

AN ACT concerning regulation.

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

Section 5. The Public Utilities Act is amended by changing Section 9-225 as follows:

(220 ILCS 5/9-225) (from Ch. 111 2/3, par. 9-225)

Sec. 9-225. (1) For the purposes of this Section:

(a) "Advertising" means the commercial use, by an electric, ~~or~~ gas, water, or sewer utility, of any media, including newspapers, printed matter, radio and television, in order to transmit a message to a substantial number of members of the public or to such utility's consumers;

(b) "Political advertising" means any advertising for the purpose of influencing public opinion with respect to legislative, administrative or electoral matters, or with respect to any controversial issue of public importance;

(c) "Promotional advertising" means any advertising for the purpose of encouraging any person to select or use the service or additional service of a utility or the selection or installation of any appliance or equipment designed to use such utility's service; and

(d) "Goodwill or institutional advertising" means any advertising either on a local or national basis designed

primarily to bring the utility's name before the general public in such a way as to improve the image of the utility or to promote controversial issues for the utility or the industry.

(2) In any general rate increase requested by any gas, ~~or~~ electric, water, or sewer utility company under the provisions of this Act, the Commission shall not consider, for the purpose of determining any rate, charge or classification of costs, any direct or indirect expenditures for promotional, political, institutional or goodwill advertising, unless the Commission finds the advertising to be in the best interest of the Consumer or authorized as provided pursuant to subsection 3 of this Section.

(3) The following categories of advertising shall be considered allowable operating expenses for gas, ~~or~~ electric, water, or sewer utilities:

(a) Advertising which informs consumers how they can conserve energy or water, ~~or can~~ reduce peak demand for electric or gas energy, or reduce demand for water;

(b) Advertising required by law or regulations, including advertising required under Part I of Title II of the National Energy Conservation Policy Act;

(c) Advertising regarding service interruptions, safety measures or emergency conditions;

(d) Advertising concerning employment opportunities with such utility;

(e) Advertising which promotes the use of energy efficient

appliances, equipment or services;

(f) Explanations of existing or proposed rate schedules or notifications of hearings thereon;

(g) Advertising that identifies the location and operating hours of company business offices;

(h) Advertising which promotes the shifting of demand from peak to off-peak hours or which encourages the off-peak usage of the service; and

(i) "Other" categories of advertisements not includable in paragraphs (a) through (h), but which are not political, promotional, institutional or goodwill advertisements.

(Source: P.A. 84-617.)

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