

Direct Testimony
of
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Illinois Commerce Commission

Petition for the Establishment of Performance Metrics under Section 16-108.18(e) of the
Public Utilities Act.

Commonwealth Edison Company

Docket No. 25-0514

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1 **I. Introduction**

2 **Witness Qualifications**

3 **Q. Please state your name, business address, and job title.**

4 A. My name is Jeanine Robinson. My business address is 160 N. LaSalle St, C-800,
5 Chicago, Illinois 60601. I am employed by the Illinois Commerce Commission (“ICC”
6 or “Commission”) as the Director of Diversity and Community Affairs in the Public
7 Utilities Bureau’s Policy Division.

8 **Q. What are your responsibilities within the Commission’s Policy Division?**

9 A. As the Director of Diversity and Community Affairs, my responsibilities include, but
10 are not limited to, building relationships with representatives of the investor-owned
11 utilities, community stakeholders, and various organizations to assist with the utilities’
12 efforts to diversify their respective supply chains. I review and analyze the annual
13 utility diversity supplier reports submitted by the utility companies. Additionally, I lead
14 the ICC’s Annual Supplier Diversity Policy Session and prepare the ICC’s Annual
15 Supplier Diversity Report.

16 **Q. Have you previously provided testimony in a Commission proceeding?**

17 A. Yes. I provided testimony in the prior performance metrics cases, as well as the
18 Beneficial Electrification Plans for both ComEd (Docket Nos. 24-0484/24-0577
19 (Cons.) and Ameren_24-0494/24-0578 (Cons.)).

20 **Q. Please describe your educational background.**

21 A. I have a Masters Degree in Management and Business Administration from Keller
22 Graduate School of Management, in Chicago, Illinois

Q. Please describe your professional experience prior to your employment at the ICC.

A. Prior to joining the Commission Staff ("Staff") in November of 2019, I was employed with the Governor's Office as a Special Assistant for two Deputy Governors. Prior to the Governor's Office, I was the Chief of Staff for a former State Representative. In that role, my duties include cultivating and maintaining relationships with various organizations, community stakeholders, and other elected officials. I also planned and directed administrative, financial, and operational activities for the State Representative's Office.

Purpose of Testimony

Q. What is the purpose of your direct testimony?

A. The purpose of my direct testimony is to respond to Commonwealth Edison Company's ("ComEd" or the "Company") Petition for the Establishment of Performance Metrics under Section 16-108.18(e) of the Public Utilities Act and supporting testimony filed by ComEd. Specifically, I will respond to ComEd's proposed Performance Metric 4 ("PM 4"): Supplier Diversity.

Q. Are you offering any legal opinions in your direct testimony?

A. No, I am not. While I may offer my understanding of certain provisions of the Illinois Public Utilities Act ("PUA" or the "Act") 220 ILCS 5 *et. seq.*, I am not an attorney and none of my testimony offers any legal opinion.

Summary of Conclusions and Recommendations

Q. Please summarize your conclusions and recommendations.

45 A. I agree with and recommend the Commission adopt the calculation method for this
46 metric as it is the same calculation approved by the Commission in Docket No. 22-
47 0067 for the period of 2024 – 2027. Commonwealth Edison Co., ICC Final Order,
48 Docket No. 22-0067, 149-150 (Sept. 27, 2022) (“PM Plan 1 FO”).

49 I also recommend the Commission find the Company’s data collection methods
50 and sources used are sufficient. ComEd has two systems for data collection: Asset
51 Suite 8 for payments to non-diverse prime suppliers and diverse prime suppliers
52 and the Smart GEP which consists of payments submitted from non-diverse
53 suppliers to diverse subcontractors they contracted for projects. There is system
54 training for suppliers, as well as a monthly report created to monitor the spends.

55 Likewise, I recommend the Commission support the proposed target of 45% for
56 each year of the Company’s PM Plan 2. While total spending may vary depending
57 on projects in place, similar fluctuations are expected in diverse spending as well.
58 Setting the target at 45% is ambitious, but achievable for the Company.

59 However, I do not support the proposal of zero basis points as ComEd has not
60 provided a valid reason why zero basis points should be considered. Notably, the
61 Commission did not agree with zero basis points proposed in PM Plan 1. Id. at
62 156. I recommend the Commission reject the zero basis points proposal and
63 maintain at 3 basis points.

