

1 AN ACT concerning regulation.

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 Sections 13-406, 13-1200, 21-401, 21-1601, and 22-501 as
6 follows:

7 (220 ILCS 5/13-406) (from Ch. 111 2/3, par. 13-406)
8 (Section scheduled to be repealed on December 31, 2021)
9 Sec. 13-406. Abandonment of service.

10 (a) No telecommunications carrier offering or providing
11 noncompetitive telecommunications service pursuant to a valid
12 Certificate of Service Authority or certificate of public
13 convenience and necessity shall discontinue or abandon such
14 service once initiated until and unless it shall demonstrate,
15 and the Commission finds, after notice and hearing, that such
16 discontinuance or abandonment will not deprive customers of
17 any necessary or essential telecommunications service or
18 access thereto and is not otherwise contrary to the public
19 interest. No telecommunications carrier offering or providing
20 competitive telecommunications service shall completely
21 discontinue or abandon such service to an identifiable class
22 or group of customers once initiated except upon 60 days
23 notice to the Commission and affected customers. The

1 Commission may, upon its own motion or upon complaint,
2 investigate the proposed discontinuance or abandonment of a
3 competitive telecommunications service and may, after notice
4 and hearing, prohibit such proposed discontinuance or
5 abandonment if the Commission finds that it would be contrary
6 to the public interest. If the Commission does not provide
7 notice of a hearing within 60 calendar days after the
8 notification or holds a hearing and fails to find that the
9 proposed discontinuation or abandonment would be contrary to
10 the public interest, the provider may discontinue or abandon
11 such service after providing at least 30 days' ~~days~~ notice to
12 affected customers. This Section does not apply to a Large
13 Electing Provider proceeding under Section 13-406.1.

14 (b) A Small Electing Provider may choose to cease offering
15 or providing a telecommunications service pursuant to either
16 this Section or Section 13-406.1 of this Act in the same manner
17 as a Large Electing Provider. A Small Electing Provider that
18 elects to cease offering or providing a telecommunications
19 service pursuant to Section 13-406.1 shall be subject to all
20 of the provisions that apply to a Large Electing Provider
21 under Section 13-406.1. In this subsection (b), "Small
22 Electing Provider" means an incumbent local exchange carrier,
23 as defined in Section 13-202.5 of this Act, that is an Electing
24 Provider, as defined in Section 13-506.2 of this Act, and
25 that, together with all of its incumbent local exchange
26 carrier affiliates offering telecommunications services within

1 the State of Illinois, has fewer than 40,000 subscriber access
2 lines as of January 1, 2020.

3 (Source: P.A. 100-20, eff. 7-1-17.)

4 (220 ILCS 5/13-1200)

5 (Section scheduled to be repealed on December 31, 2021)

6 Sec. 13-1200. Repealer. This Article is repealed December
7 31, 2024 ~~2021~~.

8 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

9 (220 ILCS 5/21-401)

10 (Section scheduled to be repealed on December 31, 2021)

11 Sec. 21-401. Applications.

12 (a) (1) A person or entity seeking to provide cable service
13 or video service pursuant to this Article shall not use the
14 public rights-of-way for the installation or construction of
15 facilities for the provision of cable service or video service
16 or offer cable service or video service until it has obtained a
17 State-issued authorization to offer or provide cable or video
18 service under this Section, except as provided for in item (2)
19 of this subsection (a). All cable or video providers offering
20 or providing service in this State shall have authorization
21 pursuant to either (i) the Cable and Video Competition Law of
22 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the
23 Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section
24 5-1095 of the Counties Code (55 ILCS 5/5-1095).

1 (2) Nothing in this Section shall prohibit a local unit of
2 government from granting a permit to a person or entity for the
3 use of the public rights-of-way to install or construct
4 facilities to provide cable service or video service, at its
5 sole discretion. No unit of local government shall be liable
6 for denial or delay of a permit prior to the issuance of a
7 State-issued authorization.

8 (b) The application to the Commission for State-issued
9 authorization shall contain a completed affidavit submitted by
10 the applicant and signed by an officer or general partner of
11 the applicant affirming all of the following:

12 (1) That the applicant has filed or will timely file
13 with the Federal Communications Commission all forms
14 required by that agency in advance of offering cable
15 service or video service in this State.

16 (2) That the applicant agrees to comply with all
17 applicable federal and State statutes and regulations.

18 (3) That the applicant agrees to comply with all
19 applicable local unit of government regulations.

