

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

Illinois Power Agency )  
 ) ICC Docket No. 24-\_\_\_\_\_  
Petition for Approval of the 2025 IPA )  
Electricity Procurement Plan Pursuant to )  
Section 16-111.5(d)(4) of the )  
Public Utilities Act. )

**VERIFIED PETITION FOR APPROVAL OF THE ILLINOIS POWER AGENCY’S 2025  
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 2025 through May 2030 (the “2025 Plan” or “Plan”) accompanying this Verified Petition.

The 2025 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

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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).

electric service at the lowest total cost over time, taking into account any benefits of price stability.”<sup>2</sup>

In accordance with Section 16-111.5(d)(3) of the Illinois Public Utilities Act (“PUA” or the “Act”), the Commission is required to enter its Order confirming or modifying the Plan within 90 days after filing, on or before December 30, 2024.<sup>3</sup> The IPA respectfully requests that the Commission confirm and approve the 2025 Plan submitted 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, 2024, the IPA posted its draft of the 2025 Electricity Procurement Plan to its website on August 15, 2024 (hereinafter the “Draft Plan”).<sup>4</sup> Utilities and other interested parties were given 30 days following the date of the posting to provide comments to the IPA on the Draft Plan; the Act requires such comments 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.”<sup>5</sup> Under the Act, the IPA had 14 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. The accompanying Plan fulfills that filing.

Following submission of the 2025 Plan, within five days, any person objecting to the Plan may file its objection with the Commission.<sup>6</sup> Objections to the 2025 Plan are thus required to be filed with the Commission in the resulting docketed proceeding by Monday, October 7, 2024, and

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<sup>2</sup> 220 ILCS 5/16-111.5(d)(4).

<sup>3</sup> Pursuant to Section 16-111.5(d)(3) of the PUA, the Commission must enter its order confirming or modifying the Electricity Plan within 90 days of this filing. The December 30, 2024 deadline has been computed in accordance with the provisions of Section 1.11 of the Illinois Statute on Statutes (5 ILCS 70/1.11).

<sup>4</sup> See 220 ILCS 5/16-111.5(d)(2).

<sup>5</sup> Id.

<sup>6</sup> 220 ILCS 5/16-111.5(d)(3).

any party seeking to appear or intervene should do so prior to submitting objections.<sup>7</sup>

## **COMMENTS ON THE DRAFT PLAN**

The PUA requires the IPA to hold at least one public hearing within each utility's service area to receive public comment on the Draft Plan.<sup>8</sup> Consistent with the Agency's practice since 2020 and in accordance with the Act, the IPA held these three public hearings virtually over the Zoom platform on September 12, 2024, with the participation links for those hearings published within the notice of the Draft Plan's release. As with many past years, no parties provided public comments at the three public hearings held by the IPA.

The Agency received written comments on the Draft Plan from three stakeholders, Ameren Illinois, ComEd, and Vistra Corporation ("Vistra"). Ameren Illinois and Vistra offered feedback supporting the use of financial products in the Agency's capacity hedging for eligible retail customers of Ameren Illinois. ComEd provided feedback on capacity hedging for eligible retail customers in its service territory, as well as feedback on the impacts of Carbon Mitigation Credits on the hedging strategy for ComEd eligible retail load.

Both Ameren and Vistra recommended in written comments that the Agency adopt an approach to procure financial wholesale products in order to create increased opportunities for bidder participation in IPA administered procurements. Both stakeholders argued that this procurement approach would improve the outcome of the IPA's capacity acquisition and ultimately benefit the eligible retail customers served by Ameren Illinois. The Agency's Filed Plan proposes to incorporate the procurement of such products into its hedging strategy for Ameren Illinois through the normal bi-annual capacity procurement events held by the Agency, as described in Section 5.2.2.6 of the Plan.

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<sup>7</sup> As the 5-day statutory period ends on Saturday, October 5, 2024, the October 7, 2024 deadline has been computed in accordance with the provisions of Section 1.11 of the Illinois Statute on Statutes (5 ILCS 70/1.11).

<sup>8</sup> 220 ILCS 5/16-111.5(d)(2).

ComEd's written comments touched on current issues in the PJM capacity market design and the limited options available to the IPA to address them. ComEd did not provide a specific recommendation as to whether or how the Agency could procure capacity for ComEd eligible retail customers to help manage the increased volatility of PJM capacity prices. Accordingly, the Agency did not propose to address the procurement of capacity for ComEd eligible retail customers in the 2025 Plan, as discussed in Section 5.2.1.1 of the Filed Plan.

ComEd also offered written comments urging the Agency to reduce the electricity hedging level for non-summer months from 50% to 30% in order to better capture the offsetting value of Carbon Mitigation Credits. The Agency agrees with the analysis put forth in ComEd's comments and has updated the 2025 Plan for filing to reflect a proposal reducing the non-summer month hedging level for ComEd through the 2026-2027 delivery year to 30%, as described in Section 6.9 of the Filed Plan.

## **PROCEDURAL STEPS**

As discussed above, any person objecting to the Plan must file an objection with the Commission within five days of the filing of the Plan, on or by Monday, October 7, 2024.<sup>9</sup> 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>10</sup> At this time, the IPA does not believe a hearing is necessary for the Commission

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<sup>9</sup> 220 ILCS 5/16-111.5(d)(3).

<sup>10</sup> In the past, the Commission has interpreted Section 16-111.5(d)(3) as requiring a Commission determination within 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, 2024.

consider or approve the 2025 Plan.

## **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 2025 Plan, the IPA proposes the following briefing schedule:

- Responses to Objections must be filed and served by Monday, October 21, 2024;
- Replies to Responses shall be filed and served by Monday, October 28, 2024;
- The expected date for the ALJ's Proposed Order is Tuesday, November 12, 2024;
- Briefs on Exceptions must be filed and served by Friday, November 22, 2024; and
- Reply Briefs on Exception must be filed and served by Wednesday, December 4, 2024.

This proposed schedule largely mirrors the schedules utilized for prior annual IPA procurement plan approval proceedings, including most recently Docket No. 23-0665, approving the 2024 IPA's Electricity Procurement Plan. This proposed schedule allows the Commission sufficient time to review the matter prior to its December 19, 2024 Regular Open Meeting, which is the Commission's last scheduled meeting prior to the statutory deadline for approval of the 2025 Plan.

## CONCLUSION

The Illinois Power Agency's 2025 Annual Electricity Procurement Plan is consistent with the requirements of the Public Utilities Act and the Illinois Power Agency Act, meets the needs of the customers it serves and should be approved by the Commission. The IPA reserves the right to file responsive comments and any corresponding edits to its 2025 Plan, and respectfully requests the Plan's approval in this proceeding.

Dated: September 30, 2024

Respectfully submitted,

Illinois Power Agency



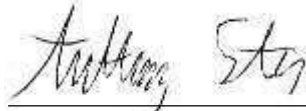
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STATE OF ILLINOIS        )  
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COUNTY OF COOK         )

**VERIFICATION**

Pursuant to 83 Ill. Admin. Code 200.130 and 735 ILCS 5/1-109, under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Verified Petition for Approval of the Illinois Power Agency's 2025 Electricity Procurement Plan are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



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Anthony M. Star  
Bureau Chief, Planning & Procurement,  
Illinois Power Agency

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**NOTICE OF FILING**

Please take notice that on September 30, 2024, the undersigned, an attorney, caused the Illinois Power Agency's Verified Petition for Approval of the IPA's 2025 Electricity Procurement Plan Pursuant to 220 ILCS 5/16-111.5(d)(4), the 2025 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.



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Rachel Bruketta