BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITY)
Wednesday, June 11, 2014
Chicago, Illinois

Met, pursuant to notice, at 10:30 a.m. at
160 North LaSalle Street, 8th Floor, Chicago, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, Chairman
MR. JOHN T. COLGAN, Commissioner
MS. ANN McCABE, Commissioner
MR. MIGUEL DEL VALLE, Commissioner
MS. SHERINA E. MAYE, Commissioner

MIDWEST LITIGATION SERVICES, by,
KRISTI LANDOLINA,
Certified shorthand reporter
Illinois CSR No. 084-004611
COMMISSIONER COLGAN:  Good morning. Pursuant to provisions of the Open Meetings Act, I now convene a regularly scheduled Bench session for the Illinois Commerce Commission. With me in Chicago are Commissioners McCabe, Commissioner del Valle, Commissioner Maye, I'm Commissioner Colgan. And we have a quorum. We should also have Chairman Scott available on the phone.

Are you there, Chairman?

CHAIRMAN SCOTT:  I am, Commissioner Colgan. Thank you.

COMMISSIONER COLGAN:  We'll have to vote to allow Chairman Scott to participate by phone.

    I move to allow Chairman Scott's participation by phone. Is there a second?

COMMISSIONER McCABE:  Second.

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

    (Ayes heard.)

COMMISSIONER COLGAN:  Any opposed?

    (No response.)

COMMISSIONER COLGAN:  The vote is four to zero and Chairman Scott may participate in today's meeting by phone.

    According to Section 170.10 of Title 2 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's meetings. According to the Chief Clerk's office, we have no requests to speak at today's bench session.

Moving to the Public Utility agenda, we begin with the approval of minutes from our May 6th Gas Pipeline Safety Policy Session, our May 7th Bench Session, our May 13th Regular Open Meeting, our May 14th Electric and Gas Policy Session, and our May 20th Regular Open Meeting. I understand amendments have been forwarded for all sets of minutes.

Is there a motion to amend all sets of minutes?

COMMISSIONER McCabe: So moved.

COMMISSIONER COLGAN: Is there a second?

CHAIRMAN SCOTT: Second.

COMMISSIONER COLGAN: It's been moved by Commissioner McCabe, seconded by Chairman Scott.

All in favor say aye.

(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)
COMMISSIONER COLGAN: The vote is five to zero and the amendments are adopted.

Is there a motion to approve all sets of minutes as amended?

COMMISSIONER MAYE: So moved.

COMMISSIONER McCABE: Second.

COMMISSIONER COLGAN: It's been moved by Commissioner Maye, seconded by Commissioner McCabe.

All in favor say aye.

(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)

COMMISSIONER COLGAN: The vote is five to zero.

The minutes from our May 6th Gas Pipeline Safety Policy Session, our May 7th Bench Session, our May 13th Regular Open Meeting, our May 14th Electric and Gas Policy Session, and our May 20th Regular Open Meeting as amended are approved.

Turning now to the electric portion of today's agenda. Item E-1 is Docket No. 12-0298, 13-0285, and 14-0212 consolidated. This is ComEd's petition for approval to accelerate its Smart Meter Deployment under its previously approved AMI plan. ALJ Dolan recommends entry of an Order granting ComEd's petition.

Is there any discussion?
COMMISSIONER DEL VALLE: Question. The Order indicates that ComEd will continue to educate all customers after they receive AMI meters and will engage these customers to realize AMI meter benefits. It also indicates outreach efforts will match deployment efforts. How are the benefits being recorded? How is it being reported, benefits that are realized?

ADMINISTRATIVE LAW JUDGE DOLAN: As in the educational aspect you're talking?

COMMISSIONER DEL VALLE: You have --

ADMINISTRATIVE LAW JUDGE DOLAN: What page are you on?

COMMISSIONER DEL VALLE: You indicate -- Again, I'll read from your -- ComEd will continue to educate all customers after they receive AMI meters and will engage those customers to realize AMI meter benefits. If they are engaging customers to realize benefits, how is that being recorded? How is that activity being recorded? How are those benefits being reported?

