



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

September 14, 2016

Mr. Anthony M. Star
Director, Illinois Power Agency
Mr. Brian Granahan
Counsel, Illinois Power Agency
160 N. LaSalle Street, Suite C-504
Chicago, IL 60601

Dear Mr. Star:

The People of the State of Illinois, ex. rel. Lisa Madigan, Attorney General of the State of Illinois, hereby submit these Comments to the Illinois Power Agency (“IPA”) in response to its publishing of its Draft Electricity Procurement Plan for the period of June 2017 through May 2022 (“Draft Plan”), in accordance with the schedule established by the IPA and Section 16-111.5(d)(2) of the Public Utilities Act (“the Act”).

The People appreciate the opportunity to respond to the IPA’s Draft Plan. The comments below focus on the IPA’s approach to the procurement of capacity in the Ameren Illinois Company (“Ameren”) service territory and the procurement of energy efficiency under Section 16-111.5B of the Act.

The IPA Should Not Change Its Capacity Procurement For The Ameren Territory Until The Changes To The MISO Capacity Market Currently Under Discussion Are Final.

The Draft Plan suggests potential changes to the way the IPA procures capacity for the Ameren area. While the Draft Plan contemplates obtaining 75% of Ameren’s capacity needs through a Request for Proposals (“RFP”) for the 2017/18 and 2018/19 Planning Years, it proposes a subsequent drastic departure from recent years’ practice, and proposes obtaining 100% of the Ameren territory’s capacity needs through the MISO¹ Planning Resource Auction (“PRA”) for the 2019/20 Planning Year. Draft Plan at 85-87. The impetus for this change is MISO’s ongoing consideration, dating back to October 2015², through its Competitive Retail

¹ MISO is the Midcontinent Independent System Operator, the Regional Transmission Organization that covers the Ameren Illinois territory.

² See, e.g., MISO Staff, *Draft Issues Statement: Resource Adequacy in Restructured Competitive Retail Markets*, October 2015, available at: <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=210815>.

Solutions (“CRS”) Task Team and its Resource Adequacy Subcommittee (“RASC”), of a change to the PRA structure for its states with competitive retail choice for electric supply, *viz.* Illinois and Michigan.

The IPA Draft Plan describes the MISO capacity market and the numerous issues that have arisen since the PRA was initiated following the June 11, 2012 Federal Energy Regulatory Commission’s (FERC) conditional approval of the PRA. Draft Plan at 54-65. The discussion in the Draft Plan demonstrates that the PRA has had a short, but busy history, with prices for Ameren Illinois (Zone 4), jumping to \$150 MW-Day in 2015-2016 and dropping to \$72 mw-day one year later, after FERC ruled that the complaints challenging the structure of the MISO PRA justified changes in the PRA. While the Draft Plan refers to the IPA’s procurement that resulted in a \$138.12/MW-Day price, which is substantially higher than the ultimate \$72.00 PRA price for 2016-17, it is important to put that price in the context of the turmoil surrounding the PRA. The IPA procurement was before the FERC’s December 31, 2015 Order granting some of the relief requested by the People of the State of Illinois and the Illinois Industrial Energy Consumers, and the high price can be attributed to timing. See Draft Plan at 58-60.

The numerous changes to the PRA under consideration should caution the IPA against a procurement plan that relies too heavily on the PRA. Yet, the Draft Plan proposes to obtain 100% of the Ameren territory’s capacity needs through the PRA for the 2019/20 Planning Year. It is simply premature to make such a decision. In addition to the locational and seasonal changes MISO is considering, Draft Plan at 61-63, MISO is in the midst of a heated debate about whether to change the PRA’s structure for competitive areas like Illinois and Michigan, and if so, how it should be changed.

The Draft Plan describes the pending MISO proposal ³ as including the following features:

- A new 3-year Forward Resource Auction (“FRA”) to procure capacity needs of Retail Choice Load where state or local planning processes are absent.
 - FRA would use a Sloped Demand Curve pricing method.
 - Forward procurement (cleared supply) will be “self-scheduled” into the PRA similar to resources procured by regulated LSEs.
 - Maintains existing PRA and FRAP option [with vertical demand curve] for Non-Retail Choice Load.
- Bright-Line Test for Demand.
 - Demand subject to competitive retail access will be required to participate in CRS (subject to evaluation for materiality).

