

SB2185



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2185

Introduced 2/15/2013, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

220 ILCS 5/4-304

from Ch. 111 2/3, par. 4-304

Amends the Public Utilities Act. Provides that the Illinois Commerce Commission in its' annual report shall, beginning in 2014, and in every even year thereafter, include an analysis of alternative energy sources, the cost or savings to consumers relative to the current market, and a projection of any new sources or methods that would decrease dependence on non-renewable sources of energy. Effective immediately.

LRB098 09432 JLS 39573 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning utilities.

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 4-304 as follows:

6 (220 ILCS 5/4-304) (from Ch. 111 2/3, par. 4-304)

7 Sec. 4-304. Beginning in 1986, the Commission shall prepare
8 an annual report which shall be filed by January 31 of each
9 year with the Joint Committee on Legislative Support Services
10 of the General Assembly, the Public Counsel and the Governor
11 and which shall be publicly available. Such report shall
12 include:

13 (1) A general review of agency activities and changes,
14 including:

15 (a) a review of significant decisions and other
16 regulatory actions for the preceding year, and pending
17 cases, and an analysis of the impact of such decisions and
18 actions, and potential impact of any significant pending
19 cases;

20 (b) for each significant decision, regulatory action
21 and pending case, a description of the positions advocated
22 by major parties, including Commission staff, and for each
23 such decision rendered or action taken, the position

1 adopted by the Commission and reason therefor;

2 (c) a description of the Commission's budget,
3 caseload, and staff levels, including specifically:

4 (i) a breakdown by type of case of the cases
5 resolved and filed during the year and of pending
6 cases;

7 (ii) a description of the allocation of the
8 Commission's budget, identifying amounts budgeted for
9 each significant regulatory function or activity and
10 for each department, bureau, section, division or
11 office of the Commission and its employees;

12 (iii) a description of current employee levels,
13 identifying any change occurring during the year in the
14 number of employees, personnel policies and practices
15 or compensation levels; and identifying the number and
16 type of employees assigned to each Commission
17 regulatory function and to each department, bureau,
18 section, division or office of the Commission;

19 (d) a description of any significant changes in
20 Commission policies, programs or practices with respect to
21 agency organization and administration, hearings and
22 procedures or substantive regulatory activity.

23 (2) A discussion and analysis of the state of each utility
24 industry regulated by the Commission and significant changes,
25 trends and developments therein, including the number and types
26 of firms offering each utility service, existing, new and

1 prospective technologies, variations in the quality,
2 availability and price for utility services in different
3 geographic areas of the State, and any other industry factors
4 or circumstances which may affect the public interest or the
5 regulation of such industries.

6 (3) A specific discussion of the energy planning
7 responsibilities and activities of the Commission and energy
8 utilities, including:

9 (a) the extent to which conservation, cogeneration,
10 renewable energy technologies and improvements in energy
11 efficiency are being utilized by energy consumers, the
12 extent to which additional potential exists for the
13 economical utilization of such supplies, and a description
14 of existing and proposed programs and policies designed to
15 promote and encourage such utilization;

16 (b) a description of each energy plan filed with the
17 Commission pursuant to the provisions of this Act, and a
18 copy, or detailed summary of the most recent energy plans
19 adopted by the Commission; and

20 (c) a discussion of the powers by which the Commission
21 is implementing the planning responsibilities of Article
22 VIII, including a description of the staff and budget
23 assigned to such function, the procedures by which
24 Commission staff reviews and analyzes energy plans
25 submitted by the utilities, the Department of Natural
26 Resources, and any other person or party.

1 (4) A discussion of the extent to which utility services
2 are available to all Illinois citizens including:

3 (a) the percentage and number of persons or households
4 requiring each such service who are not receiving such
5 service, and the reasons therefore, including specifically
6 the number of such persons or households who are unable to
7 afford such service;

8 (b) a critical analysis of existing programs designed
9 to promote and preserve the availability and affordability
10 of utility services; and

11 (c) an analysis of the financial impact on utilities
12 and other ratepayers of the inability of some customers or
13 potential customers to afford utility service, including
14 the number of service disconnections and reconnections,
15 and cost thereof and the dollar amount of uncollectible
16 accounts recovered through rates.

17 (5) A detailed description of the means by which the
18 Commission is implementing its new statutory responsibilities
19 under this Act, and the status of such implementation,
20 including specifically:

21 (a) Commission reorganization resulting from the
22 addition of an Executive Director and hearing examiner
23 qualifications and review;

24 (b) Commission responsibilities for construction and
25 rate supervision, including construction cost audits,
26 management audits, excess capacity adjustments, phase-ins

1 of new plant and the means and capability for monitoring
2 and reevaluating existing or future construction projects;

3 (c) promulgation and application of rules concerning
4 ex parte communications, circulation of recommended orders
5 and transcription of closed meetings.

6 (6) A description of all appeals taken from Commission
7 orders, findings or decisions and the status and outcome of
8 such appeals.

9 (7) A description of the status of all studies and
10 investigations required by this Act, including those ordered
11 pursuant to Sections 8-304, 9-242, 9-244 and 13-301 and all
12 such subsequently ordered studies or investigations.

13 (8) A discussion of new or potential developments in
14 federal legislation, and federal agency and judicial decisions
15 relevant to State regulation of utility services.

16 (9) All recommendations for appropriate legislative action
17 by the General Assembly.

18 (10) Beginning in 2014, and in every even year thereafter,
19 the Commission shall also include an analysis of alternative
20 energy sources, the cost or savings to consumers relative to
21 the current market, and a projection of any new sources or
22 methods that would decrease dependence on non-renewable
23 sources of energy.

24 The Commission may include such other information as it
25 deems to be necessary or beneficial in describing or explaining
26 its activities or regulatory responsibilities. The report

1 required by this Section shall be adopted by a vote of the full
2 Commission prior to filing.

3 (Source: P.A. 91-357, eff. 7-29-99.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.