



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1445

Introduced 2/20/2015, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

220 ILCS 5/16-103

Amends the Public Utilities Act. Provides that any residential or small commercial retail customer of an electric utility that on December 31, 2005 provided electric service to at least 2,000,000 customers in Illinois that has returned to that electric utility's bundled utility tariffed service offering may elect delivery services of electric power and energy supply service from an alternative retail electric supplier after at least 6 continuous monthly billing periods of electric power and supply service from that utility; however, the residential or small commercial retail customer shall not be permitted to return to the same alternative retail electric supplier within 2 billing cycles after the customer returned to that electric utility's bundled utility tariffed service other than in situations where the return was in error, inadvertent, or the result of any other unintended operational consequence. Effective immediately.

LRB099 10199 AMC 30424 b

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 16-103 as follows:

6 (220 ILCS 5/16-103)

7 Sec. 16-103. Service obligations of electric utilities.

8 (a) An electric utility shall continue offering to retail
9 customers each tariffed service that it offered as a distinct
10 and identifiable service on the effective date of this
11 amendatory Act of 1997 until the service is (i) declared
12 competitive pursuant to Section 16-113, or (ii) abandoned
13 pursuant to Section 8-508. Nothing in this subsection shall be
14 construed as limiting an electric utility's right to propose,
15 or the Commission's power to approve, allow or order
16 modifications in the rates, terms and conditions for such
17 services pursuant to Article IX or Section 16-111 of this Act.

18 (b) An electric utility shall also offer, as tariffed
19 services, delivery services in accordance with this Article,
20 the power purchase options described in Section 16-110 and
21 real-time pricing as provided in Section 16-107.

22 (c) Notwithstanding any other provision of this Article,
23 each electric utility shall continue offering to all

1 residential customers and to all small commercial retail
2 customers in its service area, as a tariffed service, bundled
3 electric power and energy delivered to the customer's premises
4 consistent with the bundled utility service provided by the
5 electric utility on the effective date of this amendatory Act
6 of 1997. Upon declaration of the provision of electric power
7 and energy as competitive, the electric utility shall continue
8 to offer to such customers, as a tariffed service, bundled
9 service options at rates which reflect recovery of all cost
10 components for providing the service. For those components of
11 the service which have been declared competitive, cost shall be
12 the market based prices. Market based prices as referred to
13 herein shall mean, for electric power and energy, either (i)
14 those prices for electric power and energy determined as
15 provided in Section 16-112, or (ii) the electric utility's cost
16 of obtaining the electric power and energy at wholesale through
17 a competitive bidding or other arms-length acquisition
18 process.

19 (d) Any residential or small commercial retail customer
20 which elects delivery services is entitled to return to the
21 electric utility's bundled utility tariffed service offering
22 provided in accordance with subsection (c) of this Section upon
23 payment of a reasonable administrative fee which shall be set
24 forth in the tariff. If the residential or small commercial
25 customer has not elected delivery services within 2 billing
26 cycles after returning to the electric utility's bundled

1 utility tariffed service offering, then the electric utility
2 shall be entitled to impose the condition that such customer
3 may not elect delivery services for up to 12 months after the
4 date on which the customer returned to bundled utility tariffed
5 service, provided, however, that the customer shall not be
6 permitted to return to the same alternative retail electric
7 supplier within 2 billing cycles after the customer returned to
8 bundled utility tariffed service other than in situations where
9 the return was in error, inadvertent, or the result of any
10 other unintended operational consequence.

11 Notwithstanding any provision of this subsection (d), any
12 residential or small commercial retail customer of an electric
13 utility that on December 31, 2005 provided electric service to
14 at least 2,000,000 customers in Illinois that has returned to
15 that electric utility's bundled utility tariffed service
16 offering provided in accordance with subsection (c) of this
17 Section may elect delivery services of electric power and
18 energy supply service from an alternative retail electric
19 supplier after at least 6 continuous monthly billing periods of
20 electric power and supply service from that utility; however,
21 the residential or small commercial retail customer shall not
22 be permitted to return to the same alternative retail electric
23 supplier within 2 billing cycles after the customer returned to
24 that electric utility's bundled utility tariffed service other
25 than in situations where the return was in error, inadvertent,
26 or the result of any other unintended operational consequence.

1 (e) The Commission shall not require an electric utility to
2 offer any tariffed service other than the services required by
3 this Section, and shall not require an electric utility to
4 offer any competitive service.

5 (Source: P.A. 97-497, eff. 8-22-11.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.