BEFORE THE
ILLINOIS COMMERCE COMMISSION
BENCH (OPEN) SESSION
(PUBLIC UTILITY)

Tuesday, August 12, 2015
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, Commissioner (via Teleconference)
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?

MR. MATRISCH: Yes.

CHAIRMAN SHEAHAN: Pursuant to the Open Meetings Act, I call the August 12, 2015 Bench Session of the Illinois Commerce Commission to order.

Commissioners McCabe, del Valle and Rosales are present with me in Chicago. We have a quorum. Commissioner Maye is participating by phone today.

Commissioner Maye, are you with us?

CHIEF CLERK: I'm not sure if she is on the line yet.

CHAIRMAN SHEAHAN: Let's proceed without her and then when she joins we will have a vote to allow her participation.

We have no requests to speak and we will, therefore, move into our Regular Transportation Agenda.

There are several non-substantive edits to the Minutes of our July 8th --
(Brief interruption.)

Commissioner Maye, is that you?

COMMISSIONER MAYE: That's me. Sorry about that.

CHAIRMAN SHEAHAN: No worries.

I would like to move to allow

Commissioner Maye to participate by phone. Is there

a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: Is there discussion?

(No response.)

All those in favor, say aye.

(Chorus of ayes.)

Any opposed, say nay.

(No response.)

The ayes have it and Commissioner Maye

is granted permission to participate by phone.

Moving onto our Public Utility Agenda,

we have no minutes to approve.

Item E-1 concerns MidAmerican's

Modification to its Qualifying Facility,

Cogeneration and Small Power Production Facilities

Rate.
Is there any objection to not suspending the filing?

(No response.)

Hearing none, the filing is not suspended.

Item E-2 concerns a Modification to ComEd's Energy Efficiency and Demand Response Adjustments Rider.

Is there any objection to not suspending the filing?

(No response.)

Hearing none, the filing is not suspended.

Item E-3 concerns Modifications to Ameren's Utility Consolidated Billing and Purchase of Receivables Internal Audits.

Is there any objection to not suspending the filing?

(No response.)

Hearing none, the filing is not suspended.

Item E-4 concerns a billing
complaint filed against ComEd. I believe Commissioner del Valle has a statement to make regarding this item.

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

These customers were wrongfully billed in their incorrect weight classification for over 15 years. They only discovered this error in 2007. By 2009, they had initiated a formal complaint when they filed the complaint here, because it was filed two months too late, Section 9-252 of the PUA and Section 9-252.1, having two years statute of limitations for consumer complaints; however, for any other contract for service you have written agreements providing a 5 year to 10-year Statute of Limitations respectfully. It does not make any sense that customers of a utility have a shorter window to seek restitution.

I will be voting no on this Order, but I also want to encourage our Staff, our legislative folks and our policy folks to explore putting
together and suggesting legislation that will address this because an Order changing it, of course, would be an amendment to the statute. Thank you.

CHAIRMAN SHEAHAN: Thank you, Commissioner.

Is there a motion to approve the proposed Order?

COMMISSIONER McCabe: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: Is there any further discussion?

(No response.)

All those in favor of approving the proposed Order, say aye.

COMMISSIONER ROSALES: Aye.

CHAIRMAN SHEAHAN: Aye.

COMMISSIONER McCabe: Aye.

CHAIRMAN SHEAHAN: Opposed, say nay.

COMMISSIONER del VALLE: Nay.

CHAIRMAN SHEAHAN: The ayes have it and the motion approving the proposed Order dismissing the
Item E-5 concerns ComEd's petition to determine the applicability of Section 6-125(e) liability to events caused by the June 10, 2010 storm.

Is there any objection to approving the proposed Order?

(No response.)

Hearing none, the Order is approved and the Motion to Dismiss is granted.

Item E-6 is a complaint filed against ComEd as to non-emergency vegetation management activities in Bolingbrook, Illinois.

Is there any objection to approving the proposed Order?

(No response.)

Hearing none, the Order is approved and the Motion to Dismiss is granted.

Item E-7 concerns a complaint filed against Starion Energy regarding a refund request.

Is there any objection to granting the parties' Joint Motion to Dismiss?
Hearing none, the Motion to Dismiss is granted and the complaint is dismissed.


Are there any objections approving the proposed Order?

Hearing none, the Order is approved.

Item E-9 involves Synergy Renewable System's Application Requesting a Certificate of Service Authority as an Installer of Distributed Generation Facilities under the Public Utilities Act.

Are there any objections to approving the proposed Order?

Hearing none, the Order is approved.

Moving onto our Gas Agenda, Item G-1 involves Illinois Gas Company's Reconciliation of Revenues Collected under its Gas Adjustment Charges
with Actual Costs Prudently Incurred.

Is there any objection to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Items G-2 and 3 involve the Approval of Agreed Penalties for Violations of the Illinois Gas Pipeline Safety Act.

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

(No response.)

Hearing none, the Orders are approved.

Item T-1 concerns Frontier's Petition for the Confidential Treatment of its Annual Interconnection Report.

Is there any objection to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item T-2 concerns Call One's Application to Expand its existing Certificate of
Local and Interexchange Authority to Operate as a Facilities-Based Carrier of Telecommunications Services in the State of Illinois.

