

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission :
On Its Own Motion :
: 20-NOI-02
Notice of Inquiry regarding :
Electric and Natural Gas Service :
Safety and Reliability :

**AMEREN ILLINOIS COMPANY'S REPLY COMMENTS
IN RESPONSE TO NOTICE OF INQUIRY**

COMES NOW Ameren Illinois Company d/b/a Ameren Illinois (Ameren Illinois, AIC or the Company) and respectfully submits the following Reply Comments in response to the Illinois Commerce Commission (ICC or Commission) Notice of Inquiry 20-NOI-02 (NOI) regarding electric and natural gas safety and reliability.

The NOI solicited comments on several questions set forth in the Commission's August 12, 2020 order. Initial comments were provided by several parties by September 15, 2020. AIC's Reply comments are in response to Initial comments submitted by the Office of the Attorney General in this proceeding.

**I. THE AG'S COMMENTS DO NOT ACCURATELY REFLECT THE
COMMISSION'S TRANSPARENT INSPECTION AND REPORTING PROCESS**

A. *The AG states that the triannual electric reliability assessment reports prepared by the ICC are some of the only documents provided to the public that describe identified safety and reliability concerns. The AG further states that in the interim years between the triannual assessments, the ICC does not prepare or monitor such results.*

The AG's comments do not accurately reflect the current process in place for the electric reliability assessment. Ameren Illinois works with ICC Staff throughout each year and responds to requests or inquiries into potential safety and/or reliability concerns. While it is Ameren Illinois, not the ICC, who is responsible for ensuring safe and reliable service to our customers, we respect and respond to the oversight provided by ICC Staff. Even during COVID-19 challenges, ICC Staff had inspected and inquired about some concerns identified during their 2020 field inspections; Ameren Illinois has responded to these concerns.

Ameren Illinois also responds directly to customers on matters of safety and reliability. We do this through a variety of channels including direct customer calls, social media inquiries, the Informal and Formal Complaint processes per Part 280. Formal Complaints become docketed matters and are publicly available. Ameren Illinois strives to achieve the highest level of responsiveness to our customers and the ICC by utilizing all available methods of communication.

B. In their Initial comments in this NOI proceeding, the AG simply re-stated the ICC's 2016 assessment comments in Docket 16-0034 regarding Ameren Illinois' 2014 reliability report. The specific issue reiterated in the AG Initial comments in the NOI was the concern of the time required to complete work.

On June 24, 2016, Ameren Illinois provided a response in Docket 16-0034. To reiterate, Ameren Illinois agreed that timely completion of identified deficiencies is a key driver to ensure safety and reliability. Ameren Illinois' 2016 response also noted that all known and identified hazards are addressed immediately. The company laid out a plan to address the resources issues that caused a delay in completing some of the items identified on regular circuit inspections.

C. The AG's Initial comments in the NOI proceeding also re-iterated the ICC Staff assessment in Docket 19-0237, including a statement that with a backlog of reliability work, employees may have the impression that reliability is unimportant.

The following excerpt from Ameren Illinois' 2019 Reliability Report filed on May 29, 2020 further demonstrates the ongoing efforts to improve upon processes that support reliability efforts:

Starting in 2017, Ameren Illinois implemented changes to the distribution circuit inspection program in order to increase reliability and enhance the efficiency and effectiveness of the program. A new two-year Short Cycle inspection was implemented for distribution circuits to improve the likelihood of catching high risk incipient issues before they adversely affect the safety and reliability of the feeder. The detailed Visual inspection was changed from four years to six years, while the Ground Line inspection will continue with a 12-year cycle. No changes were made to the annual subtransmission line inspection program. In addition, the pole replacement/restoration window has been revised to better plan and execute this work. This will allow time to better identify more effective alternatives to discrete replacement of multiple poles, such as the rerouting or re-spanning of a section of line. In 2019, Ameren Illinois reviewed the ground line and sound and bore inspection process to identify methods that are expected to improve determining the health of a pole going forward.

Safety and reliability is at the forefront of what each and every Ameren Illinois employee accomplishes daily. While some circuit repair work may take longer due to required engineering analysis and design, right-of-way acquisition, prearranged outage planning, etc., our employees understand that the goal for all we do is to provide safe and reliable service to customers. The company is consistently looking for ways to improve the efficiency and effectiveness of our programs.

D. The AG recommends disclosing information that may undermine the safety and security of utility infrastructure.

The AG's comments imply the Commission's reliability and safety inspection process must be transparent. The AG, however, did not provide any support or examples of where the Commission's process is deficient in this regard. It is unclear what deficiency the AG takes issue

with since the AG highlighted excerpts from publically available reports as noted in the previous section. Instead of providing constructive feedback, the AG provides unsupported claims the Commission's website does not provide transparent information. However, the Commission posts Notice of Amendment (NOA) and Notice of Probable Violations (NOPVs) on its website. To the extent Pipeline and Hazardous Materials Safety Administration (PMHSA) issues any findings, PMHSA provides its NOAs and NOPVs on its website and all reports are public.

If the AG is advocating for more transparency and is requesting the Commission make public more information regarding utility infrastructure, then the AG's request must be balanced with the need to protect gas and electric utility infrastructure from physical and cyber-attacks. The disclosure of weakness or vulnerability in utility infrastructure undermines the security and resiliency of the infrastructure. The Federal Energy Regulatory (FERC) Commission as well as this Commission has recognized that details about utility infrastructure could be useful to a person planning an attack on critical infrastructure, and strategic information regarding utility infrastructure is exempt from the mandatory disclosure under the Freedom of Information Act. FERC defined critical energy/electric infrastructure¹ as a system of assets of the bulk-power system, (physical or virtual) the incapacity or destruction of which would negatively affect:

- national security,
- economic security,
- public health or safety, or
- any combination of such matters.

The Illinois public also deserves a safe and reliable system that continues to provide economic security and contributes to national security while insuring that public health and safety is the number one priority.

¹ <https://www.ferc.gov/enforcement-legal/ceii>

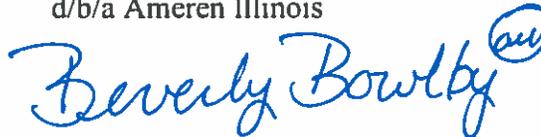
The AG has not provided the Commission with any constructive feedback on how the Commission's rules and regulations could be changed to ensure that electric and natural gas utility service is provided in a safe and/or reliable manner.

II. CONCLUSION

Ameren Illinois appreciates the opportunity to provide these comments in the Commission's Notice of Inquiry process and continues to look forward to any further discussion on important issues regarding the safety and reliability of utility services.

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Respectfully submitted,
AMEREN ILLINOIS COMPANY
d/b/a Ameren Illinois



Beverly Bowlby
Manager Regulatory Affairs
370 S. Main Street
Decatur, IL 62523

Geoffrey F. Grammer
Jennifer S. Moore
Matthew R. Tomc
AMEREN SERVICES COMPANY
One Ameren Plaza
1901 Chouteau Avenue
PO Box 66149, MC 1310
St. Louis, MO 63166-6149
314-554-3909, *direct dial*
314-554-4014, *facsimile*
ggrammer@ameren.com
jmoore499@ameren.com
mtomc@ameren.com