

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

Illinois Power Agency	)	
	)	
Petition for Approval of the 2020 IPA	)	ICC Docket No. 19-_____
Electricity Procurement Plan Pursuant to	)	
Section 16-111.5(d)(4) of the	)	
Public Utilities Act	)	

**THE ILLINOIS POWER AGENCY’S VERIFIED PETITION FOR APPROVAL OF  
ITS 2020 ELECTRICITY PROCUREMENT PLAN  
PURSUANT TO 220 ILCS 5/16-111.5(d)(4)**

Pursuant to the authority granted by the Illinois Power Agency Act, 20 ILCS 3855/1-5, *et seq.*, and the Illinois Public Utilities Act, 220 ILCS 5/1-101, *et seq.*, the Illinois Power Agency (“IPA” or “Agency”) hereby submits to the Illinois Commerce Commission (“Commission” or “ICC”) for consideration and approval its proposed plan for the procurement of electricity for certain customers of Ameren Illinois Company (“Ameren Illinois”), Commonwealth Edison Company (“ComEd”), and MidAmerican Energy Company (“MidAmerican”) (collectively referred to as the “Utilities”) through the Electricity Procurement Plan for the period of June 2020 through May 2025 (the “2020 Plan” or “Plan”) accompanying this petition. The 2020 Plan sets forth recommendations related to the procurement of electricity, capacity, and associated transmission services to meet the load requirements and supply needs of eligible retail customers<sup>1</sup> served by the Utilities. The Plan is designed to meet the statutory mandate “to ensure adequate, reliable, affordable, efficient, and environmentally sustainable electric service at the lowest total cost over time, taking into account any benefits of price stability.” (220 ILCS 5/16-111.5(d)(4))

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<sup>1</sup> “Eligible retail customers” are defined in Section 16-111.5(a) of the Public Utilities Act as “those retail customers that purchase power and energy from the electric utility under fixed-price bundled service tariffs, other than those retail customers whose service is declared or deemed competitive under Section 16-113 and those other customer groups specified in this Section, including self-generating customers, customers electing hourly pricing, or those customers who are otherwise ineligible for fixed-price bundled tariff service.” (220 ILCS 5/16-111.5(a))

In accordance with Section 16-111.5(d)(3) of the Illinois Public Utilities Act (“PUA”), the Commission is required to enter its order confirming or modifying the Plan on or before December 29, 2019. The IPA respectfully requests that the Commission confirm and approve the 2020 Plan submitted contemporaneously with this Petition.

### **PROCEDURAL BACKGROUND**

In accordance with Section 16-111.5(d)(2) of the PUA, and after timely receipt of the Utilities’ load forecasts on or before July 15, 2019, the IPA posted its draft of the 2020 Electricity Procurement Plan to its website on August 15, 2019 (hereinafter the “Draft Plan”). (See 220 ILCS 5/16-111.5(d)(2)). Utilities and other interested parties were given thirty days following the date of the posting to provide comments to the IPA on the Draft Plan, with such comments required to be “specific, supported by data or other detailed analyses, and if objecting to all or a portion of the procurement plan, accompanied by specific alternative wording or proposals.” (220 ILCS 5/16-111.5(d)(2)). The IPA had fourteen days following the end of the 30-day review period to revise the Draft Plan as necessary based on the comments and to file the Plan with the Commission. (See 220 ILCS 5/16-111.5(d)(2)). The accompanying Plan represents that filing.

Following submission of the 2020 Plan, within five days, any person objecting to the Plan may file its objection with the Commission. (See 220 ILCS 5/16-111.5(d)(3)). Objections to the 2020 Plan are thus required to be filed with the Commission in the resulting docketed proceeding by Monday, October 7, 2019, and any party seeking to appear or intervene should do so prior to submitting objections.

### **COMMENTS ON THE DRAFT PLAN**

As required by the PUA, the IPA was required to hold at least one public hearing within each utility's service area to receive public comment on the Draft Plan. (See 220 ILCS 5/16-

111.5(d)(2)). These public hearings were held on September 3, 2019 in Chicago and on September 4, 2019 in Moline and Springfield. As with many past years, no parties provided public comments at the three public hearings held by the IPA.

