

REPORT OF COMMUNICATIONS WITH THE ILLINOIS POWER AGENCY

This form must be completed and submitted to the Illinois Procurement Policy Board within 30 days for each communication report required by 30 ILCS 500/50-39. Submit reports to:

PROCUREMENT POLICY BOARD
511 W. CAPITOL AVENUE, SUITE 102
SPRINGFIELD, IL 62704

Or you may send a signed, scanned copy via email with "IPA Communication Report" in the Subject line to: ppb@illinois.gov

Date of Communication: 3/20/2013

Time of Communication: 2:01 PM

Type of Communication:

- Telephone
 In Person
 Electronic (Email, Fax, Etc.) – Attach A Complete Copy of the Entire Communication String
 Written – Attach Copy
 Other

Initiator:

Initiator of Communication: Thomas J Russell
Representing: ComEd
Location: 10 S. Dearborn St., Chicago, IL 60603
Email Address (if communication was via email): thomas.russell@exelon.corp.com
Telephone Number (if telephonic):
Is this person a Lobbyist required to register under the Lobbyist Registration Act Yes No
Duration of Call or In-Person Communication:

Recipient(s): (If there are additional persons involved in the communication, attach an additional sheet that lists the other participants' names, job titles, which entity they represent, email address and/or telephone number, if applicable)

Recipient One Name: Anthony Star; Michael Strong; Henry Kelly
Recipient Title:
Representing: IPA
Location:
Email Address (if communication was via email):
Telephone Number (if telephonic):

Recipient Two Name: Richard Zuraski; John Feeley
Recipient Title:
Representing: ICC
Location:
Email Address (if communication was via email):
Telephone Number (if telephonic):

Recipient Three Name: William McNeil; Steven Lesniak; Glenn rippie; Carmen Fosco; Caitlin Shields
Recipient Title:
Representing: ComEd
Location:
Email Address (if communication was via email):
Telephone Number (if telephonic):

If any of these additional participants are lobbyists required to register under the Lobbyist Registration Act, they must submit a written report to be submitted with this communications report to the Procurement Policy Board that memorializes the communication that includes, but is not limited to (i) the date and time of each communication; (ii) the identity of each person from whom the written or oral communication was received, the individual or entity represented by that person, and any action the person requested or recommended; (iii) the identity and job title of the person to whom each communication was made; (iv) if a response is made, the identity and job title of the person making each response; (v) a detailed summary of the points made by each person involved in the communication; (vi) the duration of the communication; (vii) the location or locations of all persons involved in the communication and, if the communication occurred by telephone, the telephone numbers for the callers and recipients of the communication; and (viii) any other pertinent information.

Communication Details:

Provide a detailed summary of the points made by each person involved in the communication:
The e-mail was a transmittal of the draft revised long-term renewable agreements..

Was a response made? If so, complete the following for each person making the response (attach an additional sheet that lists the other respondents' names, job titles, which entity they represent, email address and/or telephone number, if applicable):

Respondent Name: Same

Respondent Title:

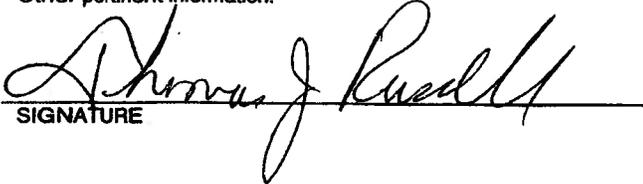
Location:

Telephone Number (if telephonic):

Provide a detailed summary of the response:

See attached e-mail chain.

Other pertinent information:


SIGNATURE


DATE

Grier, Adrienne C:(ComEd)

From: Russell, Thomas J.:(BSC)
Sent: Wednesday, March 20, 2013 10:54 AM
To: Star, Anthony
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

Anthony,

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We are working on the amount of ACP funds available for next year and will get back to you as soon as possible on that.

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Sent: Tuesday, March 19, 2013 11:52 AM
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From: Thomas.Russell@exeloncorp.com [mailto:Thomas.Russell@exeloncorp.com]

Sent: Monday, March 18, 2013 3:27 PM

To: rzuraski@icc.illinois.gov; Feeley, John; Star, Anthony; Strong, Michael; HKelly@KelleyDrye.com

Cc: william.mcneil@ComEd.com; stephen.lesniak@ComEd.com; glenn.rippie@r3law.com; Carmen.Fosco@R3Law.com; Caitlin.Shields@R3Law.com

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While neither the Procurement Plan nor the ICC Order require your written acceptance of the attached information, we would appreciate receiving such from you, or if you could at least let us know of any issues, concerns or questions that you have relating to the attached information. It is currently our intent to include the individual supplier information in the notice that we are contractually required to provide to each supplier.