ADMINISTRATIVE LAW JUDGE DOLAN: They will be coming in for the reconciliation and for a prove up on all of their costs.

COMMISSIONER DEL VALLE: Just through the reconciliation process. Is there any other way of
monitoring the benefits that are realized after the AMI
meter is installed for customers?

ADMINISTRATIVE LAW JUDGE DOLAN: Not that I'm aware
of.

COMMISSIONER DEL VALLE: That's it? Because this
has been a big selling point.

ADMINISTRATIVE LAW JUDGE DOLAN: I understand you.

COMMISSIONER DEL VALLE: Yet all we can look at is
the reconciliation.

ADMINISTRATIVE LAW JUDGE DOLAN: Or the reports
filed by the company, yes. I do know that both -- that
was a concern of all the other intervenors in this
docket. I hope that the company takes it serious and we
do indicate we want to make sure this is pushed forward
so customers do realize the benefits of these meters.

As far as putting anything specific in the
Order to provide us with any additional information, no,
there is nothing in addition on there.

COMMISSIONER DEL VALLE: Thank you.

CHAIRMAN SCOTT: Commissioner Colgan, I think
Commissioner del Valle has a good point. I think there
are some benefits that we've recognized during the
course of this that will come from the process, the
acceleration of the meters. First of all, people are
paying for them already. To have any acceleration of
the meters coming in and giving something that they are paying for on an expedited schedule, not only makes sense to me. But second, we have heard from --
anecdotally obviously, but we have heard from ARES and from others that there are opportunities that can come from different pricing programs and different offers that might be able to be made to customers that the customers might like based on having the meters in place.

In addition, I think we have been told consistently throughout this process, and I think there are ways of measuring this, that it helps in terms of outage restoration because the company will -- the utility will know which meters are not functioning, which ones are out, rather than having to do what they used to have to do is to either rely on people to call in or driving by going house by house.

I think there are some benefits we've seen during the course of this. I don't know a lot of them are easily measurable but I feel strongly that I think a lot of benefits might come from this. I think it's good that the company is trying to move the schedule up.

COMMISSIONER DEL VALLE: Mr. Chairman, I agree with you. I'm looking for the metrics that will allow us to better gauge how customers are benefitting. We all know
generally speaking what the benefits will be. Are we, for example, keeping track of the savings that customers realize through realtime or through other means and are we waiting for a year before we can assess that or is there an ongoing recording of the participants, for example, that show us that there's a corresponding increase in the number of customers benefitting from these savings as these meetings are being deployed?

Those are the kinds of questions. I guess, I'm looking for a deeper kind of analysis of what those benefits that are realized will be or are.

CHAIRMAN SCOTT: I think on the AMI portion where we're talking about customer benefits based on customer choice and programs that you're referring to, I don't know that there's any kind of running tally other than we can find out how many people are taking advantage of different kinds of programs by making requests of the different areas as we go along. I think it's too new for us to have anything like that yet.

But on the other part, on the performance side with respect to outages and things like that, there is a metric for that. It's actually in the statute they are organizing every year that measures the number and frequency of them, so we should be able to tell. In fact, we have to be able to tell because part of the
return for the utility depends on it. We'll be able to
tell what that metric is in terms of outages. First
part of it, you're right, it's a little harder to
measure.

COMMISSIONER COLGAN: I agree with you,
Commissioner Del Valle, that this is a really important
business that, number one, people know they have a smart
meter. If they know they have a smart meter, do they
understand the capabilities of that meter and how the
various benefits can be accessed in terms of taking
advantage of that meter is all very much a big package
of potential things that I think -- so customers are
aware. There's not much that will change in terms if it
all works out for customer benefit. And that has to be
the number one priority here is to maintain customer
benefit.

Any other further discussion on this issue?

(No response.)

COMMISSIONER COLGAN: Is there a motion to enter
the Order?