20 (4) An exact description of the cable service or video
21 service area where the cable service or video service will
22 be offered during the term of the State-issued
23 authorization. The service area shall be identified in
24 terms of either (i) exchanges, as that term is defined in
25 Section 13-206 of this Act; (ii) a collection of United
26 States Census Bureau Block numbers (13 digit); (iii) if

1 the area is smaller than the areas identified in either
2 (i) or (ii), by geographic information system digital
3 boundaries meeting or exceeding national map accuracy
4 standards; or (iv) local unit of government. The
5 description shall include the number of low-income
6 households within the service area or footprint. If an
7 applicant is an incumbent cable operator, the incumbent
8 cable operator and any successor-in-interest shall be
9 obligated to provide access to cable services or video
10 services within any local units of government at the same
11 levels required by the local franchising authorities for
12 the local unit of government on June 30, 2007 (the
13 effective date of Public Act 95-9), and its application
14 shall provide a description of an area no smaller than the
15 service areas contained in its franchise or franchises
16 within the jurisdiction of the local unit of government in
17 which it seeks to offer cable or video service.

18 (5) The location and telephone number of the
19 applicant's principal place of business within this State
20 and the names of the applicant's principal executive
21 officers who are responsible for communications concerning
22 the application and the services to be offered pursuant to
23 the application, the applicant's legal name, and any name
24 or names under which the applicant does or will provide
25 cable services or video services in this State.

26 (6) A certification that the applicant has

1 concurrently delivered a copy of the application to all
2 local units of government that include all or any part of
3 the service area identified in item (4) of this subsection
4 (b) within such local unit of government's jurisdictional
5 boundaries.

6 (7) The expected date that cable service or video
7 service will be initially offered in the area identified
8 in item (4) of this subsection (b). In the event that a
9 holder does not offer cable services or video services
10 within 3 months after the expected date, it shall amend
11 its application and update the expected date service will
12 be offered and explain the delay in offering cable
13 services or video services.

14 (8) For any entity that received State-issued
15 authorization prior to this amendatory Act of the 98th
16 General Assembly as a cable operator and that intends to
17 proceed as a cable operator under this Article, the entity
18 shall file a written affidavit with the Commission and
19 shall serve a copy of the affidavit with any local units of
20 government affected by the authorization within 30 days
21 after the effective date of this amendatory Act of the
22 98th General Assembly stating that the holder will be
23 providing cable service under the State-issued
24 authorization.

25 The application shall include adequate assurance that the
26 applicant possesses the financial, managerial, legal, and

1 technical qualifications necessary to construct and operate
2 the proposed system, to promptly repair any damage to the
3 public right-of-way caused by the applicant, and to pay the
4 cost of removal of its facilities. To accomplish these
5 requirements, the applicant may, at the time the applicant
6 seeks to use the public rights-of-way in that jurisdiction, be
7 required by the State of Illinois or later be required by the
8 local unit of government, or both, to post a bond, produce a
9 certificate of insurance, or otherwise demonstrate its
10 financial responsibility.

11 The application shall include the applicant's general
12 standards related to customer service required by Section
13 22-501 of this Act, which shall include, but not be limited to,
14 installation, disconnection, service and repair obligations;
15 appointment hours; employee ID requirements; customer service
16 telephone numbers and hours; procedures for billing, charges,
17 deposits, refunds, and credits; procedures for termination of
18 service; notice of deletion of programming service and changes
19 related to transmission of programming or changes or increases
20 in rates; use and availability of parental control or lock-out
21 devices; complaint procedures and procedures for bill dispute
22 resolution and a description of the rights and remedies
23 available to consumers if the holder does not materially meet
24 their customer service standards; and special services for
25 customers with visual, hearing, or mobility disabilities.

26 (c)(1) The applicant may designate information that it

1 submits in its application or subsequent reports as
2 confidential or proprietary, provided that the applicant
3 states the reasons the confidential designation is necessary.
4 The Commission shall provide adequate protection for such
5 information pursuant to Section 4-404 of this Act. If the
6 Commission, a local unit of government, or any other party
7 seeks public disclosure of information designated as
8 confidential, the Commission shall consider the confidential
9 designation in a proceeding under the Illinois Administrative
10 Procedure Act, and the burden of proof to demonstrate that the
11 designated information is confidential shall be upon the
12 applicant. Designated information shall remain confidential
13 pending the Commission's determination of whether the
14 information is entitled to confidential treatment. Information
15 designated as confidential shall be provided to local units of
16 government for purposes of assessing compliance with this
17 Article as permitted under a Protective Order issued by the
18 Commission pursuant to the Commission's rules and to the
19 Attorney General pursuant to Section 6.5 of the Attorney
20 General Act (15 ILCS 205/6.5). Information designated as
21 confidential under this Section or determined to be
22 confidential upon Commission review shall only be disclosed
23 pursuant to a valid and enforceable subpoena or court order or
24 as required by the Freedom of Information Act. Nothing herein
25 shall delay the application approval timeframes set forth in
26 this Article.

1 (2) Information regarding the location of video services
2 that have been or are being offered to the public and aggregate
3 information included in the reports required by this Article
4 shall not be designated or treated as confidential.

