BEFORE THE
ILLINOIS COMMERCE COMMISSION

BENCH SESSION
(PUBLIC UTILITY)

Springfield, Illinois
Wednesday, September 21, 2011

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
Via Audiovisual Teleconference

MS. LULA M. FORD, Commissioner
Via Audiovisual Teleconference

MS. ERIN M. O'CONNELL-DIAZ, Commissioner
Via Audiovisual Teleconference

MR. SHERMAN J. ELLIOTT, Commissioner

MR. JOHN T. COLGAN, 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 Chicago are Commissioners Ford and O'Connell-Diaz. With us in Springfield are Commissioner Elliott and Acting Commission Colgan. 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 Bench Session. According to the Chief Clerk's Office we have no requests to speak at today's session.

(The Transportation portion of the proceedings was held at this time and is contained in a separate
CHAIRMAN SCOTT: Moving on to the Public Utility agenda, we will start with approval of the minutes from prior Commission sessions. Up first are minutes from our August 23 Regular Open Meeting. I understand amendments have been forwarded. Is there a motion to amend the minutes?

COMMISSIONER ELLIOTT: 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 amendments to the August 23 minutes are adopted.

Is there a motion to approve the minutes as amended?

ACTING 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

August 23 Regular Open Meeting minutes as amended are approved.

Next up are minutes from our August 23 PED Initiative Policy Committee meeting. I understand amendments have been forwarded. Is there a motion to amend the minutes?

COMMISSIONER ELLIOTT: 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 amendments to the PED meeting minutes are adopted.
Is there a motion to approve the
minutes as amended?

COMMISSIONER ELLIOTT: 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
August 23 PED Initiative Policy Committee meeting
minutes as amended are approved.

We will turn now to the Electric
portion of today's agenda. Item E-1 (11-0646)
concerns beginning an annual reconciliation
proceeding for ComEd's Rider EDA for its energy
efficiency and demand response program. Staff
recommends entry of an Order commencing the
proceeding.

Is there a motion to enter the Order?

COMMISSIONER O'CONNELL-DIAZ: So moved.
CHAIRMAN SCOTT: Is there a second?

ACTING 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, and the

the Order is entered.

We will use this five to nothing vote

for the remainder of the Public Utility agenda,

unless otherwise noted.

Item E-2 is Docket Number 09-0535.

This concerns a reconciliation proceeding concerning

revenues collected under Ameren's Rider EDR and GER

for its energy efficiency programs. ALJ Jones

recommends entry of an Order approving the

reconciliation as adjusted by Staff.

Is there any discussion?

(No response.)

Any objections?

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

Items E-3 and E-4 (10-0411, 10-0707) can be taken together. These items each concern customer complaints against ComEd, and in each case ALJ Benn recommends entry of an Order dismissing the matter without prejudice for want of prosecution.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Orders are entered, and the matters are dismissed.

Item E-5 is Docket Number 11-0496.

This is Richard Maanum's complaint against ComEd. The parties have apparently settled their differences and have brought a Joint Motion to Dismiss which ALJ Haynes recommends that we grant.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Joint Motion to
Dismiss is granted.

Items E-6 and E-7 (11-0456, 11-0590) can be taken together. These items are H.P. Technologies' and NU-Day Energy's applications for licensure as an Agent, Broker and Consultant under Section 16-115C 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.)

Any objections?

(No response.)

Hearing none, the Orders are entered, and the Certificates are granted.

Items E-8 through E-10 (11-0527, 11-0531, 11-0574) can be taken together. These items are petitions for certification as an Alternative Retail Electric Supplier, and in each case the ALJ recommends entry of an Order granting the certificate.

Is there any discussion?

(No response.)
Any objections?

(No response.)

Hearing none, the Orders are entered, and the certificates are granted.

Turning now to Natural Gas, Item G-1 is Docket Number 10-0486. This is Bernard Adjirackor's customer complaint against Nicor. ALJ Benn recommends entry of an Order dismissing the proceeding without prejudice for want of prosecution.