COMMISSIONER McCABE: So moved.

COMMISSIONER COLGAN: Is there a second?

CHAIRMAN SCOTT: Second.

COMMISSIONER COLGAN: It's been moved and seconded.

All in favor say aye.
(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)

COMMISSIONER COLGAN: The vote is five to zero.

The Order is entered. We will use this five-to-zero vote for the remainder of today's public utility agenda unless otherwise noted.

Item E-2 is Docket No. 13-0295. This is Linda Richardson's complaint against ComEd as to billing/charges. ALJ Jorgenson recommends entry of an Order denying the compliant.

Is there any discussion.

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item E-3 is Docket No. 13-0529. This is the reconciliation of revenues collected under ComEd's Rider EDA with actual costs associated with energy efficiency and demand response programs. ALJ Haynes recommends entry of an Order approving the reconciliation.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Are there any objections?
COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item E-4 is Docket No. 12-0456. This is our deployment and adoption of rules -- development and adoption of rules concerning municipal aggregation. ALJ Haynes recommends entry of a Second Notice Order and Appendix.

Is there any discussion?

COMMISSIONER MAYE: I do, Commission Colgan. Thank you. I wanted to renew my position, which I stated originally when the Commission approved the First Notice Order. I did not at that time support the changes to the PEPO's conclusion on Section 278.40 regarding notice to RES customers. I'm still concerned allowing the aggregation supplier to send notice of the aggregation programs to though customers receiving or pending to receive non-aggregation RES service unfairly influences the competition. Even those I disagree with this portion of the Second Notice Order, I will still support the Order in its entirety. Thank you.

COMMISSIONER COLGAN: Commissioner McCabe.

COMMISSIONER McCabe: On November 6th when we voted on the First Notice Rule, I added my remarks by saying if the First Notice Rule falls short in these areas, the
parties should let us know. They did. In the reply comments on the issue of RES customer education we set up the coalition of energy suppliers all opposed to consistent RES customers about meeting aggregation. ICEA is not opposed to the provision that prohibits aggregation suppliers from sending notices to RES customers; however, to the first order it reversed the first ALJ's proposed rule and requiring the same RES customers to receive notice for the aggregation program. So I share Commissioner Maye's concerns. Thank you.

COMMISSIONER COLGAN: Further discussion?

(No response.)

COMMISSIONER COLGAN: Is there a motion to enter the Order?

COMMISSIONER DEL VALLE: So moved.

COMMISSIONER COLGAN: So moved by Commissioner del Valle. Is there a second?

CHAIRMAN SCOTT: Second.

COMMISSIONER COLGAN: Seconded by Chairman Scott.

It's been moved and seconded to enter the Order.

All in favor say aye.

(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is
Item E-5 is Dynegy Energy Services' application for a certificate of service authority to operate as an ARES in Illinois. ALJ Sainsot recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item E-6 and E-7 can be taken together. These items are petitions for cancellation of a certificate of service authority to operate as an ARES in Illinois. In both cases ALJ Sainsot recommends entry of the Order granting the requested relief.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Orders are entered.

Item E-8 through E-13 can be taken together. These items are petitions for confidential and/or propriety treatment of petitioners various annual
compliance reports. In each case the ALJ recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Orders are entered.

Items E-14 through E-21 can be taken together. These items are applications for certification to install, maintain, or repair electric vehicle charging station facilities under Section 16-128A of the Public Utilities Act. In each case the ALJ recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Orders are entered.

Turning now to Natural Gas. Item G-1, Docket No. 14-0117. This is Rodney Rogers' complaint against People's Gas as to billing/charges. It appears the parties have settled their differences and filed a Joint Motion to Dismiss, which ALJ Haynes recommends we grant.
Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the motion is granted and the compliant is dismissed.

