case for further investigation for an additional six months.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Resuspension Order is entered.

Item W-3 is Docket Number 12-0129.

This item concerns an informational statement filed by Sundale Utilities pursuant to Section 6-102(d) of the Illinois Public Utilities Act in conjunction with proposed financing of indebtedness. ALJ Von Qualen recommends entry of an Order approving the proposed refinancing.

Is there any discussion?

(No response.)

Any objections?
(No response.)

Hearing none, the Order is entered.

We have one Petition for Rehearing today. Item PR-1 is Docket Number 07-0566 and this is ComEd's 2007 rate case on remand from the Appellate Court. The Commission entered an Order on Remand on this matter on February 23, and ComEd seeks rehearing of that decision. ALJ Haynes recommends denying ComEd's Petition for Rehearing.

Is there any discussion?

ACTING COMMISSIONER McCabe: I abstain.

CHAIRMAN SCOTT: Is there any further discussion?

(No response.)

Are there any objections to denying the Petition for Rehearing?

(No response.)

Hearing none, the company's Petition for Rehearing is denied by a four to nothing vote.

We have three Other Items of Business scheduled for today. Up first is a Resolution (12-0214) regarding the retirement of Meri Sanders.
Meri, do you want to come forward, please? I have a resolution that I would like to read in part to you.

"By the Commission:

WHEREAS, Meri Sanders began her career at the Illinois Commerce Commission in March of 1980 and has been part of the Chief Clerk's Office for her entire 32-year career with the Commission; and

WHEREAS, Meri has been involved with all aspects of the Clerk's Office, including the monumental appeal in 87-0427, et al., which included more than 70 transfer boxes, or approximately 1500 volumes, and required renting a truck for transport to the appellate court; and

WHEREAS, Meri Sanders has served as an 'unofficial' historian of the Commission, due to her vast knowledge of the Commission's action and background and everything related to the public utility industry, especially the complex subject of tariffs; and

WHEREAS, Meri has seen approximately 40 Commissioners come and go during her tenure with the Commission; and
WHEREAS, Meri Sanders has been unwavering in her
dedicated service to the Commission and Staff;

IT IS THEREFORE RESOLVED that the Illinois
Commerce Commission expresses gratitude and respect
to Meri L. Sanders for her exemplary work ethic and
dedication, and offers best wishes as she begins the
next phase of her life where she intends to travel,
continue her volunteer service and possibly embark on
a new career."

Congratulations. Thank you very much.

MS. SANDERS: I think I will just stand up
here.

I would like to thank the Chairman,
the Commissioners and also welcome Commissioner
McCabe back. Welcome back. I would like to
especially thank the Chief Clerk's Office and the
members of the Staff that have worked beside me
through the years, some of which have been here
longer than others.

There are two people in my past that
were great structures to my career, that being Rose
Claggett, Chief Clerk, and also Donna Caton, Chief
Clerk, who believed in me and helped me with my
career through the Chief Clerk's Office.

And, again, I want to thank everyone,
including all our Staff and our Chief Clerk's Office
Staff in Chicago also and Kenneth Hundrieser.

Thank you so much.

CHAIRMAN SCOTT: Commissioner Colgan?

COMMISSIONER COLGAN: Meri, you are not done
yet.

As the resolution said, you spent your
entire career here in the Chief Clerk's Office. It
is my understanding that you served an internship
here while you were in high school and I guess your
father worked here, right? And then right after high
school you started your career here.

Over the years the Staff has told me
that you have become the go-to person whenever
questions were to come up, whether they were from
someone outside here or to Staff. And even if they
are looking for documents from the '30s and the '40s,
that you can somehow put your hand on those. And
that's very impressive.
But I heard that maybe your greatest achievement is that you have personally hand-stamped close to a billion tariff filings. I bet you have strong hands.

So Meri and her husband Harlan, who is already retired from the Springfield Police Department, we are wishing you have a wonderful retirement. And I have heard that you continue to plan your volunteer service at the Abraham Lincoln Museum, and both you and your husband are involved in the Order of the Eastern Star and both of you love to travel, and I hope you can take full advantage of that. And thank you very much and we will truly miss you.

CHAIRMAN SCOTT: Commissioner O'Connell-Diaz?

COMMISSIONER O'CONNELL-DIAZ: Yeah. Well, I shared many a year with Meri. In my days as an ALJ I knew that she was a person to call to unravel a problem if there was a problem. And, yes, Donna Caton, and I do remember Rose Claggett and the silver bullets that would come at like four o'clock on a Friday afternoon from Steve Claggett. But it is so
great to see someone that has spent their life in public service and has done such great work for us at this Commission. And you have just been a great resource for us, an able assistant at any time that we needed you, plus your regular work of stamping and getting those boxes off to the appellate court. Thankfully we don't have to do that any more.