We are revising the agreement used in the most recent REC procurement for use for purchase of these RECs. We should be able to have a copy of that draft to you by mid-week. If we able to get consensus on the agreement in time, we would propose to send it out with notice to the suppliers. Otherwise, we will simply note that we will provide the suppliers with a copy of the agreement once we reach a consensus with you.

If you have any questions or concerns, please let us know.

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Sent: Friday, March 15, 2013 1:04 PM

To: rzuraski@icc.illinois.gov; Feeley, John; anthony.star@illinois.gov; Strong, Michael; Kelly, Henry T.

Cc: McNeil, William P:(ComEd); Lesniak, Stephen L.:(ComEd); Rippie, Glenn E.; 'Carmen Fosco'; 'Caitlin M. Shields'

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These documents are also being distributed to all parties in the 12-0544 proceeding.

Please provide your written acceptance of this forecast and the curtailments. A response to this e-mail would be sufficient. Once we have that response, we will notify each supplier as to the amount that supplier's contract will be curtailed. The suppliers will have 30 days to notify ComEd as to their choice of one of 3 options specified in the contracts. The curtailments will take effect June 1, 2013.

If there are any questions you have or additional information that you would like, please let us know. We would appreciate your prompt attention to this matter so that we may meet the tight timeline outlined above.

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Grier, Adrienne C:(ComEd)

From: Russell, Thomas J.:(BSC)
Sent: Wednesday, March 20, 2013 11:54 AM
To: Andrew Gisselquist; Strong, Michael; Lesniak, Stephen L.:(ComEd); McCartney, Richard L
Cc: Zuraski, Richard; Feeley, John; Cardoni, Jessica; Hkelly@KelleyDrye.com; Katherine Gottshall
Subject: RE: Curtailments - Boston Pacific question about curtailments in future years

Andrew,

Our current thinking is that it would be off the original amount since there is a general proportionality provision in the agreement. But we have not really sat down to work through the numbers or the mechanism of how it would work at this point. So, it is possible our thinking could change. Ultimately, the issue will be a part of the next procurement proceeding in which all parties will have an opportunity to raise and address the issue, which will ultimately be decided by the Commission. So, I am not sure we could really reach any conclusion or be in a position to give the suppliers any legal advice. We note that most of the suppliers participated in the past procurement proceeding and none of them raised this issue. It is our thoughts that no supplier is seriously considering any other option other than a 1-year curtailment.

From: Andrew Gisselquist [<mailto:agisselquist@bostonpacific.com>]
Sent: Tuesday, March 19, 2013 12:09 PM
To: Juracek, Arlene; Strong, Michael; Lesniak, Stephen L.:(ComEd); Russell, Thomas J.:(BSC); McCartney, Richard L
Cc: Zuraski, Richard; Feeley, John; Cardoni, Jessica; Hkelly@KelleyDrye.com; Katherine Gottshall
Subject: Curtailments - Boston Pacific question about curtailments in future years

All,

Boston Pacific has been reviewing Ameren and ComEd's updated forecasts and plans for long-term renewable contract curtailments. We came up with a question about how curtailment may affect bidders in future years. If possible, we'd like to get everyone's thoughts on the following question and come to a conclusion on it before any LT RE suppliers are confronted with curtailments.

Bidders have three options when presented with a curtailment amount: (1) accept the curtailment for the upcoming year only; (2) accept the curtailment for the remainder of the contract; or (3) withdraw from the contract. If a bidder accepts a curtailment amount for the remainder of the contract and the utility needs to curtail again for 2014-2015 (X%), is that bidder curtailed X% of their original amount or of their new, lower contract amount?

Andrew Gisselquist
Boston Pacific Company, Inc.
1100 New York Avenue, NW
Suite 490 East
Washington, DC 20005
(P) 202-296-5520 x225
(F) 202-296-5531

Grier, Adrienne C:(ComEd)

From: Russell, Thomas J.:(BSC)
Sent: Wednesday, March 20, 2013 12:11 PM
To: Star, Anthony
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

I believe it is closer to \$1.8 million in ACP funds (\$1,783,960). The \$6.6 million is our current forecast. That will be updated for the next procurement plan, so it could change somewhat.

I am checking with Steve for his availability on the morning of April 3 and will let you know.

From: Star, Anthony [mailto:Anthony.Star@Illinois.gov]
Sent: Wednesday, March 20, 2013 11:45 AM
To: Russell, Thomas J.:(BSC)
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

Thanks.

Does this sound right?