On to Telecommunications, Item T-1 is Docket No. 13-0067. This is Sandra Sutton’s compliant against AT&T as to billing/charges. Complainant was unable to proceed with her complaint within the statutory deadline due to ill health. As a result, ALJ Riley recommends entry of an Order dismissing the compliant without prejudice to give the complainant time to recover before proceeding with re-filing her claim.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Are there any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item T-2 is Docket No. 13-0545. This is Henrietta Coleman's complaint against AT&T as to billing/charges. It appears the parties have settled their differences and filed a Joint Motion to Dismiss which ALJ Baker recommends we grant.
Is there any discussion?
(No response.)

COMMISSIONER COLGAN: Any objections?
(No response.)

COMMISSIONER COLGAN: Hearing none, the motion is granted and the complaint is dismissed.

Item T-3 through T-6 can be taken together.

These items are petitions for the cancellation of petitioners various certificates of service authority. In each case ALJ recommends entry of an Order granting the requested relief.

Is there any discussion?
(No response.)

COMMISSIONER COLGAN: Any objections?
(No response.)

COMMISSIONER COLGAN: Hearing none, the Orders are entered.

Item T-7 is Docket No. 14-0281. This is Frontier North Incorporated's petition for the confidential and/or proprietary treatment of its annual report. ALJ Haynes recommends entry of an Order granting the requested relief.

Is there any discussion?
(No response.)

COMMISSIONER COLGAN: Are there any objections?
ADMINISTRATIVE LAW JUDGE HAYNES: Excuse me, Chairman. T-7 is 14-0176 and it's been withdrawn and T-8 is 14-0281.

COMMISSIONER COLGAN: My notes are wrong. T-7 is 14- -- What is it?

ADMINISTRATIVE LAW JUDGE HAYNES: 0176 and that's been withdrawn. T-8 is the 14-0281, which is Time Warner.

COMMISSIONER COLGAN: Thank you. So Item T-7 is withdrawn.

Item T-8 is Docket No. 14-0281. This is Time Warner Cable Information Service's petition for the confidential and/or proprietary treatment of its annual report. Subsequent to filing petitioner filed a request to withdraw petition, which ALJ Riley now recommends we grant.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the motion is granted.

Item T-9 is Docket No. 14-0324. This is Budget Prepay's petition for the confidential and/or proprietary treatment of its annual report. ALJ Haynes
recommends entry of an Order granting the requested relief.

Is there any discussion?
(No response.)

COMMISSIONER COLGAN: Any objections?
(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item T-10 is Docket No. 13-0590. This is our proceeding to repeal 83 Illinois Administrative Code 720, 9-1-1 Implementation Reports, Part 720, because the underlying statutory provision authorizing Part 720 has been repealed. ALJ Albers recommends entry of an Order repealing the rule.

Is there any discussion?
(No response.)

COMMISSIONER COLGAN: Are there any objections?
(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item T-11 is Docket No. 14-0076. This is our amendment of 83 Administrative -- Illinois Administrative Code 736, Service Quality and Customer Protection Applicable to Wireless Eligible Telecommunications Carriers. ALJ Riley recommends entry
of an Order authorizing adoption of the proposed amendments, effective upon filing with the Secretary of State.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Are there any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

On to Water and Sewer. Item W-1 is WRM 14-008. This is Aqua Illinois's filing for a general increase in water rates for the Kankakee service territory. Staff recommends entry of an Order suspending the filing and setting the matter for hearing.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item W-2 is WRM No. 14-009. This is Crystal Clear Water Company's filing to implement increased water rates pursuant to the Simplified Rate Case Procedure. Staff recommends that we approve the
increase by not suspending the file.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the filing is not suspended.

Item W-3 is Docket No. 14-0237. This is Illinois American's petition -- pardon me -- 236.

Item W-3 is Docket No. 14-236. This is Illinois American's petition under Section 7-101 of the Public Utility Act for Approval of Affiliated Interest Transaction Regarding Issuance and Sale of $82,000,000 of indebtedness.

