



Rep. Kevin A. McCarthy

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09700SB1652ham003

LRB097 09323 ASK 56587 a

1 AMENDMENT TO SENATE BILL 1652

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1652, AS AMENDED,  
3 with page and line reference to House Amendment No. 2 as  
4 follows:

5 on page 71, line 16, after "Illinois", by inserting "related to  
6 the provision of electric service"; and

7 on page 76, line 9, by replacing "update" with "updates"; and

8 on page 79, line 10, immediately after "approving", by  
9 inserting ", or approving as modified,"; and

10 on page 80, by replacing lines 4 through 10 with the following:  
11 "General Assembly does not amend the limitation imposed by this  
12 subsection (b-5), then the utility may modify its plan so as  
13 not to exceed the limitation imposed by this subsection (b-5)  
14 and may propose corresponding changes to the metrics

1 established pursuant to subparagraphs (5) through (8) of  
2 subsection (f) of this Section, and the Commission may modify  
3 the metrics and incremental savings goals established pursuant  
4 to subsection (f) of this Section accordingly."; and

5 on page 81, line 18, after "The", by inserting "sole"; and

6 on page 88, line 1, by replacing "March" with "May"; and

7 on page 92, line 24, by deleting "substantial"; and

8 on page 93, line 20, after "other", by inserting "Commission";  
9 and

10 on page 94, immediately below line 6, by inserting the  
11 following:

12 "A participating utility's first filing of the updated cost  
13 inputs, and any Commission investigation of such inputs  
14 pursuant to this subsection (d) shall proceed notwithstanding  
15 the fact that the Commission's investigation under subsection  
16 (c) of this Section is still pending and notwithstanding any  
17 other law, order, rule, or Commission practice to the  
18 contrary."; and

19 on page 98, line 3, after "in", by inserting "subparagraphs (5)  
20 through (8) of"; and

1 on page 100, by replacing lines 19 through 26 with the  
2 following:

3 "The Commission shall, after notice and hearing, enter an  
4 order within 120 days after the metrics are filed approving, or  
5 approving with modification, a participating utility's tariff  
6 or mechanism to satisfy the metrics set forth in subsection (f)  
7 of this Section. On June 1 of each subsequent year, each  
8 participating utility shall file a report with the Commission  
9 that includes, among other things, a description of how the  
10 participating utility performed under each metric and an  
11 identification of any extraordinary events that adversely  
12 impacted the utility's performance. Whenever a participating  
13 utility does not satisfy the metrics required pursuant to  
14 subsection (f) of this Section, the Commission shall, after  
15 notice and hearing, enter an order approving financial  
16 penalties in accordance with this subsection (f-5). The  
17 Commission-approved financial penalties shall be applied  
18 beginning with the next rate year. Nothing in this Section  
19 shall authorize the Commission to reduce or otherwise obviate  
20 the imposition of financial penalties for failing to achieve  
21 one or more of the metrics established pursuant to subparagraph  
22 (1) through (4) of subsection (f) of this Section."; and

23 on page 101, by deleting lines 1 through 9; and

1 on page 101, line 15, by replacing "2011 to" with "2012; the  
2 12-month period ending May 31, 2013; and"; and

3 on page 101, line 21, after "report.", by inserting "The cost  
4 of the independent auditor shall be borne by the participating  
5 utility and shall not be a recoverable expense."; and

6 on page 106, line 5, after "costs of the", by inserting "Smart  
7 Grid AMI Deployment"; and

8 on page 167, line 23, after "installing,", by inserting  
9 "constructing,".