

SB1700



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1700

Introduced 2/24/2005, by Sen. James F. Clayborne, Jr.

SYNOPSIS AS INTRODUCED:

220 ILCS 5/13-202

from Ch. 111 2/3, par. 13-202

Amends the Public Utilities Act. Makes a technical change in a Section concerning the definition of "telecommunications carrier".

LRB094 05918 MKM 35972 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Utilities Act is amended by changing
5 Section 13-202 as follows:

6 (220 ILCS 5/13-202) (from Ch. 111 2/3, par. 13-202)

7 (Section scheduled to be repealed on July 1, 2005)

8 Sec. 13-202. "Telecommunications carrier" means and ~~and~~
9 includes every corporation, company, association, joint stock
10 company or association, firm, partnership or individual, their
11 lessees, trustees or receivers appointed by any court
12 whatsoever that owns, controls, operates or manages, within
13 this State, directly or indirectly, for public use, any plant,
14 equipment or property used or to be used for or in connection
15 with, or owns or controls any franchise, license, permit or
16 right to engage in the provision of, telecommunications
17 services between points within the State which are specified by
18 the user. Telecommunications carrier does not include,
19 however:

20 (a) telecommunications carriers that are owned and
21 operated by any political subdivision, public or private
22 institution of higher education or municipal corporation of
23 this State, for their own use, or telecommunications carriers
24 that are owned by such political subdivision, public or private
25 institution of higher education, or municipal corporation and
26 operated by any of its lessees or operating agents, for their
27 own use;

28 (b) telecommunications carriers which are purely mutual
29 concerns, having no rates or charges for services, but paying
30 the operating expenses by assessment upon the members of such a
31 company and no other person but does include telephone or
32 telecommunications cooperatives as defined in Section 13-212;

1 (c) a company or person which provides telecommunications
2 services solely to itself and its affiliates or members or
3 between points in the same building, or between closely located
4 buildings, affiliated through substantial common ownership,
5 control or development; or

6 (d) a company or person engaged in the delivery of
7 community antenna television services as described in
8 subdivision (c) of Section 13-203, except with respect to the
9 provision of telecommunications services by that company or
10 person.

11 (Source: P.A. 87-856.)