5 (d)(1) The Commission shall post all applications it
6 receives under this Article on its web site within 5 business
7 days.

8 (2) The Commission shall notify an applicant for a cable
9 service or video service authorization whether the applicant's
10 application and affidavit are complete on or before the 15th
11 business day after the applicant submits the application. If
12 the application and affidavit are not complete, the Commission
13 shall state in its notice all of the reasons the application or
14 affidavit are incomplete, and the applicant shall resubmit a
15 complete application. The Commission shall have 30 days after
16 submission by the applicant of a complete application and
17 affidavit to issue the service authorization. If the
18 Commission does not notify the applicant regarding the
19 completeness of the application and affidavit or issue the
20 service authorization within the time periods required under
21 this subsection, the application and affidavit shall be
22 considered complete and the service authorization issued upon
23 the expiration of the 30th day.

24 (e) Any authorization issued by the Commission will expire
25 on December 31, 2027 ~~2024~~ and shall contain or include all of
26 the following:

1 (1) A grant of authority, including an authorization
2 issued prior to this amendatory Act of the 98th General
3 Assembly, to provide cable service or video service in the
4 service area footprint as requested in the application,
5 subject to the provisions of this Article in existence on
6 the date the grant of authority was issued, and any
7 modifications to this Article enacted at any time prior to
8 the date in Section 21-1601 of this Act, and to the laws of
9 the State and the ordinances, rules, and regulations of
10 the local units of government.

11 (2) A grant of authority to use, occupy, and construct
12 facilities in the public rights-of-way for the delivery of
13 cable service or video service in the service area
14 footprint, subject to the laws, ordinances, rules, or
15 regulations of this State and local units of governments.

16 (3) A statement that the grant of authority is subject
17 to lawful operation of the cable service or video service
18 by the applicant, its affiliated entities, or its
19 successors-in-interest.

20 (e-5) The Commission shall notify a local unit of
21 government within 3 business days of the grant of any
22 authorization within a service area footprint if that
23 authorization includes any part of the local unit of
24 government's jurisdictional boundaries and state whether the
25 holder will be providing video service or cable service under
26 the authorization.

1 (f) The authorization issued pursuant to this Section by
2 the Commission may be transferred to any successor-in-interest
3 to the applicant to which it is initially granted without
4 further Commission action if the successor-in-interest (i)
5 submits an application and the information required by
6 subsection (b) of this Section for the successor-in-interest
7 and (ii) is not in violation of this Article or of any federal,
8 State, or local law, ordinance, rule, or regulation. A
9 successor-in-interest shall file its application and notice of
10 transfer with the Commission and the relevant local units of
11 government no less than 15 business days prior to the
12 completion of the transfer. The Commission is not required or
13 authorized to act upon the notice of transfer; however, the
14 transfer is not effective until the Commission approves the
15 successor-in-interest's application. A local unit of
16 government or the Attorney General may seek to bar a transfer
17 of ownership by filing suit in a court of competent
18 jurisdiction predicated on the existence of a material and
19 continuing breach of this Article by the holder, a pattern of
20 noncompliance with customer service standards by the potential
21 successor-in-interest, or the insolvency of the potential
22 successor-in-interest. If a transfer is made when there are
23 violations of this Article or of any federal, State, or local
24 law, ordinance, rule, or regulation, the successor-in-interest
25 shall be subject to 3 times the penalties provided for in this
26 Article.

1 (g) The authorization issued pursuant to this Section by
2 the Commission may be terminated, or its cable service or
3 video service area footprint may be modified, by the cable
4 service provider or video service provider by submitting
5 notice to the Commission and to the relevant local unit of
6 government containing a description of the change on the same
7 terms as the initial description pursuant to item (4) of
8 subsection (b) of this Section. The Commission is not required
9 or authorized to act upon that notice. It shall be a violation
10 of this Article for a holder to discriminate against potential
11 residential subscribers because of the race or income of the
12 residents in the local area in which the group resides by
13 terminating or modifying its cable service or video service
14 area footprint. It shall be a violation of this Article for a
15 holder to terminate or modify its cable service or video
16 service area footprint if it leaves an area with no cable
17 service or video service from any provider.

18 (h) The Commission's authority to administer this Article
19 is limited to the powers and duties explicitly provided under
20 this Article. Its authority under this Article does not
21 include or limit the powers and duties that the Commission has
22 under the other Articles of this Act, the Illinois
23 Administrative Procedure Act, or any other law or regulation
24 to conduct proceedings, other than as provided in subsection
25 (c), or has to promulgate rules or regulations. The Commission
26 shall not have the authority to limit or expand the

1 obligations and requirements provided in this Section or to
2 regulate or control a person or entity to the extent that
3 person or entity is providing cable service or video service,
4 except as provided in this Article.