³ The most definitive statement of MISO’s current CRS proposal as of September 14, 2016, and the apparent source of the IPA Draft Plan’s description, may be found in this May 17, 2016 document published by MISO Staff to the RASC: *Competitive Retail Solution for Resource Adequacy*, available at <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=224837>. After some debate, MISO clarified at the July 2016 RASC meeting that it intends to move forward with the three-year forward auction proposal. MISO Staff, *Competitive Retail Solution: Analysis and Conclusions*, July 14, 2016, available at: <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=229046>.

- Potential Participating Demand’s PRMR must be less than 0.5% of the total system wide PRMR.

Draft Plan at 63-64.

While the above provisions represent substantial changes, they do not represent a final or an agreed approach to how to secure capacity in competitive areas. There are ongoing stakeholder meetings at the RASC and Board of Directors meetings where the market design elements described by the IPA continue to be under discussion and debate.⁴ A key issue that has not been resolved is whether the MISO proposal will result in less price volatility.

At the most recent stakeholders’ meeting on September 1, 2016, the analysis of price formation and volatility was not yet available. However, an analysis by the Indianapolis Power and Light Company, conducted jointly with MISO, found that the hypothetical Forward Resource Auction (“FRA”) for competitive areas using bidding data and other parameters from the 2016/17 PRA would produce a clearing price of \$110.10 per megawatt-day, while the PRA result for the non-competitive areas of MISO would be \$1.00 for Zone 1, \$222.00 for the remaining northern Zones (excepting Zone 4, Illinois), and \$1.99 for the three southern Zones. A second analysis, after adjusting some auction parameters at MISO’s suggestion (reducing the Zone 4 Capacity Export Limit to 10% of that in the PRA; adjusting the shape of the sloped demand curve; subjecting 78% of Zone 4 demand to the FRA clearing process; and offering 78% of Zone 4 resources into the FRA) resulted in very different results: a FRA clearing price of \$210.00 per megawatt-day, and a PRA result of \$5.00 in the northern Zones and \$2.99 in the southern Zones.⁵ These results are troubling and demonstrate the need for further study. Clearly, the results of the future forward auction under the proposed CRS will be highly sensitive to the specific parameters used, which have still not been settled upon by MISO.

The Draft Plan provides that:

“the IPA anticipates that the proposed changes to the MISO capacity construct will result in a more stable capacity market in the long term if those changes are fully implemented.

⁴ See, e.g., IMM Comments on the Capacity Market Proposal for Competitive Retail Areas, May 5, 2016, presented to MISO Resource Adequacy Subcommittee, available at: <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=223993> (opposing MISO’s forward procurement proposal for competitive retail areas); May 2016 Stakeholder Comments submitted to RASC, available at <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=223628> (including opposition by numerous Illinois electric consumer representatives); Minutes of June 1, 2016 MISO RASC meeting, available at <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=226976> (describing “numerous questions” from stakeholders about differences between MISO and IMM design objectives); IMM Evaluation of Capacity Market Proposals for Competitive Retail Areas, presented to MISO Resource Adequacy Subcommittee, available at: <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=229087> (continuing to oppose three-year forward auction); Minutes of July 14, 2016 MISO RASC meeting, available at <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=229494> (describing limitations of CRS simulation analysis conducted by MISO’s consultant, The Brattle Group).

⁵ IPL MISO Joint Pricing Analysis (FRA/PRA Pricing Analysis), presented to MISO Resource Adequacy Subcommittee, September 1, 2016, available at: <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=232409>.

It is possible that the proposed changes, when implemented, will reduce capacity price volatility, and could help ensure the reliability of electric service. As a result, the IPA bilateral capacity procurement will not have any apparent advantage over the PRA.”

Draft Plan at 57-58. The People submit that this conclusion is not supported by the information currently available in the MISO stakeholders process and that it is premature to move to complete reliance on the MISO PRA starting with the 2019/20 Planning Year, even “[a]ssuming MISO’s proposed changes are largely adopted.” Draft Plan at 58.

