

1 AMENDMENT TO HOUSE BILL 876

2 AMENDMENT NO. _____. Amend House Bill 876 by replacing
3 the title with the following:

4 "AN ACT concerning public utilities."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Renewable Energy, Energy Efficiency, and
8 Coal Resources Development Law of 1997 is amended by changing
9 Section 6-5 as follows:

10 (20 ILCS 687/6-5)

11 (Section scheduled to be repealed on December 16, 2007)

12 Sec. 6-5. Renewable Energy Resources and Coal Technology
13 Development Assistance Charge.

14 (a) Notwithstanding the provisions of Section 16-111 of
15 the Public Utilities Act but subject to subsection (e) of
16 this Section, each public utility, electric cooperative, as
17 defined in Section 3.4 of the Electric Supplier Act, and
18 municipal utility, as referenced in Section 3-105 of the
19 Public Utilities Act, that is engaged in the delivery of
20 electricity or the distribution of natural gas within the
21 State of Illinois shall, effective January 1, 1998, assess

1 each of its customer accounts a monthly Renewable Energy
2 Resources and Coal Technology Development Assistance Charge.
3 The delivering public utility, municipal electric or gas
4 utility, or electric or gas cooperative for a self-assessing
5 purchaser remains subject to the collection of the fee
6 imposed by this Section. The monthly charge shall be as
7 follows:

8 (1) \$0.05 per month on each account for residential
9 electric service as defined in Section 13 of the Energy
10 Assistance Act;

11 (2) \$0.05 per month on each account for residential
12 gas service as defined in Section 13 of the Energy
13 Assistance Act;

14 (3) \$0.50 per month on each account for
15 nonresidential electric service, as defined in Section 13
16 of the Energy Assistance Act, which had less than 10
17 megawatts of peak demand during the previous calendar
18 year;

19 (4) \$0.50 per month on each account for
20 nonresidential gas service, as defined in Section 13 of
21 the Energy Assistance Act, which had distributed to it
22 less than 4,000,000 therms of gas during the previous
23 calendar year;

24 (5) \$37.50 per month on each account for
25 nonresidential electric service, as defined in Section 13
26 of the Energy Assistance Act, which had 10 megawatts or
27 greater of peak demand during the previous calendar year;
28 and

29 (6) \$37.50 per month on each account for
30 nonresidential gas service, as defined in Section 13 of
31 the Energy Assistance Act, which had 4,000,000 or more
32 therms of gas distributed to it during the previous
33 calendar year.

34 (b) The Renewable Energy Resources and Coal Technology

1 Development Assistance Charge assessed by electric and gas
2 public utilities shall be considered a charge for public
3 utility service.

4 (c) Fifty percent of the moneys collected pursuant to
5 this Section shall be deposited in the Renewable Energy
6 Resources Trust Fund by the Department of Revenue. The
7 remaining 50 percent of the moneys collected pursuant to this
8 Section shall be deposited in the Coal Technology Development
9 Assistance Fund by the Department of Revenue for use under
10 the Illinois Coal Technology Development Assistance Act.

11 (d) By the 20th day of the month following the month in
12 which the charges imposed by this Section were collected,
13 each utility and alternative retail electric supplier
14 collecting charges pursuant to this Section shall remit to
15 the Department of Revenue for deposit in the Renewable Energy
16 Resources Trust Fund and the Coal Technology Development
17 Assistance Fund all moneys received, except as provided in
18 this subsection, as payment of the charge provided for in
19 this Section on a return prescribed and furnished by the
20 Department of Revenue showing such information as the
21 Department of Revenue may reasonably require. A utility may
22 deduct an amount from collected receipts, not to exceed the
23 amount designated for the Renewable Energy Resources Trust
24 Fund, for expenses incurred to develop, maintain, and
25 administer its net electricity metering pilot program
26 required by Section 16-107.5 of the Public Utilities Act.
27 Such expenses shall include the following, and are subject to
28 Illinois Commerce Commission approval:

29 (1) expenses incurred to develop and submit a
30 report of results of the pilot programs to the Illinois
31 Commerce Commission;

32 (2) expenses incurred to install, maintain, and
33 operate metering required to measure customer usage for
34 the purposes of administering the pilot program;

1 (3) expenses incurred to perform an interconnection
2 study and execute an interconnection agreement with
3 customers in the pilot program;

4 (4) incremental expenses incurred to provide
5 customers a bill (costs above those that are normally
6 incurred to provide customers a bill in the absence of
7 the pilot program);

8 (5) to the extent that any credit for energy
9 generated that is paid to the customer exceeds the energy
10 credit stated in utility's tariff filed in compliance
11 with 83 Ill. Adm. Code 430.60, the utility shall be
12 entitled to a credit on the difference between what is
13 paid to the customer and what would have been paid using
14 the utility tariff described above; and

15 (6) expenses incurred to develop, file, and gain
16 approval of a net electricity metering pilot program from
17 the Illinois Commerce Commission.

18 (e) The charges imposed by this Section shall only apply
19 to customers of municipal electric or gas utilities and
20 electric or gas cooperatives if the municipal electric or gas
21 utility or electric or gas cooperative makes an affirmative
22 decision to impose the charge. If a municipal electric or gas
23 utility or an electric or gas cooperative makes an
24 affirmative decision to impose the charge provided by this
25 Section, the municipal electric or gas utility or electric or
26 gas cooperative shall inform the Department of Revenue in
27 writing of such decision when it begins to impose the charge.
28 If a municipal electric or gas utility or electric or gas
29 cooperative does not assess this charge, its customers shall
30 not be eligible for the Renewable Energy Resources Program.

31 (f) The Department of Revenue may establish such rules
32 as it deems necessary to implement this Section.

33 (Source: P.A. 92-690, eff. 7-18-02.)

1 Section 10. The Public Utilities Act is amended by
2 adding Section 16-107.5 as follows:

3 (220 ILCS 5/16-107.5 new)

4 Sec. 16-107.5. Net energy metering pilot program.

5 (a) The Legislature finds and declares that a pilot
6 program to provide net energy metering, as defined in this
7 Section, for eligible customers can encourage private
8 investment in renewable energy resources, stimulate economic
9 growth, enhance the continued diversification of Illinois'
10 energy resource mix, and protect the Illinois environment.

11 (b) As used in this Section:

12 The term "eligible customer" means a public university in
13 this State that owns and operates a solar or wind electrical
14 generating facility with a capacity of not more than 1000
15 kilowatts that is located on its premises and is intended
16 primarily to offset part or all of its own electrical
17 requirements.

18 The term "public university" means Northern Illinois
19 University, Southern Illinois University, Eastern Illinois
20 University, Western Illinois University, the University of
21 Illinois, Chicago State University, Governors State
22 University, Illinois State University, or Northeastern
23 Illinois University.

24 The term "net energy metering" means the measurement,
25 during the billing period applicable to an eligible customer,
26 of the net amount of electricity delivered by an electric
27 utility to the customer's premises or provided to the
28 electric utility by the customer.

29 (c) An electric utility that has operated or is
30 operating one or more pilot programs relating to net energy
31 metering shall report the results of its pilot programs to
32 the Commerce Commission by December 31, 2005. The Commission
33 shall provide a summary and an analysis of the reports to the

1 General Assembly no later than January 31, 2006.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".