Building Owners and Managers Association of Chicago
190 South LaSalle St, Suite 2500
Chicago, IL 60603

312.870.9600
bomachicago.org

BOMA/CHICAGO COMMENTS AND RECOMMENDATIONS
TO THE ILLINOIS COMMERCE COMMISSION ON RIDER NS FINAL AUDIT REPORT
September 4, 2026

The Building Owners and Managers Association of Chicago (BOMA/Chicago) is the trade association that represents Chicago's office building industry. Membership includes 230 commercial office, institutional, and public buildings and 170 companies that provide goods and services to support their operational excellence. BOMA/Chicago members encompass approximately 80% of all rentable office space and over 98% of the rentable space in Class A downtown buildings.

BOMA/Chicago appreciates the Illinois Commerce Commission's decision to conduct an independent audit of ComEd's administration of Rider NS. The audit confirms many of the concerns that commercial building owners have raised for years regarding transparency, documentation, consistency, and the ability of customers to understand and verify Rider NS charges. While the audit does not conclude that all Rider NS charges are improper, it does conclude that ComEd often lacked sufficient records and documentation to demonstrate that Rider NS charges were consistently identified, classified, calculated, supported, and communicated.

BOMA/Chicago encourages the Commission to build on the audit findings and recommendations by using its powers to initiate a formal investigation into Rider NS. As discussed below, such a proceeding can help ensure solutions are implemented for the significant concerns raised by the audit report. Additionally, BOMA/Chicago believes the Commission would benefit from having the point of view of customer stakeholders when discussing the audit report at its September 10, 2026 meeting and supports the inclusion of customer stakeholders during that discussion.

1. Validation of Existing Rider NS Accounts

Many Rider NS accounts have existed for years or even decades. The audit identified significant gaps in documentation and customer agreements, raising questions about whether some long-standing Rider NS charges could be fully supported today.

BOMA/Chicago believes the audit report supports finding a solution to these information gaps, such as by requiring ComEd to review existing Rider NS accounts and provide customers with the following for each individual account:

- The basis for the Rider NS designation;
- The facilities or services considered nonstandard;
- Supporting customer agreement and documentation; and
- An explanation of how current charges are being calculated.

Customers should not be expected to continue paying charges that cannot be clearly explained and supported. If ComEd cannot substantiate the charge, the Commission should establish a process for correcting or removing the charge.

2. Clear Customer Disclosure Requirements

The audit found that customers often did not receive sufficient information to understand why Rider NS charges applied or how those charges were calculated.

BOMA/Chicago believes Rider NS customers need to have sufficient information to understand their charges, such as a standardized information package that includes:

- The specific facilities or services deemed nonstandard;
- The tariff basis for the determination;
- A description of the standard service alternative;
- The applicable cost calculations; and
- Any standard service credits applied.

Customers should be able to understand, in plain language, what they are paying for and why.

3. Oversight of Indirect Costs and Overhead Charges

The audit concluded that it could not independently verify significant portions of the indirect costs and overhead charges included in Rider NS calculations because supporting documentation was insufficient.

BOMA/Chicago believes the Rider NS process would benefit from periodic review of indirect cost allocations used in Rider NS calculations, including independent verification when appropriate.

Customers should have confidence that Rider NS charges include only costs permitted under the tariff. ComEd should demonstrate that indirect costs and overhead charges included in Rider NS calculations are reasonable, appropriately allocated, and supported by adequate documentation.

4. Documentation and Notification of Classification Changes

The audit found that ComEd's systems did not maintain a reliable history of Rider NS classification changes and that project files often lacked sufficient documentation explaining why projects were classified as standard or nonstandard service. Classification decisions should be documented, an auditable history of those changes maintained, reasons for changes explained and documented, and customers notified when there is a classification change and identify the effective date and billing impact of the change through a streamlined process.

Customers deserve to understand when and why their obligations change.

5. Review of Long-Term Rider NS Rent Charges

Many commercial buildings pay recurring Rider NS rent charges for infrastructure that has been in place for many years.

The audit's findings highlight the need for greater transparency regarding the ongoing basis for these charges.

A Commission investigation would allow consideration of whether long-term Rider NS rent charges should be periodically reviewed and revalidated to ensure they remain appropriate and supported.

Conclusion

The audit revealed significant deficiencies in ComEd's documentation, recordkeeping, systems, and customer communications related to Rider NS. These findings reflect the experiences reported by many BOMA/Chicago building members and demonstrate the need for greater transparency and accountability.

The Commission should take additional steps to ensure Rider NS is administered fairly, consistently, and transparently for all customers. A formal investigation can serve as an avenue to accomplish these steps.

For additional information, please contact Amy Masters, Director of Government and External Affairs with BOMA/Chicago, at amasters@bomachicago.org.