The Draft Plan states that “[t]he IPA may update the [2017] Plan to be filed with the ICC for approval based upon feedback from interested parties and new information that becomes available after August 15th. Also, the IPA may refine its proposed capacity procurement strategy for the 2018 Procurement Plan (next year) depending on the timing and outcome of proceedings at [the Federal Energy Regulatory Commission or “FERC”] with respect to MISO’s proposed changes to its resource adequacy construct.” Draft Plan at 58. The Draft Plan further elaborates that the 100% MISO PRA procurement recommendation for 2019/20 could be postponed or modified in a future Procurement Plan “if FERC approval to the proposed changes results in a longer transition period, or not implemented should FERC reject or substantially modify the proposals.” Draft Plan at 86.

Consistent with the above passages, the People urge the IPA to revise its 2017 Plan as it relates to procurement of Ameren’s future capacity needs after the 2018/19 Planning Year. MISO’s latest CRS proposal is the result of several months of debate among MISO Staff, the Independent Market Monitor (“IMM”), and various stakeholders and discussion is ongoing. MISO has indicated that it is in continued discussion with the IMM regarding the latter’s objections to the three-year forward auction structure, and simulations of the price effect of its model are not yet available. Clearly, the MISO proposal is far from final. A further indication of the work ahead was the August 8, 2016 meeting of MISO’s Board of Directors Market Committee, where many questions were presented; there was extensive discussion with both the MISO Staff (and its consultant) and the IMM.⁶ The market Committee indicated that it intended to further consider its CRS proposal and delayed a filing at FERC until November 2016. As of this writing, MISO has not yet issued a final proposal nor a model of expected price effects.

The People request that the IPA decline to plan or announce a shift in its capacity procurement for Ameren to relying solely on the MISO PRA. It is premature to include any new recommendations for IPA’s capacity procurement strategy in the 2019/20 Planning Year both because MISO has not finalized its CRS proposal and because there will likely be extensive litigation at FERC upon a tariff filing there.

MISO has not yet released any simulations of how the proposed new PRA structure for competitive retail areas would have affected the results of prior PRAs. Even with simulated outcomes, the IPA should observe the outcome of at least one PRA under the new CRS rules before committing to leave all procurement of Ameren’s capacity needs to the new MISO auction structure. The Draft Plan correctly notes that it is merely “possible,” not certain, that the

⁶ See Minutes of the MISO Board of Directors Markets Committee, August 8, 2016, available at: <https://www.misoenergy.org/layouts/MISO/ECM/Redirect.aspx?ID=233075>.

proposed CRS changes will reduce capacity price volatility. Draft Plan at 58, 85. In light of the great uncertainty surrounding MISO's PRA structure, the People recommend that the IPA continue its stated approach of procuring 75% of MISO's capacity needs through an RFP and contracting approach until a revised CRS auction structure for MISO's Illinois territory is implemented and proven effective.

The IPA Should Seek Commission Direction on Requiring Utilities to Develop a Plan to Ensure that Section 16-111.5B Contracts Receive the Same Level of Scrutiny as Section 8-103 Contracts.

At page 109 of the Draft Plan, the IPA states that it believes that significant and meaningful progress was made in the consideration of five issues that remained unresolved in the previous IPA Procurement Plan proceeding, ICC Docket No. 15-0541, related to the procurement of energy efficiency, and that were addressed in SAG-facilitated workshops at the direction of the Commission. The People agree with that sentiment generally, but take issue with the IPA's conclusion that the Commission need not be consulted for direction on an issue related to the scrutiny the Utilities apply to Section 16-111.5B contracts. The Draft Plan states:

While the fourth and fifth issues resulted in minor unresolved differences between parties — an expected result when parties are working in good faith toward solutions but have different perspectives, different experiences, and are accountable to different constituencies — *none were so significant that the IPA believes further clarification from the Commission is absolutely necessary for approval of the 2017 Plan.* Given that the majority of contested issues from the 2016 Plan approval litigation concerned issues arising under Section 16-111.5B, the IPA believes this demonstrates that the 2016 Section 16-111.5B subcommittee workshop process was a laudable success.

IPA Draft Plan at 109. (Emphasis added.) The fact is, however, the Commission specifically required the Utilities in their last Procurement Order in Docket No. 15-0541 to develop a plan to ensure that Section 16-111.5B contracts receive the same level of scrutiny as Section 8-103 contracts in terms of minimizing cost to the ratepayer and maximizing energy savings achieved. The Commission's Final Order in ICC Docket No. 15-0541 Final Order stated:

It seems to be a simple matter to require the same level of scrutiny for Section 16-111.5B contracts as that which is imposed for Section 8-103 contracts. The utilities are directed to develop a plan to implement use of the same scrutiny for Section 16-111.5B contracts as that for Section 8-103 contracts through workshops conducted by the SAG.

