BEFORE THE

ILLINOIS COMMERCE COMMISSION

REGULAR OPEN MEETING

(PUBLIC UTILITIES)

Tuesday, August 6th, 2013

Met, Pursuant to notice at 10:30 a.m. in the
Audiovisual Conference Room, 8th Floor, 160 North LaSalle
Street, Suite C-800, Chicago, Illinois.

PRESENT:

MR. DOUGLAS P. SCOTT, CHAIRMAN

MR. JOHN T. COLGAN, COMMISSIONER

MR. MIGUEL DEL VALLE, ACTING COMMISSIONER

MS. SHERINA E. MAYE, ACTING COMMISSIONER

MS. ANN MCCABE, COMMISSIONER

MIDWEST LITIGATION SERVICES

BY: GWEN BEDFORD, CSR

License No. 084-003700

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CHAIRMAN SCOTT: Pursuant to the provisions of the Open Meetings Act, I now convene a Regular Open Meeting of the Illinois Commerce Commission. With us in Springfield is Commissioner Colgan. With me in Chicago are Commission McCabe, Acting Commissioner Del Valle and Acting Commissioner Maye. I'm Chairman Scott. We have a quorum.

Before moving into the agenda, according to Section 1700.10 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 meetings. According to the Chief Clerk's office, we have no requests to speak at today's meeting.

The first item of business on today's agenda is the approval of minutes from our July 10th Bench Session. I understand amendments have been forwarded.

Is there a motion to amend the minutes?

ACTING COMMISSIONER MAYE: Moved.

CHAIRMAN SCOTT: Is there a second?

COMMISSIONER MCCABE: Second.

CHAIRMAN SCOTT: It's been moved and seconded.
All in favor, say "AYE"?

(A CHORUS OF AYES)

CHAIRMAN SCOTT: Any opposed?

(NO RESPONSE)

CHAIRMAN SCOTT: The vote is 5-0 and the

amendments are adopted.

Is there now a motion to approve the

minutes as amended?

ACTING COMMISSIONER MAYE: So moved.

CHAIRMAN SCOTT: Is there a second.

COMMISSIONER MCCABE: Second.

CHAIRMAN SCOTT: All in favor, say "AYE".

(A CHORUS OF AYES)

CHAIRMAN SCOTT: Any opposed?

(NO RESPONSE)

CHAIRMAN SCOTT: The vote is 5-0 and the July 10th

Bench Session minutes, as amended, are approved.

We will now move on to Item 2 which is

Docket No. 12-0478. This is Richard Clayton's

complaint against ComEd as to billing/charges. ALJ

Riley recommends entry of an Order denying the

complaint.

Is there a motion to enter the Order

denying the complaint?

COMMISSIONER MCCABE: So moved.
CHAIRMAN SCOTT: Is there a second?

ACTING COMMISSIONER DEL VALLE: Second.

CHAIRMAN SCOTT: It has been moved and seconded.

All those in favor, say "AYE"?

(A CHORUS OF AYES)

CHAIRMAN SCOTT: Any opposed?

(NO RESPONSE)

CHAIRMAN SCOTT: The vote is 5-0 and the complaint is denied. We will use this 5-0 vote for the remainder of today's Regular Open Meeting unless otherwise noted.

Items 3 and 4 can be taken together.

These are complaints against Ameren as to fees or billing/charges. In both cases, the parties have apparently settled their differences and have brought Joint Motions to Dismiss, which the ALJs recommend we grant.

Is there any discussion?

(NO RESPONSE)

CHAIRMAN SCOTT: Any objections?

(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Joint Motions to Dismiss are granted.

Item 5 is Docket No. 12-0598. This is Ameren Transmission Company of Illinois' Petition for Certification of Public Convenience and Necessity,
pursuant to Section 8-406.1 of the Illinois Public Utilities Act, and an Order pursuant to Section 8-503 of the Public Utilities Act, to Construct, Operate and Maintain a New High Voltage Electric Service Line and related facilities in a number of counties in Illinois. This item will be held for disposition at a future Commission proceeding.

Items 6 and 7 can be taken together. And these items are petitions for the confidential and/or proprietary treatment of annual net metering reports. In both cases ALJ Yoder recommends entry of an Order granting the requested relief.

Is there any discussion?

(NO RESPONSE)

CHAIRMAN SCOTT: Are there any objections?

(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item 8 is Docket No. 13-0345. This is Amped Up Sales' application for licensure as an agent, broker and consultant under Section 16-115C of the Public Utilities Act. ALJ Kimbrel recommends entry of an Order denying the certificate.

Is there any discussion?

(NO RESPONSE)
CHAIRMAN SCOTT: Are there any objections?

(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Order is entered and the certificate is denied.

Items 9 through 11 can be taken together. These items concern applications for licensure as an agent, broker, and consultant under Section 16-115C of the Public Utility Act. In each case, ALJ Kimbrel recommends entry of an Order granting the certificate.

Is there any discussion?

(NO RESPONSE)

CHAIRMAN SCOTT: Are there any objections?

(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Orders are entered.

Item 12 is Docket No. 06-0470. This is Enbridge Energy Partners' application for a certificate in good standing. Enbridge filed a Motion to Reopen the docket to allow the Company to construct, operate, and maintain three pumping stations as additions to the pipeline. ALJ Hilliard recommends that the Commission grant the Motion to Reopen and enter an Order consistent with the Applicant's request.