ADMINISTRATIVE LAW JUDGE SAINSOT: Excuse me, Mr. Chairman -- Excuse me, Commissioner. There's two related documents, 14-0236, which is an informational statement and -- which is pursuant to Section 6-102(d) and then there's the one 14-0237, which is the petition under 7-101 of the Public Utilities Act.

COMMISSIONER COLGAN: I was taking 14-0237 maybe out of order here. I have 37 first. We can do 0236, then go to 237. Okay.

Item W-4 is Docket No. 14-02036. This is Illinois American's Informational Statement under
Section 6-102(d) regarding issuance and sale of $82,000,000 of long-term indebtedness associated with Docket No. 14-0237. ALJ Sainsot recommends entry of an Order approving the refinancing contemplated in the informational statement.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Order is entered.

Item W --

COMMISSIONER MAYE: Did we do those together?

ADMINISTRATIVE LAW JUDGE DOLAN: You did say W-4 for 237 and that should be W-3.

COMMISSIONER COLGAN: 236 is W-3.

ADMINISTRATIVE LAW JUDGE DOLAN: And 237 is W-4.

COMMISSIONER COLGAN: W-4 is Docket No. 14-0237.

This is Illinois American's petition under Section 7-101 of the Public Utility Act for approval of Affiliated Interest Transaction regarding issuance and sale of $82,000,000 of indebtedness. ALJ Sainsot recommends entry of an Order granting the requested relief.

Is there any discussion?

(No response.)
COMMISSIONER COLGAN: Are there any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Orders are entered.

On to Miscellaneous Items. Item M-1 is Docket No. 11-0711. This is the Commission's development and adoption of rules considering rate case expenses. ALJ Sainsot recommends entry of an Order authorizing the First Notice Period.

I understand the joint edits are being proposed by Commissioner Maye and Commissioner McCabe.

Commissioners.

COMMISSIONER MAYE: Thank you, Commissioner Colgan.

On November 2nd, 2011 the Commission issued an Order initiating this docket based on the General Assembly's enactment of Section 9-229 of the Public Utilities Act. Section 9-229 requires the Commission specifically assess the justness and reasonableness of the attorney's fees and the expert fees expended by the utility to prepare and litigate a rate case. The purpose of this rule is to provide guidance for all parties as to what evidence is needed to establish attorney fees and expert witness fees. After many workshops among interested parties, the staff found a proposed rule for the parties' consideration.
A proposed order by the ALJ was issued on April 30, 2013, and after the parties filed briefs on exceptions, the Commission heard oral arguments. Commissioner McCabe and I proposed two separate amendments that necessitate several changes to the PEPO and the rule.

First, as it concerns the general meeting of Section 9-229 and PEPO related to Madigan, the proposed edits change the PEPO's analysis of the case law to reflect a departure from adherence to the Caginaline (phonetic) cases. This required an alteration of the Madigan discussion regarding Section 9-229. The edits established that both Section 9-229 and the Madigan decision required more than the Commission's expressed findings and instead mandate a more detailed finding that was generally required of the Commission.

The edits include language which made clear Section 9-229 did not change the standard review for Section 9-229 expenses. Rather the edits argue that the enactment of 9-229 change the level of acceptance the Commission would undertake to determine the justness and reasonableness.

The proposed edits cite several utility cases entered after the enactment of Section 9-229 to underscore this fact.
COMMISSIONER McCabe: The joint edits alter the ALJ's conclusion pages 7 to 14 of the PEPO that excluded internal utility and affiliate expenses. They conclude that internal utility expenses are not covered under the rule because utility salaries and consumer costs are not expenditures contemplated by the Act. In addition, they find that the evidence for internal expenses was somewhat indifferent from the outside costs surrounding invoices.

The joint edits differ from the proposed rule in their decision to include affiliated expenses in the scope of the rule. The amendments find that affiliates can be considered a separate entity; and therefore, expenses incurred by the sibling companies are outside the utility. The edits note that affiliates are already required in most cases to provide invoices and other detailed information to the utility.