64 **II. PM 4: SUPPLIER DIVERSITY**

65 **Q. Please describe ComEd’s proposal for the Supplier Diversity Performance**
66 **Metric.**

67 A. For PM 4, ComEd's proposal is to implement an annual target of 45% for its diverse
68 spend with suppliers, "...which aligns with the supplier diversity target established
69 in ICC Docket No. 22-0067." (ComEd Ex. 4.0, 8.) This annual target is contingent
70 upon the Commission approving exclusion of the Transmission & Substation
71 ("T&S") Material category. Id. at 5. ComEd also proposes zero basis points for the
72 return on equity ("ROE"). Id. at 9.

73 **Does the metric align with all requirements of Section 16-108.18?**

74 A. Yes, this metric aligns with the requirements, and I commend ComEd for its strong
75 supplier diversity program. It includes mentorship programs for prime and sub-
76 contractors, methods to reduce barriers for diverse suppliers, intentional strategies
77 to focus on goals, among other benefits of the program. I have observed instances
78 where ComEd experienced either no diverse spend or a significant decrease in
79 diverse spend within a category, and the Company responded by implementing
80 intentional strategies to improve upon those issues in the following year. Barriers
81 would include limited access to capital or insurance that would prohibit a company
82 from offering a bid for a project, cyber security challenges, lack of knowledge
83 regarding the industry, amongst other challenges.

84 **Q. Do you conclude ComEd's PM 2 Plan is expected to result in net benefits?**

85 A. Yes, I expect it will result in net benefits listed through positive economic impacts
86 including, but not limited to:

- 87 - Wages from jobs involved in the production of goods and services that ComEd
88 relies upon in delivering services to customers;

- Wages from jobs created to support employees working in businesses downstream from supplier;
- Revenues earned downstream in the supply chain support other businesses in the community; and
- Tax revenues are generated from the above activities.

(ComEd Ex. 4.0, 10.)

Q. Do you agree with the calculation method for this metric?

A. I do agree with ComEd's calculation method, as it is the same method approved by the Commission for Docket No. 22-0067. PM Plan 1 at 152.

Q. Do you agree with the annual performance targets established?

A. Yes, I think maintaining an annual target of 45% is effective. Currently, the diverse spend with other utility companies that submit supplier diversity reports range from 14% - 43%¹, which supports setting the target at 45% annually.

Q. Do you agree with the data collection methods and sources relied upon for the data?

A. Yes, the systems in place are well-equipped and effective for accurately collecting data on the supplier diversity spend. It is ComEd's official system of record for payments. Based on my experience working with ComEd and its supplier diversity program, as well as the Evaluators' analysis, I have no concerns with the current system. ComEd has successfully maintained and increased its diverse spend, and therefore I support this method of data collection.

¹

<https://icc.illinois.gov/api/web-management/documents/downloads/public/2024%20Supplier%20Diversity%20Annual%20Report.pdf>

Q. Are there any new proposals within PM Plan 2 that were not in PM Plan 1?

A. Yes, as noted, ComEd proposes to exclude the T&S Material category. (ComEd Ex. 4.0, 5.) The exclusion is due to the historically limited pool of diverse suppliers in this category. Id. The Company expects the spend for this specific category to significantly increase over the next few years due to new projects. Id. Due to the limited pool of suppliers, both currently and historically, there is a 3-4% impact. Id. at 6. In contrast, in the PM Plan 1 docket, the impact was smaller, ranging from .09% and 1.4%. Id. I support this modification.

Q. Do you agree with the recommended amount of basis points allocated to this metric?

A. No, I do not agree with the zero-basis points proposal. This proposal reflects no incentive or penalty to meet the metric. ComEd asserts the zero basis points proposal is going to be addressed further in briefing and does not provide additional information regarding the reasoning behind this proposal. (ComEd Ex. 4.0, 9.) Notably, this same proposal of zero basis points was also rejected by the Commission in PM Plan 1. PM Plan 1 at 156, (stating, “[t]he Commission is tasked with approving performance metrics, including supplier diversity, that have financial penalties/incentives attached to the metric. As such, the Commission rejects ComEd’s recommendation to assign zero basis points.”).

Q. Do you have recommendations for PM Plan 2?

I recommend the Commission approve the Plan for PM 4 as proposed in its entirety, with the sole exception of the zero basis point proposal. I recommend the basis points remain at +/-3. Id.

133 **III. Conclusion**

134 **Q. Does this conclude your prepared direct testimony?**

135 **A. Yes.**