ICC Docket No. 15-0541, Order of December 16, 2015 at 110. The IPA's Draft Plan recognizes the potential impact on ratepayer costs and savings achieved in acknowledging the gray area that exists in IPA energy efficiency bids between a bid that passes the cost-effective test of Section 16-111.5B but allows "bidders to propose programs with excessive administration costs by

finding headroom in the TRC analysis.” IPA Draft Plan at 114. The fact is neither utility developed the plan requested by the Commission to ensure equivalent contract scrutiny.

For example, as noted in the SAG Facilitator’s “Report from the Illinois Energy Efficiency Stakeholder Advisory Group (IL EE SAG) 2016 Section 16-111.5B Workshop Subcommittee” (“2016 SAG Report”), attached to the Draft Plan as Appendix H, while each utility appears to attempt to clarify uncertain terms with a bidder, no effort is made to negotiate prices or improve savings performance projections based on the presented RFP.⁷ The Report’s description of both Ameren and ComEd bid practices makes clear that no attempt at negotiating price and savings terms is made once a bid is received or after the Commission approves the program’s inclusion in the Plan.⁸ On the other hand, the Utilities verified during the IPA workshop sessions that discussions related to improving savings and/or budget terms are common practice for Section 8-103 contracts. The Facilitator’s Report states:

Section 8-103 contracts between utilities and vendors include general conditions, price, holdback, savings, and implementation details. Utilities negotiate contract terms to ensure high-quality, well-priced programs.

See Facilitator’s Report at 19.

The bottom line is that the IPA programs, both in terms of the statutory intent of enabling “expansions” of Section 8-0103 program and in terms of the costs, which are charged to ratepayers via the same rider that recovers costs for Section 8-103 programs, should not be treated differently by the Utilities for purposes of ensuring maximum energy savings delivered at the least cost to ratepayers. These programs, whether delivered as a result of Section 16-111.5B procurements or through Section 8-103 requirements, are still subject to the least cost provisions of the Public Utilities Act. Those provisions mandate that utility service – which clearly includes the provision of ratepayer-funded energy efficiency programs – shall be least cost. *See* 220 ILCS 5/8-401. (“Every public utility subject to this Act shall provide service and facilities which are in all respects adequate, efficient, reliable and environmentally safe and which, consistent with these obligations, constitute the least-cost means of meeting the utility's service obligations.”) *See also* 220 ILCS 5/1-102. (“The General Assembly finds that the health, welfare and prosperity of all Illinois citizens require the provision of adequate, efficient, reliable, environmentally safe and least-cost public utility services at prices which accurately reflect the long-term cost of such services and which are equitable to all citizens.”)

In order to ensure that “least cost” obligation is satisfied, the People urge the IPA to request that the Commission re-direct the Utilities to treat Section 8-103 and 16-111.5B contracts the same in terms of ensuring the best contract terms for ratepayers, who ultimately foot the bill for all utility-administered energy efficiency programs in Illinois.

⁷ The Facilitator’s Report states, “In light of the regulatory process as well as the pay for performance contract structure, Ameren Illinois does not engage in contract price negotiations for approved Section 16-111.5B programs.” Report at 14. As for ComEd, the Report states, “

⁸ The Report states, “ComEd does not necessarily review contracts for price issues for approved Section 16-111.5B programs, as pay-for-performance contracts are utilized.” *Id.* at 15.

Other best practices associated with the procurement of Section 8-103 programs are not necessarily applied to Section 16-111.5B RFPs and contracts. For example, how much cost-effective energy efficiency opportunity is being lost due to a utility's failure to revisit an RFP with the vendor to (1) ensure that a program proposal is as comprehensive as it should be; or (2) inquire whether the vendor is open to sharing the service territory with another vendor when it makes sense for a particular program (such as a small business direct install program) to utilize multiple vendors?

All of these contract- and RFP-related issues should be addressed by the Commission, at the IPA's behest, through its final Plan in the upcoming proceeding.

