

**PUBLIC Hearing DOCKET 02-0838**

**South Elgin 5/28**

**North Aurora 5/29**

**Batavia 6/3**

**St. Charles 6/4**

**Geneva 6/5**

**Good evening my name is Robert Bensko. I'm the Chief Public Hearing Officer for the Illinois Commerce Commission. I want to thank you for coming tonight. Seated next to me I have a court reporter who will make a legal record of your comments, which will be made available to the Chairman and Commissioners.**

**The subject of this hearing is a petition from Commonwealth Edison for a certificate of public convenience and necessity to construct and operate a 16 mile long, 138 kV electric transmission line in Kane County.**

**I run these hearings very openly and I urge anyone and everyone to speak tonight. We at the Commission feel that your comments are very important that is why we come to you. The only way your opinions will be heard is if you testify.**

**I will open the public record and I will call each of you who signed up in the order in which your name appears on the sheet. After we have heard from those who signed up to give comments, I'll go to anyone else who would like to make a statement. There is no provision in the State Statutes that provides swearing in of and cross examination of witnesses therefore there will be no question and answer period until after the comment period wherein I will excuse the court reporter and have an open Q & A period. So what I'm trying to say is that on the record I can only take your comments but I will provide a time for Q & A. If I see there are too many people signed up to speak that I can't let you go as long as one might want I will limit comments to 3 minutes and I will be very strict about the time in order to let everyone have a say.**

When you come up to speak, please say your name clearly and spell it for the court reporter.

This is the first of a series of public hearings on the Kane County transmission line proposal. There is also a legal proceeding in this case going on in Chicago. If any of you would like to follow its progress, simply contact the ICC website at [icc.state.il.us](http://icc.state.il.us) and click on E-Docket, browse a docket, and type in the case number 02-0838.

When the Commission begins its deliberation in Docket 02-0838, it will have to examine the evidence in accordance with the Public Utilities Act and I'd like to share with you the criteria we have to go through.

The Illinois Commerce Commission ("ICC") is a creation of the Illinois Legislature and its authority is limited to statutes enacted by that body. Section 8-406 of the Public Utilities Act [220 ILCS 5/8-406] instructs the ICC on its duties related to a certificate of public convenience and necessity ("Certificate"). This statute lists four factors that the ICC must consider when granting a Certificate:

- The proposed construction is necessary to provide adequate, reliable, and efficient service to customers;
- The proposed construction is the least-cost means of satisfying the service needs of customers;
- The utility is capable of efficiently managing and supervising the construction process; and
- The utility is capable of financing the proposed construction.

The statute states that the ICC shall attach primary weight to the cost or cost savings to the customers of the utility and goes on to allow the ICC to consider any or all factors which will or may affect such cost or cost savings.

**The Public Utilities Act does not contain any statutes giving the ICC the authority to consider aesthetics or the appearance of the proposed utility facility.**

**Now, could we begin with Marsha Hudson your local ComEd representative?**