In addition, with collaboration of Commissioner del Valle's office, the joint edits also ensure that work performed by affiliates as rate case expense must be within the scope of their affiliated agreements with the utilities and that the service providers provide a description of the work performed.

The edits to pages 20 to 24 of the PEPO adopts staff's modified changes to .200(b)3, which deleted the
words necessary and necessity when discussing the
information utilities are required to submit. Necessary
and necessity are replaced with reasonable and
reasonableness. The goal is for the rule to be
unambiguous and clear about what is the standard for
recovery.

Joint edits to pages 29 to 34 of the PEPO
delete a section of the rule that replace staff's
proposed affidavit requirement. Staff draft -- Staff's
draft rule required these affidavits on costs to be
signed by a utility representative with authority to
make affirmations on behalf of the utility for three
reasons. One, utilities as a continued purchaser of
these services are in the best position to determine the
reasonableness of the expenses. Second, requiring a
utility affirmation is not unduly burdensome since the
utility should be reviewing these costs. Third, the
ultimate burden of just and reasonable costs should
remain on the utility and not on the provider of the
service.

We thank ALJ Sainsot for all her work on this
rulemaking, the parties, and advisors. That would end
with the edits.

COMMISSIONER MAYE: I have some additional items.
The joint edits to page 35 to 38 of the PEPO propose
that we change Section .200b3 of the rule regarding
duplication. These edits were made to pages 35 to 38
and agree that there needs to be some measurement in
place to make sure that outside counsel and experts of
utility affiliate counsels or experts are internally to
the employee costs -- sorry -- are not duplicated work.
I'm going to repeat that. It's a little confusing.

The joint edits agree that there needs to be
some measure in place to ensure that outside counsel and
experts or utility affiliate counsel and experts are not
duplicating work performed by utility employees. Given
that the rule excludes internally utility employee
costs, a requirement to track and produce internal
expense for utility employees for rate case expense will
be burdensome for both utilities and Commission staff;
therefore, the joint edits propose edits to strike a
balance between ensuring duplication does not occur
without being unduly burdensome. The proposed jointedit requires an explanation of the process, procedures,
and controls that the utilities have in place to ensure
duplication does not occur.

COMMISSIONER McCabe: I move for the adoption of
the joint edits.

COMMISSIONER Maye: Second.

COMMISSIONER Colgan: It's been moved by
Commissioner McCabe, seconded by Commissioner Maye.

Are there any further comments?
(No response.)

COMMISSIONER COLGAN: Hearing none, all in favor say aye.
(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?
(No response.)

COMMISSIONER COLGAN: The vote is five to zero and the edits are adopted.

Is there a motion to enter the Order as amended?

COMMISSIONER McCabe: So moved.

CHAIRMAN SCOTT: Seconded.

COMMISSIONER COLGAN: It's been moved by Commissioner McCabe and seconded by Commissioner Maye.

All in favor say aye.
(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?
(No response.)

COMMISSIONER COLGAN: Hearing none, the Order as amended is entered. I echo Commissioner McCabe, thanks to all the offices for the work you've all done. I think you got into this in great detail and thank you for the effort to get this right. I think your efforts
were outstanding.

ADMINISTRATIVE LAW JUDGE DOLAN: Commissioner,

before we go any further, ALJ Riley here just pointed
out that on T-11 you authorized the rule --

ADMINISTRATIVE LAW JUDGE RILEY: Entry of the
Adopting Order.

ADMINISTRATIVE LAW JUDGE DOLAN: And it would be a
Second Notice.

COMMISSIONER COLGAN: T-11 -- Say that again.

ADMINISTRATIVE LAW JUDGE RILEY: It's not the
Adopting Order. It's the Second Notice Order.

COMMISSIONER COLGAN: Second Notice Order. All
right. We need to revote on it?

ADMINISTRATIVE LAW JUDGE DOLAN: You should revote,
yes.

COMMISSIONER COLGAN: Item T-11 is the Order
authorizing a Second Notice Period.