The IPA Should Seek a Commission Finding that Requires Program Administrator RFPs to Include Greater Outreach in the Solicitation of Bids and Utilization of the Utilities' Potential Studies for Third-Party Programs.

At pages 113 of the Draft Plan, the IPA ponders the unexpected result of this year's RFP process – that Section 16-111.5B programs may have peaked in the 2016-2017 delivery year. The IPA's aptly acknowledges that given that “bidders continue to become more familiar with the Section 16-111.5B process, and given that this year's RFP offered programs for three years in length, this phenomenon is unexpected.” *Id.* The IPA, too, rightly wonders that while it is possible that the lower numbers of bids “could constitute an accurate reflection of the market for energy efficiency in Illinois”, another possible explanation for the decline is “an indicator of barriers to participation by potential bidders.” *Id.* at 113-114. The IPA suggests that if it is the latter, utilities could conduct more extensive outreach to disseminate the RFPs in order to find new potential bidders. The People concur on this point, and suggest that the IPA seek specific Commission direction to the Utilities to increase efforts at disseminating the RFP – particularly if smaller, less-nationally established companies are to compete in the bid process.

The People also support inclusion in the Plan a Commission finding that Utilities be directed to include in the RFP specific solicitations for programs that reflect the findings of the Potential Studies required under Section 16-111.5B(a)(3)(A) of the Act. While the IPA notes that such an effort might solicit “new” programs, perhaps the more important result might be bids for expansions of programs that compete in a cost-effective manner with existing utility programs that reflect the identified potential in the market. The People concur with the IPA's acknowledgement that “[t]hese studies are extensive and paid for by ratepayers, and often yield rich information regarding potential energy efficiency program opportunities.” Draft Plan at 113. The People support the IPA's inclusion of language in the Plan that requests Commission analysis of the issue and a finding that ensures that the considerable amount of money spent on these studies should not go to waste.

The Procurement Plan Should Request Commission Consideration of How to Balance Protecting Ratepayer Interests in Energy Efficiency Contracts while not Inadvertently Increasing Costs and Minimizing Vendor Participation.

The People support the IPA's solicitation of comments on what constitutes ideal contract requirements for Section 16-111.5B programs that strike the required balance between protecting ratepayer interests in not paying for programs that fail to achieve forecasted goals on the one hand, and ensuring that contract requirements are not so strict as to limit the ability of vendors of all sizes from putting forth bids in response to the Utilities' RFPs on the other. IPA Draft Plan at 113-115. Upon information and belief, some local vendors of limited size have complained about the ability to compete against larger, national vendors who have the ability to absorb high-price surety bonds or extensive holdback provisions. The fear is that these terms may in fact limit competition for programs. The IPA should invite the Commission to analyze this issue in the proceeding to determine what contracting provisions strike the right balance of protecting ratepayer interests, ensuring achievement of savings and increasing the likelihood of a diverse offering of competitive bids from vendors of all sizes.

It is also unclear how these provisions impact the bids themselves. For example, are the requested budgets increased by vendors in order to compensate for these more draconian contract terms? And are these additional contract terms simply designed to protect utility shareholder risk? Or are they the right step in ensuring ratepayers are protected from poorly implemented programs?

The People urge the IPA to request that the Commission solicit comments on these issues in order that the balance between protecting ratepayers and not inadvertently limiting competition and increasing bid costs is achieved.

Ameren's EM&V Adder Exceeds the Statutory 3% Cap.

At page 117 of the Draft Plan, the IPA notes that according to its submittal, Ameren's 11.89% administrative cost adder is composed of a 3.97% adder for Evaluation, Measurement and Verification (compared to 3.5% last year). Plan at 117. The People note that this 3.97% adder exceeds the statutory cap for EM&V of 3 percent, as provided in Section 8-103(f)(7) of the Act. The IPA should request that the Commission direct Ameren to remove a minimum of .97% from its assumed IPA portfolio evaluation costs.

The IPA Should Push for a Commission Finding that the Utilities' TRC Analysis Should Be Transparent and Inclusive of All Relevant Savings.