But I wish you the best, and don't forget you might be getting calls saying how did we do this, you know. Once you are at the Commission for that many years, I always remind people it is like the mafia; we never let you go. So wishing you the best and thanks for your service.

COMMISSIONER FORD: I never had a chance to meet you personally, Meri, but I have certainly heard about your good work. And after having spent 34 years at another job myself, I do wish you well after spending 32 years here. But I don't think you should go for another career. I am trying to end this one. Continue to travel and God speed.

CHAIRMAN SCOTT: Meri, thanks so much for all your years of service. And whatever you choose to do
with your husband, good luck and congratulations and
we wish you nothing but the best.

Thanks again.

MS. SANDERS: Thank you.

CHAIRMAN SCOTT: Further resolution, are there
any objections to adopting the resolution?

(No response.)

Hearing none, the resolution is
adopted.

Thanks again, Meri.

Our second item of Other Business
concerns a Notice of Inquiry pursuant to Public Act
97-0222 regarding retail electric choice customer
education for residential and small commercial
customers.

Is there somebody from Staff who is
available to discuss the report?

MR. CLAUSEN: Yes, this is Torsten Clausen in
the Chicago office.

CHAIRMAN SCOTT: Hello, Torsten.

MR. CLAUSEN: Hello. I can briefly go through
some of this report that we sent to you, not covering

27
every single item, but generally the gist of the
report.

The report is the result of a Senate
bill last year that was passed by the General
Assembly as Public Act 97-0222 that required the
Office of Retail Market Development to seek
information from the parties of whether there are any
updates necessary to the consumer education
information that is out there for residential and
small commercial customers. And we have asked
formally for such input and received one round of
comments and another round of reply comments. And we
have put them all together in this report.

Briefly summarizing the comments that
we have received and the recommendations based on
those comments, generally we have received comments
from the utilities, several of the suppliers, as well
as the Citizens Utility Board, the Attorney General's
Office, EMT Energy. And the comments generally were
very constructive and helpful, and I want to thank
everybody who actually took the time to write what
they think are additional items that need to be out
there for consumer education purposes.

So this report goes through all these comments in a topic by topic basis. And just a couple highlights of what the additional information is that the parties want to see on the website, one of the items is additional information for residents that live in communities where municipal electric aggregation is happening, and that's obviously very timely, given yesterday's election and the election of the referendum on the election ballot.

As the Commission is aware, we have organized some of these directly to the municipalities that are involved in municipal aggregation. And what is being talked about in this particular report really is a different target audience then the residents in those communities, and gives them a high level overview of what municipal aggregation is all about and where they can find more information.

And we actually have a draft ready of that language for the website at the report stage for many of these items in this report. Instead of
asking you, the Commission, to approve specific
language, we actually drafted initial language for
these items, and then we are sending around to the
parties to get input and hopefully reaching consensus
on the language for a lot of these items.

So that is one particular topic that
needs to be addressed. Some others are more
information for realtime pricing customers. They
currently get some information on the website, but
parties wanted to see a little bit more and also
maybe a little bit more explanation on how the
realtime pricing customers compared to the offers out
there by retail electric suppliers, whereas right now
the focus is really on comparing the utilities' fixed
price bundled service rates to the offers by
alternative retail electric suppliers.

Another item was to add information
about LIHEAP and PIPP, the low income assistance
programs, and making customers aware of what they
should look out for if they are on such programs when
they are considering a switch to a supplier.

Again, I won't be going through all of
these items in the report that you have read, but a
lot of these items are some recommendations where we
ask the Commission to direct the Office of Retail
Market Development to draft language and seek input
from interested parties on the specific language, and
then to update that on our website.

CHAIRMAN SCOTT: I appreciate the thoroughness
of the report, Torsten. I thought it was very good.
And I also appreciated the way the recommendations
were structured because I think that makes the most
sense, to try to get as much consensus as you can on
the language.

Further discussion? Commissioner

O'Connell-Diaz.

COMMISSIONER O'CONNELL-DIAZ: Well, I would
like to thank Torsten and all the parties actually
because this has been a collaborative effort. We
have been at this business since, what, 1997 and we
are finally seeing the fruits of all the labor that
has gone into creating this competitive marketplace
in Illinois for residential customers.

And I don't know about any of you, but
I find myself -- I was at the bank the other day and the lady knows what I do and she was asking me all about it. So I proudly sent her to our website and explained to her, you know, I can't recommend anybody but here is what it is.

Because there is confusion out there and especially given the election process yesterday and the referenda that were across our state, which I really don't know what the outcome is yet. There is going to be more questions and, of course, our Commission is in the center place to be able to provide this to our consumers and ratepayers in our state.