All in favor say aye.

(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)

COMMISSIONER COLGAN: The vote is five to zero.
The Order is adopted. The Second Notice is adopted.

Now the Petition for Rehearing Item PR-1,
Docket No. 13-0446. This is Enbridge's petition
pursuant to Section 8-509 of the Public Utilities Act to
Take Private Property as Provided by Law of the Eminent
Domain. Pliura Intervenors have filed an Application
for Rehearing which ALJ Jones recommends we deny.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Are there any objections?

(No response.)

COMMISSIONER COLGAN: Hearing none, the Application
for Rehearing is denied.

We have several items of other business on
today's agenda. The first is the Commission's annual
report on Cable and Video Service Deployment by
Providers Granted State-Issued Cable and Video Service
Authorization. Is there a motion to approve the annual
report and submit the report to the Illinois General
Assembly?

COMMISSIONER McCabe: So moved.

COMMISSIONER COLGAN: Is there a second?

COMMISSIONER MAYE: Second.

COMMISSIONER COLGAN: Moved by Commissioner McCabe
and seconded by Commissioner Maye.

Is there any discussion?

(No response.)

COMMISSIONER COLGAN: Are there any objections?
COMMISSIONER COLGAN: Hearing none, the report is approved and will be submitted to the General Assembly. The second, third, and fourth items of other business concern pending litigation, so we'll go into closed session to address them.

Is there a motion to go into closed session?

COMMISSIONER MAYE: So moved.

COMMISSIONER DEL VALLE: Second.

COMMISSIONER COLGAN: It's been moved and seconded by Commissioner Maye and Commissioner del Valle.

All in favor say aye.

(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)

COMMISSIONER COLGAN: The vote is five to zero.

The Commission will now go into closed session.

Please let me know when the room is ready in Springfield.

(At this point pages 31 to 48 of the proceedings are contained in a separate closed transcript.)
Continuation of proceedings.


Is there a motion to file the request for Rehearing and/or Reconsideration?

COMMISSIONER DEL VALLE: So moved.

CHAIRMAN SCOTT: Second.

COMMISSIONER COLGAN: It's been moved by Commissioner del Valle and seconded by Chairman Scott.

All in favor say aye.

(Ayes heard.)

COMMISSIONER COLGAN: Any opposed?

(No response.)

COMMISSIONER COLGAN: The vote is five to zero.

The request for Rehearing and/or Reconsideration will be filed with FERC.

In closed session we also discussed filing the Petition for Leave to Appeal to the Illinois Supreme

Is there a motion to file a Petition for Leave to Appeal?

COMMISSIONER McCabe: So moved.

COMMISSIONER Colgan: It's been moved by Commissioner McCabe. Is there a second?

COMMISSIONER Maye: Second.

COMMISSIONER Colgan: Seconded by Commissioner Maye. It's been moved and seconded.

All in favor say aye.

(Ayes heard.)

COMMISSIONER Colgan: Any opposed?

(No response.)

COMMISSIONER Colgan: The vote is five to zero and the Petition for Leave to Appeal will be filed with the Illinois Supreme Court.

Judge Dolan, are there any other matters that come before the Commission today?

Administrative Law Judge Dolan: Not today,

Commissioner?

COMMISSIONER Colgan: Hearing none, this meeting
stands adjourned.

END OF PUBLIC UTILITY AGENDA
Kristi Landolina, being first duly sworn, on oath says that she is a Certified Shorthand Reporter and Registered Professional Reporter doing business in the City of Chicago, County of Cook and the State of Illinois;

That she reported in shorthand the proceedings had at the foregoing meeting;

And that the foregoing is a true and correct transcript of her shorthand notes so taken as aforesaid and contains all the proceedings had at the said meeting.

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KRISTI LANDOLINA, CSR, RPR

CSR No. 084-004611

SUBSCRIBED AND SWORN TO before me this 16th day of June, A.D., 2014.

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NOTARY PUBLIC