The IPA notes that it continues to have reservations about the methodology used by Ameren Illinois to calculate the Cost of Supply, noting that one program which passed the TRC test failed the Ameren Illinois Cost of Supply test. IPA Draft Plan at 117. The People encourage the IPA to raise this issue again in this Procurement docket, notwithstanding the Commission's approval of the Ameren evaluation in Docket No. 15-0541. It is the People's understanding that Ameren's methodology may exclude avoided transmission and distribution costs. Such a position is contradicted by the General Assembly's specific finding that "[r]equiring investment in cost-effective energy efficiency and demand-response measures will reduce direct and indirect costs to consumers by decreasing environmental impacts *and by avoiding or delaying the need for new generation, transmission, and distribution infrastructure.* 220 ILCS 5/8-103(a) (emphasis added). Unless it can be shown that Ameren is accounting for these avoided costs in

some other aspect of the TRC calculation, the IPA should request a Commission finding that those costs be reflected by the Utilities.

Also, in examining the cost-effectiveness of programs designed for residential customers, and in particular, low income customers, avoided costs should include assumptions about reduced billing and collection costs. In general, it is unclear what Ameren's assumptions were regarding avoided costs in its TRC calculation. It is the People's understanding that the Ameren cost-effectiveness tool and related assumptions are not public. It is unclear to the People why these inputs are kept confidential. These issues related to the Utilities (and particularly Ameren's) cost-effectiveness calculation are worthy of further Commission analysis.

The People Concur with IPA's Objection to Ameren's Exclusion of Programs With Gas Savings and its Labelling of Some Programs as Duplicative.

In Section 9.5.4 of the Draft Plan, the IPA states its objections to Ameren's decision to label two programs as "Not Responsive" and ineligible for inclusion in the IPA procurement plan because they happened to include gas savings. The People concur with the IPA's legal analysis on this point, and support the IPA's objection to the program's exclusion. As the IPA notes, "cost-effective" means that the measures satisfy the total resource cost test, which requires that the TRC analysis count, as a benefit, "other quantifiable societal benefits, including avoided natural gas utility costs". 220 ILCS 5/8-103(a); 20 ILCS 3855/1-10. These programs should be included in the Plan, assuming they pass the cost-effectiveness test.

The IPA notes at page 121 of its Draft Plan that because "Section 8-103 programs had not yet been approved (or even formally proposed) at the time Ameren Illinois provided its submittal to the IPA, no proposed Section 16-111.5B program can be considered "duplicative" of any existing Section 8-103 program." The People concur – particularly since the Ameren RFP made clear to vendors that the bid was open-ended and that no Section 8-103 programs were yet in place for the 2017-2020 time period.

Finally, the People concur with the IPA's expressed concern with the following Ameren's open-ended request to declare a program duplicative:

AIC may seek approval of programs as part of its Section 5/8-103 and Section 5/8-104 Plan that would render certain programs to be approved as a part of the Procurement Plan duplicative, and may seek conditional findings in this docket to provide for such an outcome.

Draft IPA Plan at 125. This request runs contrary to the open-ended nature of the Ameren RFP, which, as noted above, indicated to bidders that no Section 8-103 programs were in place for the relevant time period. The IPA notes this request "changes the playing field for bidders after the fact through allowing a participating utility to receive bids under an open-ended RFP, but then to potentially shape its Section 8-103 portfolio so as to disqualify certain third-party bids after their receipt and analysis." The IPA is correct in raising this issue with the Commission. The IPA should request that the Commission expressly exclude such language in any IPA Plan, and

prohibit its inclusion in future RFPs. Such language, if approved, would likely dissuade potential vendors from taking the time to prepare an RFP, if not incent vendors to include additional costs as a way to limit financial risk from unexpected changes in the bid review process.

Conclusion

In accordance with the recommendations above, the People of the State of Illinois respectfully request that the IPA incorporate the comments and conclusions provided above in its final Procurement Plan.

Respectfully submitted,

People of the State of Illinois
By Lisa Madigan, Attorney General

By: _____/s/_____

Susan Satter,
Public Utilities Counsel
Karen L. Lusson
Assistant Bureau Chief
Public Utilities Bureau
Sameer H. Doshi
Assistant Attorney General
Public Utilities Bureau
Illinois Attorney General's Office
100 West Randolph Street, 11th Floor
Chicago, Illinois 60601
Telephone: (312) 814-1104 (Satter)
Telephone: (312) 814-1136 (Lusson)
Telephone: (312) 814-8496
E-mail: ssatter@atg.state.il.us
klusson@atg.state.il.us
sdoshi@atg.state.il.us