Is there any discussion?
(NO RESPONSE)

CHAIRMAN SCOTT: Are there any objections?
(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the motion is granted and the Order is entered.

Item 13 is Docket No. 13-0101. This is 2401 East 75th Street's complaint against Peoples Gas as to billing/charges. ALJ Riley recommends entry of an Order dismissing the Complaint.

Is there any discussion?
(NO RESPONSE)

CHAIRMAN SCOTT: Are there any objections?
(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item 14 is Docket No. 13-0398. This is Consumers Gas Company's application seeking authority to enter into a gas storage contract, pursuant to Section 7-101 of Public Utilities Act. The Company has filed a motion seeking an Interim Order to continue operating under the terms of its previously approved contract, pending the final resolution of this proceeding. ALJ Yoder recommends entry of an interim order granting the requested relief.

Is there any discussion?
(NO RESPONSE)

CHAIRMAN SCOTT: Are there any objections?
(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item 15 is Docket No. 13-0223. This is Sage Telecom's amended application for certificates of authority to provide telecommunications services pursuant to Sections 13-401, 13-404 and 13-405 of the Public Utilities Act. The final order unintentionally omitted language granting authority to provide local facilities-based telecommunications services, thus ALJ Benn recommends entry of an Amendatory Order granting this authority.

Is there any discussion?
(NO RESPONSE)

CHAIRMAN SCOTT: Are there any objections?
(NO RESPONSE)

CHAIRMAN SCOTT: Hearing none, the Amendatory Order is entered.

Item 16 is Docket No. 13-0350. This is Gallatin River and Quest Communications' Joint Petition for approval of Traffic Exchange Agreement. ALJ Baker recommends entry of an Order approving the agreement.

Is there any discussion?
Item 17 is Docket 13-0395. This is Illinois Bell and Cricket Communications' joint petition for the approval of an amendment to an interconnection agreement. ALJ Jorgenson recommends entry of an Order approving the amendment.

Is there any discussion?

(NO RESPONSE)

Item 18 is Docket No. 13-0441. This is the City of Countryside's petition for modification of its existing 9-1-1 emergency telephone number system. ALJ Haynes recommends entry of an Order of approving the petition.

Is there any discussion?

(NO RESPONSE)
CHAIRMAN SCOTT: Hearing none, the Order is entered.

Item 19 is Docket No. 12-0603/12-0604 consolidated. This is Apple Canyon and Lake Wildwood's proposed general rate increase for water service. ALJ Haynes recommends entry of an Order approving the rate increase. This item will be held for disposition at a future Commission meeting.

Item 20 is Docket Nos. 12-0511 and 12-0512 consolidated. This is North Shore and Peoples Gas' proposed general rate increase for gas distribution services. North shore and Peoples Gas, the Citizen's Utility Board, the City of Chicago, and the Attorney General's Office have filed Petitions for Rehearing on a number of issues. ALJs Dolan and Teague recommend that North Shore and People's Gas' request for rehearing on the subject of mathematical errors in the Final Order's figures relating to the Utilities' 2012 and 2013 Net Operating Losses be granted.

The ALJs also recommend that rehearing on the remaining utility issues and all other petitions be denied.

Is there any discussion? Commissioner McCabe has a motion to make on this matter.

COMMISSIONER MCCABE: I prefer granting the net
operating loss rehearing request of CUB/City and the AG as well Peoples North Shore request. Peoples request rehearing to address certain errors of the calculations of the net operating loss. We're going to allow that request. But we note that the NOL issue was not fully addressed by the parties given Peoples' change late in the process and how they plan to handle NOL. Peoples changed their position on two rebuttal to requests of the 2012 NOL. The parties should have a full opportunity present rebutting evidence.

I vote that we grant a hearing request on that operating loss for Cub/City, AG as well as Peoples North Shore.

CHAIRMAN SCOTT: Does your motion also include a denial of the other issues that are in the petition?

COMMISSIONER MCCABE: (Shaking head).

CHAIRMAN SCOTT: So it has been moved to grant on the issues raised by all the parties with respect to operating losses and to deny on the other remaining issues. Is there a second on that motion?

ACTING COMMISSIONER DEL VALLE: Second.

CHAIRMAN SCOTT: Any discussion on the motion?

(NO RESPONSE)

CHAIRMAN SCOTT: All those in favor say "AYE".

(A CHORUS OF AYES)

CHAIRMAN SCOTT: Any opposed?

(NO RESPONSE)
CHAIRMAN SCOTT: The ayes have it. The motion is granted and the rehearing is granted on the items listed in Commissioner McCabe's motion.

Is there any other further business to come before the Commission today?

COMMISSIONER COLGAN: No, that is all.

Mr. Chairman.

CHAIRMAN SCOTT: We have Susan Stelmasek who has just joined the staff as one of my advisors, and she comes to us most recently from the Clean Energy Trust here in the city and I know she is going to do a wonderful job for us. Glad to have her on board. Thank you.

If there is no further business to come before the Commission today, this meeting stands adjourned. Thank you, everyone.

(WHEREUPON the meeting was adjourned at 10:45 a.m.)