



March 2023

LIEEAC Facilitator Independence

Context

- ComEd's Revised Plan 6 Stipulation includes interim Low Income EE Accountability Committee (LIEEAC) Facilitator independence protocols (see next slide), but there is also an agreement in the Stipulation it agreed to work with the SAG Policy Manual subcommittee and LIEEAC to try to develop permanent protocols, as a part of the Policy Manual Version 3.0 discussions.
- These protocols are modeled after existing Policy Manual SAG Facilitator, IL-TRM, and Evaluator independence protocols.

Proposal

1. Staff shall submit the final but not yet executed contract and scope of work with the independent LIEEAC Facilitator to the Commission, containing its assessment of the contract and scope of work and describing its recommendations to the Commission. Alternatively, if a utility agrees to hold the contract, a utility shall submit the final but not yet executed contract and scope of work with the independent LIEEAC Facilitator to the Commission by letter to the Executive Director, and then Staff will submit a report to the Commission containing its assessment of the contract and scope of work and describing its recommendations to the Commission. In addition, the utility will submit any fully executed contract and scope of work with the independent LIEEAC Facilitator as a compliance filing in the Policy Manual Version 3.0 approval proceeding (ICC Docket pending), within fourteen (14) days of execution. Such compliance filing will be treated as public information, subject to redactions by the Commission of provisions deemed confidential.
2. The independent LIEEAC Facilitator contract will provide that the Commission has the right to terminate (or direct a utility to terminate) the LIEEAC Facilitator contract, if the Commission determines the LIEEAC Facilitator was not abiding by the requirement in Section 8-103B(c) to be fair and responsive to the needs of all stakeholders involved in the Committee and/or was not acting independently.
3. If a party believes that the LIEEAC Facilitator is not acting independently and/or is not being fair and responsive to the needs of all stakeholders involved in the Committee, that party is encouraged to raise the concern with the LIEEAC Statewide Leadership Committee or Regional Subcommittee Leadership, as appropriate, and ICC Staff. In the event that the concern cannot be resolved through such conversations, the party may file a petition with the Commission requesting that the Commission order ComEd to terminate the contract. The LIEEAC Facilitator contract will automatically terminate upon a Commission finding that the contract should be terminated, after issuance of notice and hearing and an opportunity for interested parties to be heard, including through Commission resolution of any filed applications for rehearing. All due process rights guaranteed by the PUA and the Commission's rules shall apply.