The one point I would just bring out is that, you know, as I suggested and I have understood this process, it has been a very, very collaborative process with the various alternative suppliers, with any interested parties, with the workshops that have been going on. And I was quite concerned that there is on the website -- there is not concomitant sharing of the Plug-in Illinois information on the C&T and the Converge website. I
think it is C&T. That needs to, I believe, happen in order for, if someone is looking, that they can just go to our website. We don't have any ownership here. We are neutral, but it is important for consumers, when they are looking at this, that they go to our Commission website.

So I really value that recommendation in the report and am glad that that has been brought out. And certainly that is, from my understanding, I thought that that was going to be on everyone's website when we started on this journey. So I was surprised to hear that that was not in fact a fact.

So I appreciate that this is in the report, and that the Commission would look to see that on that website, so that people can have a knowledge base upon which to make their home decisions.

So thank you very much, Torsten. We have been working hard for this for so many years and now we are kind of there. And we still have a lot of work to go. It is an evolving process. We will be looking at this on a regular basis with all the
market participants. And this is, you know -- what's that clause, "the beginning of a long journey?"

So thank you very much.

CHAIRMAN SCOTT: Commissioner Colgan.

COMMISSIONER COLGAN: Yeah, I just ditto the comments that the Chairman made and Commissioner O'Connell-Diaz. I would just like to also, though, just point out that I am glad that the group in the process has had the foresight to consider low income customers and the potential impact that can have for LIHEAP participants, especially with the PIPP program up and running now. So I think that was a good and insightful decision, to take a closer look at that.

And thank you for your work.

CHAIRMAN SCOTT: Commissioner Ford.

COMMISSIONER FORD: I certainly want to again echo what my fellow Commissioners have already said and done. You certainly took my plug when you said about LIHEAP and the percentage of income. I know how long you worked on it and I know how long he has worked on that.

And also, Torsten, do you have any
idea how the referenda went on the municipal
aggregation yesterday?

MR. CLAUSEN: That's a very good question, and
obviously it is very early. And we have actually
tried this morning to go -- we have actually
contacted the State Board of Elections to see if they
have immediate information available on the towns.
And it sounds like that is going to be taking awhile
to get the official results from the State Board of
Election.

However, so far we have done the good,
old-fashioned Google search and I looked for some of
these towns. And, yes, I think it is -- so far it is
pretty much a mixed bag. There is some larger towns
where the referendum did not pass. I believe in
Bloomington and Normal the referendum did not pass.
I think in the East St. Louis area a couple of the
larger towns also did not pass.

But, of course, a lot of towns did
pass and, of course, there is the sheer number of
towns with the referendum on the ballot yesterday,
close to 300 towns. So even if there is a
significant percentage of towns not passing the referendum yesterday, that still leaves a lot of towns and, therefore, there are more potential customers who could be potentially going out to that and switching to alternative retail electric suppliers in the near future.

COMMISSIONER FORD: I too want to commend you on the easy read for this, especially the recommendation part, and your staff did a fine job.

Thank you.

MR. CLAUSEN: Thank you.

CHAIRMAN SCOTT: Further discussion?

(No response.)

Are there any objections to approving the recommendation?

(No response.)

Hearing none, the recommendations are approved.

The final item is a FERC item which calls for us to go into Closed Session. Is there a motion to go into Closed Session?

COMMISSIONER FORD: So moved.
CHAIRMAN SCOTT: 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?

(No response.)

The vote is five to nothing. The Commission will now go into Closed Session. Please let me know when the room is ready in Chicago.

(Whereupon at this point pages 38 - 46 of the proceedings are contained in a separate closed transcript.)
CONTINUATION OF PROCEEDINGS

CHAIRMAN SCOTT: In Closed Session the Commission discussed making a filing in FERC Docket Number ER12-1194.

Is there a motion to make the filing with FERC?

COMMISSIONER COLGAN: So moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER FORD: 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 filing will be made with FERC.

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

JUDGE WALLACE: No, that's it.

CHAIRMAN SCOTT: Thank you, sir.

Again, welcome, Commissioner McCabe.

Glad to have you here and look forward to working
with you.

And again we want to also thank Commissioner Elliott for his years of service and all that he gave to the Commission as well.

COMMISSIONER O'CONNELL-DIAZ: I just want to note that I think it is the first time that we have had three women Commissioners.

CHAIRMAN SCOTT: I wondered who was going to point that out.

COMMISSIONER O'CONNELL-DIAZ: Not that we are saying anything, but I think this is the first time. So welcome to our newest Commissioner, and thank you, Commissioner Elliott.

COMMISSIONER FORD: We have a majority.

COMMISSIONER O'CONNELL-DIAZ: Yeah, better watch out.

CHAIRMAN SCOTT: Hearing no other business to come before the Commission today, the meeting stands adjourned.

BENCH SESSION ADJOURNED