The IPA appreciates parties' efforts in reviewing the Draft Plan. Written comments were received from Ameren Illinois,<sup>2</sup> which the Agency genuinely appreciates. Concerning the comments themselves, Ameren Illinois offered certain typographic corrections to the Draft Plan and its appendices, which the Agency considers uncontroversial and has adopted in full in the filed version of the 2020 Plan.

## **PROCEDURAL STEPS**

As discussed in the Procedural Background section above, within five days of the filing of the Plan, any person objecting to the Plan may file an objection with the Commission.<sup>3</sup> (*See* 220 ILCS 5/16-111.5(d)(3)) As with past years, parties may file objections based on alternative policy recommendations or legal arguments, and the Commission may take those written objections into consideration in approving or modifying the Plan in accordance with its authority under Section 16-111.5 of the PUA. In addition, the Commission has ten days from the filing of objections to determine if a hearing is necessary.<sup>4</sup> (*See* 220 ILCS 5/16-111.5(d)(3)) At this time, based on the comments that were submitted in response to the Draft Plan, the IPA does not believe a hearing is necessary to consider or approve the 2020 Plan.

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<sup>2</sup> Comments received on the Draft Plan can be found on the IPA's website: <https://www.illinois.gov/sites/ipa/Pages/Plans-Under-Development.aspx>.

<sup>3</sup> Objections to the Plan are thus due by Monday, October 7, 2019.

<sup>4</sup> In the past, the Commission has interpreted Section 16-111.5(d)(3) as requiring a Commission determination by 10 days after Objections are due (see, e.g., Docket No. 12-0544, Notice of Administrative Law Judge Ruling dated October 10, 2012, wherein the determination came 12 days after the filing of the annual procurement plan and 7 days after objections were due); if the Commission determines that this is the appropriate deadline, it must rule on a hearing by Thursday, October 17, 2019.

## **PROPOSED BRIEFING SCHEDULE**

In prior years, the presiding Administrative Law Judge has instituted a briefing schedule by issuing a Notice to all parties approximately one week after the commencement of the docket.

For consideration of the 2020 Plan, the IPA proposes the following briefing schedule:

- Responses to objections must be filed and served by Tuesday, October 22, 2019;
- Replies, if any, shall be filed and served by Thursday, October 31, 2019;
- The expected date for the ALJ's Proposed Order is Friday, November 15, 2019;
- Briefs on Exceptions must be filed and served by Friday, November 22, 2019; and
- Reply Briefs on Exception, if any, must be filed and served by Wednesday, December 4, 2019.

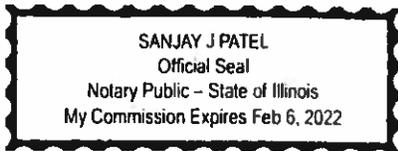
This proposed schedule largely mirrors the schedules utilized for prior annual IPA procurement plan approval proceedings, including Docket No. 18-1564 approving the 2019 IPA Electricity Procurement Plan and Docket No. 17-0392 approving the 2018 IPA Electricity Procurement Plan.



STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK     )

**VERIFICATION**

Anthony M. Star, being first duly sworn, on oath deposes and says that he is the Director for the Illinois Power Agency, that the above Verified Petition has been prepared under his direction, he knows the contents thereof, and that the same is true to the best of his knowledge, information, and belief.



A handwritten signature in blue ink, appearing to read "Anthony M. Star".

\_\_\_\_\_  
Anthony M. Star

Subscribed and sworn to me  
This 30th day of September, 2019

A handwritten signature in blue ink, appearing to read "Sanjay Patel".

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**NOTICE OF FILING**

Please take notice that on September 30, 2019, the undersigned, an attorney, caused the Illinois Power Agency’s Verified Petition for Approval of the 2020 Procurement Plan Pursuant to 220 ILCS 5/16-111.5(d)(4), the 2020 Plan itself, and the Appendices thereto to be filed via e-Docket with the Chief Clerk of the Illinois Commerce Commission in a new proceeding:

September 30, 2019

/s/ Sameer H. Doshi \_\_\_\_\_  
Sameer H. Doshi