ComEd is reducing the contracts by \$4.2 million. According to the comments on the procurement plan you have about \$1.7 million in hourly ACP you can use. That leaves about \$2.5 million that the IPA needs to look at picking up (assuming we use the same REC price.) Ameren won't be curtailing this year, so with our \$8 million appropriation from the RERF, we have sufficient funds.

For next year you are reducing \$6.6 million, so the amount the IPA would need to pick up would be \$6.6 million minus whatever you collect in hourly ACPs over the next year? We are having our appropriations hearings soon so we need to paint a bit of a picture of what is ahead for us.

Also, we are looking at the morning of April 3rd to hold a workshop on the IPA's role and process for purchasing curtailed RECs. Would that time/date work for you?

-Anthony

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Sent: Wednesday, March 20, 2013 10:54 AM
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From: Russell, Thomas J.:(BSC)
Sent: Wednesday, March 20, 2013 2:39 PM
To: Star, Anthony
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

We estimate that we will be collecting about \$4 million in ACP funds for the June 2012 through May 2013 period. Also, keep in mind that there is a difference in the two numbers. The curtailment amount is the cost of the bundled energy and REC product, whereas we are only buying back the REC at its imputed cost.

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Thank you.

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Grier, Adrienne C:(ComEd)

From: Star, Anthony [Anthony.Star@Illinois.gov]
Sent: Wednesday, March 20, 2013 2:53 PM
To: Russell, Thomas J.:(BSC)
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

Thanks.

We'll be issuing a meeting notice soon.

-Anthony

From: Thomas.Russell@exeloncorp.com [mailto:Thomas.Russell@exeloncorp.com]
Sent: Wednesday, March 20, 2013 2:50 PM
To: Thomas.Russell@exeloncorp.com; Star, Anthony
Cc: stephen.lesniak@ComEd.com
Subject: RE:

Oops. I have been informed that my e-mail below is incorrect and that in fact the curtailment amount is only the REC portion. Sorry for the miscommunication.

Also, April 3 for the workshop is fine with us.

From: Russell, Thomas J.:(BSC)
Sent: Wednesday, March 20, 2013 2:39 PM
To: 'Star, Anthony'
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

We estimate that we will be collecting about \$4 million in ACP funds for the June 2012 through May 2013 period. Also, keep in mind that there is a difference in the two numbers. The curtailment amount is the cost of the bundled energy and REC product, whereas we are only buying back the REC at its imputed cost.

From: Star, Anthony [mailto:Anthony.Star@Illinois.gov]
Sent: Wednesday, March 20, 2013 11:45 AM
To: Russell, Thomas J.:(BSC)
Cc: Lesniak, Stephen L.:(ComEd)
Subject: RE:

Thanks.

Does this sound right?

ComEd is reducing the contracts by \$4.2 million. According to the comments on the procurement plan you have about \$1.7 million in hourly ACP you can use. That leaves about \$2.5 million that the IPA needs to look at picking up (assuming we use the same REC price.) Ameren won't be curtailing this year, so with our \$8 million appropriation from the RERF, we have sufficient funds.

For next year you are reducing \$6.6 million, so the amount the IPA would need to pick up would be \$6.6 million minus whatever you collect in hourly ACPs over the next year? We are having our appropriations hearings soon so we need to paint a bit of a picture of what is ahead for us.

Also, we are looking at the morning of April 3rd to hold a workshop on the IPA's role and process for purchasing curtailed RECs. Would that time/date work for you?

-Anthony

From: Thomas.Russell@exeloncorp.com [mailto:Thomas.Russell@exeloncorp.com]

Sent: Wednesday, March 20, 2013 10:54 AM

To: Star, Anthony

Cc: stephen.lesniak@ComEd.com

Subject: RE:

Anthony,

Below is a table from the Excel spreadsheet we provided on Friday, entitled Forecast March 2013 Update Tables. Click on the tab in the lower left called Appendix E. You will find this table there. It is the forecasted curtailments for the 5-year period June 2013 through May 2018. You will see we are forecasting a significant increase in curtailments for next year to 28.3%.

Planning Year	Contract Quantity REC Cost (\$)	Planning Year RPS Budget (\$)	LT Renewables Contract Quantity REC Reduction (\$)	LT Renewables Contract Quantity REC Cost (\$)	LT Renewables Quantity Reduction (%)
2013-14	24,139,243	19,970,878	4,168,365	22,366,000	18.6%
2014-15	24,269,174	17,700,503	6,568,672	23,189,000	28.3%
2015-16	23,156,402	16,933,934	6,222,468	22,613,000	27.5%
2016-17	23,479,909	16,626,968	6,852,941	22,676,000	30.2%
2017-18	23,772,628	16,501,696	7,270,932	23,139,000	31.4%

We are working on the amount of ACP funds available for next year and will get back to you as soon as possible on that.