Is there any objection to approving the proposed Order?

(No response.)

Hearing none, the Order is approved.

Item T-3 involves a complaint filed against AT&T regarding charges in Chicago, Illinois.

Is there any objection to granting the parties' Joint Motion to Dismiss?

(No response.)

Hearing none, the motion is granted and the complaint is dismissed.

Item T-4 involves Universal Telephone Assistance Corporation's Petition for Determination of the Amount and Form of Supplemental Assistance to be provided by Local Exchange Telecommunications Carriers pursuant to the Illinois Administrative Code.

Is there any objection to approving the proposed Order?
Hearing none, the Order is approved.

Moving onto our Water and Sewage Agenda, our consideration of Item W-1 will be postponed to a future meeting.

Item W-2 concerns Aqua's Petition for an Order and Certificate of Public Convenience and Necessity pursuant to Section 8-406 of the Public Utilities Act for the Authorization of Construction, Operation, and Maintenance of a Water Transmission Main Line in Will County, Illinois.

Is there any objection to approving the proposed Order?

Hearing none, the Order is approved.

Item W-3 concerns Illinois-American Water's Application for the Issuance of a Certificate of Public Convenience and Necessity to Provide Water Services to areas in La Salle and Livingston Counties and for the Approval of the Purchase of Certain Assets in the Dana/LongPoint/Reading/Ancona Public Water District.
Is there any objection to entering the Interim Order?

(No response.)

Hearing none, the Interim Order is entered.

Moving onto the Petition for Rehearing, Item PR-1 concerns Applications for Rehearing filed by intervenors regarding the Merger of Wisconsin Energy and Peoples Gas.

Is there a motion to deny the Application for Rehearing?

COMMISSIONER McCABE: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER ROSALES: Seconded.

CHAIRMAN SHEAHAN: Any discussion?

(No response.)

All those in favor of denying the Application for Rehearing, say aye.

COMMISSIONER McCABE: Aye.

COMMISSIONER ROSALES: Aye.

CHAIRMAN SHEAHAN: Aye.

Opposed, say nay.
COMMISSIONER del VALLE: Nay.

CHAIRMAN SHEAHAN: Commissioner Maye, did you vote on this item?

(No response.)

Commissioner Maye.

(No response.)

We may have lost her. The vote is 3 to one and the Applications for Rehearing are denied.

We have an item on our agenda regarding ICC's Reply Comments in FERC Docket No. ER10-1791-003. This item involves potential litigation and so we will enter closed session for a brief discussion.

Is there a motion to enter closed session?

COMMISSIONER McCABE: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER MAYE: Mr. Chairman, I apologize.

This is Commissioner Maye. I am having a hard time on this line today. This line is not working very well.
I do also move to deny for the record.

CHAIRMAN SHEAHAN: Not too late.

For the record then, the vote is 4 to one on Item PR-1 concerning the Application for Rehearing. Thank you.

We are considering the motion to go into closed session. All of those in favor, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)

We are in closed session -- we will clear the room --

COMMISSIONER ROSALES: Mr. Chairman, I move to second.
CHAIRMAN SHEAHAN: Thank you -- for a very brief discussion of this item in closed session and we will come back in open session for action.

(Whereupon, Closed Session commenced from Pages 10 to Page 14.)

We are back in open session.

Is there a motion to approve the ICC Reply Comments regarding the Allocation of MISO Multi-Value Project Costs to PJM?

COMMISSIONER McCABE: So moved.

CHAIRMAN SHEAHAN: Is there a second?

COMMISSIONER ROSALES: Seconded.

COMMISSIONER MAYE: Seconded.

CHAIRMAN SHEAHAN: All those in favor -- I should ask if there's any discussion?

(No response.)

All those in favor of approving, say aye.

(Chorus of ayes.)

Opposed, say nay.

(No response.)
The ayes have it and the comments are approved.

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

JUDGE KIMBREL: Nothing further, Mr. Chairman.

CHAIRMAN SHEAHAN: I have an item of other business. On a personal note, I want to acknowledge the passing of a dear friend to many of us who was also a vital member of the energy community in Illinois for many years. Leslie Koczur passed unexpectedly this weekend at her home in Hinsdale. I would ask you to keep Leslie and her family in your thoughts and prayers.

Knowing Leslie well, she would not want us to make a fuss, but perhaps some time soon we can all get together and have a drink to celebrate her life and positive impact on others which I'm sure she would have enjoyed. Thank you.

If there's no other business, we will stand adjourned.

(Whereupon, the above matter was adjourned.)
CERTIFICATE OF REPORTER

STATE OF ILLINOIS

COUNTY OF COOK

CASE NO.

TITLE: BENCH (OPEN) SESSION

I, PATRICIA WESLEY, do hereby certify that I am a court reporter employed by SULLIVAN REPORTING COMPANY, of Chicago, Illinois; that I reported in shorthand the evidence taken and the proceedings had on the hearing on the above-entitled case on the 12th day of August A.D., 2015; that the foregoing 17 pages are a true and correct transcript of my shorthand notes so taken as aforesaid, and contains all of the proceedings directed by the Commission or other person authorized by it to conduct the said hearing to be stenographically reported.

Dated at Chicago, Illinois, this ___ day of ____________, A.D., 20_____

______________________________
Reporter.