Is there any discussion?

(No response.)

Any objections?

(No response.)

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

Item G-2 is Docket Number 11-0252. This item concerns a waiver that Nicor is seeking to permit the installation and use of a non-metallic composite reinforced thermal plastic pipe for rehabilitation of pipeline segments near Ottawa, Illinois.

COMMISSIONER O'CONNELL-DIAZ: Say that again.
CHAIRMAN SCOTT: No. I didn't get it right the first time so I am not going to try it again.

Before us today is a motion by Staff seeking an extension of time for the Pipeline and Hazardous Materials Safety Administration to file any objections it might have to the waiver. ALJ Kimbrel recommends granting the motion.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the extension of time for PHMSA's filing is granted.

Moving now to Telecommunications,

Items T-1 through T-4 (11-0070, 11-0365, 11-0405, 11-0406) can be taken together. These items each concern petitions for the cancellation of Certificates of Service Authority, and in each case ALJ Baker recommends entry of an Amendatory Order meant to be specific as to the original certificate actually issued.

Is there any discussion?
(No response.)

Any objections?

(No response.)

Hearing none, the Amendatory Orders are entered.

Item T-5 is Docket Number 11-0500.

This is Netrino's application for a Certificate of Local Exchange Carrier and Interexchange Carrier Authority to operate as a reseller and/or facilities-based carrier of telecommunication services throughout Illinois. ALJ Teague recommends entry of an Order granting the requested certificates and associated relief.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item T-6 is Docket Number 11-0556.

This is Simple Mobile's application for a Certificate of Wireless Authority to operate as a reseller of telecommunication services in Illinois. ALJ Riley
recommends entry of an Order granting the requested certificate.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Item T-7 is Docket Number 11-0506.

This item is a Joint Petition by Illinois Bell and Big River seeking approval of a Negotiated Interconnection Agreement dated June 28, 2011. ALJ Baker recommends entry of an Order approving the agreement.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Items T-8 and T-9 (11-0043, 11-0044) can be taken together. These items are Petitions for Confidential Treatment of Petitioners' 2010 Annual Reports. In each case the parties have now brought a
Motion to Withdraw their petition which ALJ Jones recommends that we grant.

Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Motions to Withdraw are granted.

Item T-10 is Docket Number 11-0619.

This is a petition by Citizens Utility Board seeking approval of the content of CUB Enclosures 11-1 and 11-2. ALJ Wallace recommends entry of an Order approving the content of the enclosures.

Is there any discussion?

COMMISSIONER O'CONNELL-DIAZ: Chairman, if I might, Judge Wallace, I noticed that we had this on our Bench today and I am just curious. It was filed on the 7th of September and the deadline is the 21st of September?

JUDGE WALLACE: Yes, yeah. That should add up to about 15 days.

COMMISSIONER O'CONNELL-DIAZ: Wow, that's
pretty quick.

JUDGE WALLACE: Yeah, it is a 15-day turnaround for the CUB Enclosures.

CHAIRMAN SCOTT: Is that statutory?

JUDGE WALLACE: Yes.

COMMISSIONER O'CONNELL-DIAZ: That's not very much time. Thank you.

JUDGE WALLACE: No, it is not.

CHAIRMAN SCOTT: Thank you. Is there further discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered.

Lastly, moving on to Water and Sewer, Item W-1 is Docket Number 10-0386. This is an application by Illinois-American Water Company seeking a certificate for authorization to extend water service to an area to be developed to become an industrial park area in St. Clair County. ALJ Jones recommends entry of an Order granting the requested certificate.
Is there any discussion?

(No response.)

Any objections?

(No response.)

Hearing none, the Order is entered,

and the certificate is granted.

Judge Wallace, are there any other

matters to come before the Commission today?

JUDGE WALLACE: Nothing further, Mr. Chairman.

CHAIRMAN SCOTT: Thank you, sir. Hearing none,

this matter stands adjourned.

MEETING ADJOURNED