From: Star, Anthony [mailto:Anthony.Star@Illinois.gov]

Sent: Tuesday, March 19, 2013 11:52 AM

To: Russell, Thomas J.:(BSC)

Subject: RE:

Tom,

This is getting a bit ahead of the issue currently at hand, but I'm currently looking at some budgeting issues that go out a year.

Assuming this all moves forward and you spend the amount listed from Hourly ACPs, what will happen next year if this process continues as is with no significant changes? Do you have any rough sense of what the level of curtailment would be and what Hourly ACP balance would be?

We are trying to figure out some sense of what we might need to plan for in terms of use of the RERF to pick up the balance next year. I suspect you may not have enough data at this time to be able to give me an answer, but if you have any thoughts on this I'd really appreciate it.

Thanks.

-Anthony

From: Thomas.Russell@exeloncorp.com [<mailto:Thomas.Russell@exeloncorp.com>]
Sent: Monday, March 18, 2013 3:27 PM
To: rzuraski@icc.illinois.gov; Feeley, John; Star, Anthony; Strong, Michael; HKelly@KelleyDrye.com
Cc: william.mcneil@ComEd.com; stephen.lesniak@ComEd.com; glenn.rippie@r3law.com; Carmen.Fosco@R3Law.com; Caitlin.Shields@R3Law.com
Subject: RE:

All,

Attached please find a spreadsheet showing: 1) the Annual Contract Quantities and Applicable Percentages under each of the long-term renewable agreements with each supplier; 2) the revised Annual Contract Quantities and Applicable Percentages for each agreement determined in accordance with March 2013 Load Forecast update that we submitted to you on March 15, 2013; and 3) the quantity and price for RECs that can be procured from each long-term renewable supplier with the available alternative compliance payment funds that ComEd has available as described in the IPA's Procurement Plan and in the Order of December 19, 2012 in Docket No. 12-0544 (pp. 111-5).

While neither the Procurement Plan nor the ICC Order require your written acceptance of the attached information, we would appreciate receiving such from you, or if you could at least let us know of any issues, concerns or questions that you have relating to the attached information. It is currently our intent to include the individual supplier information in the notice that we are contractually required to provide to each supplier.

We are revising the agreement used in the most recent REC procurement for use for purchase of these RECs. We should be able to have a copy of that draft to you by mid-week. If we able to get consensus on the agreement in time, we would propose to send it out with notice to the suppliers. Otherwise, we will simply note that we will provide the suppliers with a copy of the agreement once we reach a consensus with you.

If you have any questions or concerns, please let us know.

From: Russell, Thomas J.:(BSC)
Sent: Friday, March 15, 2013 1:04 PM
To: rzuraski@icc.illinois.gov; Feeley, John; anthony.star@illinois.gov; Strong, Michael; Kelly, Henry T.
Cc: McNeil, William P:(ComEd); Lesniak, Stephen L.:(ComEd); Rippie, Glenn E.; 'Carmen Fosco'; 'Caitlin M. Shields'
Subject:

All,

Pursuant to the Commission's Order of December 19, 2012 in Docket No. 12-0544 (p. 110), attached please find the following documents:

- "Forecast March 2013 Update Tables.xlsx" – This is ComEd's March 2013 load forecast update. In addition, as provided for in the Illinois Power Agency's 2013 Electricity Procurement Plan (Final Plan, pp. 87-8), this document includes updated tables showing the overall amount of the necessary reductions in purchases under

the long-term renewable contracts necessary to keep the purchase of renewables under the statutory cap, as well as a determination of the percentage amount that each long-term contract will need to be reduced.

- "Forecast Mar-13 Summary of Changes.doc" – This is a short memo describing the major changes since the November 2012 forecast update.
- "Forecast Mar 13 Muni Agg Community List (2).xlsx" – This is a list of the municipalities, counties and townships that have municipal aggregation referendums on the upcoming April 2013 general election ballot.
- "Forecast Mar 13 ProcurementBlocks2012 PY2013-PY2017 March 2013 Update (3).xlsx" – These are workpapers supporting the updated forecast.

These documents are also being distributed to all parties in the 12-0544 proceeding.

Please provide your written acceptance of this forecast and the curtailments. A response to this e-mail would be sufficient. Once we have that response, we will notify each supplier as to the amount that supplier's contract will be curtailed. The suppliers will have 30 days to notify ComEd as to their choice of one of 3 options specified in the contracts. The curtailments will take effect June 1, 2013.

If there are any questions you have or additional information that you would like, please let us know. We would appreciate your prompt attention to this matter so that we may meet the tight timeline outlined above.

Thank you.

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