Pursuant to Section 2.02 of the Open Meetings Act, a Pre-Bench Meeting of the Commerce Commission was convened by Chairman Box at 1:36 p.m. on November 27, 2007 in the Springfield Office of the Commission. Present were: Commissioners Ford, Lieberman, O’Connell-Diaz, and Chairman Box.

Gas Recovery Services of Illinois, Inc. (GRSI)
The Commission is to establish a repayment schedule for Gas Recovery Services of Illinois, Inc. (GRSI) for the tax credits taken by Commonwealth Edison for electricity purchased from its South Barrington qualified solid waste facility pursuant to 8-403.1 of the PUA and 83 IL Adm. Code 445.

Topics of discussion included: Tom Griffin, Public Utilities Bureau, gave an overview of this matter; Staff is requesting to reopen Docket #93-0432, Gas Recovery Services of Illinois (“GRSI”), which granted QWSEF status to GRSI’s South Barrington facility; the purpose of reopening is to order GRSI to repay tax credits taken by Commonwealth Edison under the Retail Rate Law; Commonwealth Edison was required to enter into a 10-year contract to purchase electricity generated by the South Barrington facility; at the end of each contract period, GRSI is required to reimburse the State of Illinois for the total amount of tax credits taken by Commonwealth Edison; repayment is made over a 10-year period; Staff reconciled GRSI’s proposed repayment schedule and Commonwealth Edison’s records, and has proposed a repayment schedule for the South Barrington facility; Staff recommends reopening Docket #93-0432 to direct GRSI to make such repayments in accordance with Staff’s schedule.

Chairman Box noted that the Commission recently had a QWSEF bankruptcy case where funds were encumbered; he asked if, since the Public Utilities Act does not require that funds be set aside for repayment, what the likelihood is of the State being repaid; Mr. Griffin stated that GRSI has agreed to set up escrow funds for this purpose; they have made other payments on time, and there is no reason to believe GRSI will end up in bankruptcy; Staff has also investigated the remaining QWSEF owners that owe money to the State and are determining the status of their escrow funds; when Staff’s investigation is finished, they will report back to the Commission with potential options and recommendations to secure these funds.

Commissioner O’Connell-Diaz made a Motion to Reopen Docket #93-0432. Commissioner Lieberman seconded the Motion. All present voted aye on the Motion.

Phase 1 quarterly oral report to the Commissioners from the Liberty Consulting Group about its activities in the Ameren Outage Investigation.

Topics of discussion included: Bob Stright, Liberty Consulting Group, gave a
quarterly update on Ameren’s outage investigation; this investigation includes
a comprehensive review of Ameren’s infrastructure delivery systems, and
planning and restoration following the storms of July, 2006 and December, 2006;
since a contract between Ameren and Liberty was executed in August, the
investigation is still in the early stages and there are no conclusions yet;
Liberty has begun gathering information and inspecting facilities; one
complication for both Ameren and Liberty is that there are 3 separate companies
with 7 divisions to review; Ameren has been timely in providing access and
information from their systems; they are cooperating and trying to learn from
and improve from results of the work.

Chairman Box asked when the final report is due; Mr. Stright said a quarterly
report is due at the end of July, 2008, and a final report is due in August;
Chairman Box noted that the final report is due almost 2 years after the first
storm; he questioned whether this makes their investigation more difficult; Mr.
Stright agreed there are some complications in assessing how things stood prior
to the storm, and making recommendations from that point; however, the Company
may already be implementing changes, so Liberty also has to take into account
any improvements Ameren has made; Commissioner O’Connell-Diaz noted that, while
she appreciates the Company’s assistance in this investigation, she warned the
Commission will take appropriate action if cooperation is not forthcoming in
the future.

Mr. Stright stated he will have more information in the next quarterly report
in March.

The meeting was adjourned.