



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1563

by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

65 ILCS 5/Art. 11 Div. 15.5 heading new
65 ILCS 5/11-15.5-5 new

Amends the Illinois Municipal Code. Defines "underground" and "undergrounding". Provides that public utilities shall underground specified electric transmission lines under certain conditions. Provides that the Illinois Commerce Commission shall allow a public utility to recover from all retail customers in its service territory all reasonable and prudent costs that it incurs related to the undergrounding of such transmission lines. Provides that a public utility shall record and defer such costs as a regulatory asset to be included in the public utility's total rate base and amortized over a reasonable period that is equal to the expected life of such transmission line. Effective immediately.

LRB101 05826 AWJ 50842 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by adding
5 Division 15.5 to Article 11 as follows:

6 (65 ILCS 5/Art. 11 Div. 15.5 heading new)

7 DIVISION 15.5. UNDERGROUNDING UTILITY FACILITIES

8 (65 ILCS 5/11-15.5-5 new)

9 Sec. 11-15.5-5. Undergrounding utility facilities.

10 (a) As used in this Division and unless the context
11 requires otherwise, "underground" or "undergrounding" means
12 routing and constructing electric transmission lines and their
13 associated components below ground, consistent with sound
14 engineering and utility practices.

15 (b) In the interest of public health and safety,
16 reliability, and electric grid security, a public utility, as
17 defined by Section 3-105 of the Public Utilities Act, shall
18 underground any 138 kilowatt or greater electric transmission
19 line constructed after the effective date of this amendatory
20 Act of the 101st General Assembly where:

21 (1) such transmission line or any portion thereof is to
22 be located within 26,000 feet of an airport that is located

1 in and owned by a municipality with a population greater
2 than 70,000 and less than 80,000 located in or contiguous
3 to a county with a population in excess of 1,000,000
4 inhabitants; or

5 (2) such transmission line is to be located in 4 or
6 more contiguous municipalities with a population density
7 of 1,000 per square mile or more as of the most recent
8 federal decennial census.

9 (c) The costs for undergrounding a new transmission line
10 shall not be allocated solely to the municipality or
11 municipalities in which it is underground; instead, the
12 Illinois Commerce Commission shall allow a public utility to
13 fully recover from all retail customers in its service
14 territory all reasonable and prudent costs that it incurs
15 related to the undergrounding of transmission lines. The public
16 utility shall record and defer such costs as a regulatory asset
17 to be included in the public utility's total rate base and
18 amortized over a reasonable period that is equal to the
19 expected life of the transmission line. Such regulatory assets
20 shall be collected from all ratepayers system-wide, and not
21 only from ratepayers in the corporate limits of the
22 municipality or municipalities within which the transmission
23 line is constructed.

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