5 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

6 (220 ILCS 5/21-1601)

7 Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of
8 this Article are repealed December 31, 2024 ~~2021~~.

9 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

10 (220 ILCS 5/22-501)

11 Sec. 22-501. Customer service and privacy protection. All
12 cable or video providers in this State shall comply with the
13 following customer service requirements and privacy
14 protections. The provisions of this Act shall not apply to an
15 incumbent cable operator prior to January 1, 2008. For
16 purposes of this paragraph, an incumbent cable operator means
17 a person or entity that provided cable services in a
18 particular area under a franchise agreement with a local unit
19 of government pursuant to Section 11-42-11 of the Illinois
20 Municipal Code or Section 5-1095 of the Counties Code on
21 January 1, 2007. A master antenna television, satellite master
22 antenna television, direct broadcast satellite, multipoint
23 distribution service, and other provider of video programming
24 shall only be subject to the provisions of this Article to the

1 extent permitted by federal law.

2 The following definitions apply to the terms used in this
3 Article:

4 "Basic cable or video service" means any service offering
5 or tier that includes the retransmission of local television
6 broadcast signals.

7 "Cable or video provider" means any person or entity
8 providing cable service or video service pursuant to
9 authorization under (i) the Cable and Video Competition Law of
10 2007; (ii) Section 11-42-11 of the Illinois Municipal Code;
11 (iii) Section 5-1095 of the Counties Code; or (iv) a master
12 antenna television, satellite master antenna television,
13 direct broadcast satellite, multipoint distribution services,
14 and other providers of video programming, whatever their
15 technology. A cable or video provider shall not include a
16 landlord providing only broadcast video programming to a
17 single-family home or other residential dwelling consisting of
18 4 units or less.

19 "Franchise" has the same meaning as found in 47 U.S.C.
20 522(9).

21 "Local unit of government" means a city, village,
22 incorporated town, or a county.

23 "Normal business hours" means those hours during which
24 most similar businesses in the geographic area of the local
25 unit of government are open to serve customers. In all cases,
26 "normal business hours" must include some evening hours at

1 least one night per week or some weekend hours.

2 "Normal operating conditions" means those service
3 conditions that are within the control of cable or video
4 providers. Those conditions that are not within the control of
5 cable or video providers include, but are not limited to,
6 natural disasters, civil disturbances, power outages,
7 telephone network outages, and severe or unusual weather
8 conditions. Those conditions that are ordinarily within the
9 control of cable or video providers include, but are not
10 limited to, special promotions, pay-per-view events, rate
11 increases, regular peak or seasonal demand periods, and
12 maintenance or upgrade of the cable service or video service
13 network.

14 "Service interruption" means the loss of picture or sound
15 on one or more cable service or video service on one or more
16 cable or video channels.

17 "Service line drop" means the point of connection between
18 a premises and the cable or video network that enables the
19 premises to receive cable service or video service.

20 (a) General customer service standards:

21 (1) Cable or video providers shall establish general
22 standards related to customer service, which shall
23 include, but not be limited to, installation,
24 disconnection, service and repair obligations; appointment
25 hours and employee ID requirements; customer service
26 telephone numbers and hours; procedures for billing,

1 charges, deposits, refunds, and credits; procedures for
2 termination of service; notice of deletion of programming
3 service; changes related to transmission of programming;
4 changes or increases in rates; the use and availability of
5 parental control or lock-out devices; the use and
6 availability of an A/B switch if applicable; complaint
7 procedures and procedures for bill dispute resolution; a
8 description of the rights and remedies available to
9 consumers if the cable or video provider does not
10 materially meet its customer service standards; and
11 special services for customers with visual, hearing, or
12 mobility disabilities.

13 (2) Cable or video providers' rates for each level of
14 service, rules, regulations, and policies related to its
15 cable service or video service described in paragraph (1)
16 of this subsection (a) must be made available to the
17 public and displayed clearly and conspicuously on the
18 cable or video provider's site on the Internet. If a
19 promotional price or a price for a specified period of
20 time is offered, the cable or video provider shall display
21 the price at the end of the promotional period or
22 specified period of time clearly and conspicuously with
23 the display of the promotional price or price for a
24 specified period of time. The cable or video provider
25 shall provide this information upon request.

26 (3) Cable or video providers shall provide notice

1 concerning their general customer service standards to all
2 customers. This notice shall be offered when service is
3 first activated and upon request thereafter. The
4 information in the notice shall also be available on the
5 cable or video providers' websites and shall include all
6 of the information specified in paragraph (1) of this
7 subsection (a), as well as the following: a listing of
8 services offered by the cable or video providers, which
9 shall clearly describe programming for all services and
10 all levels of service; the rates for all services and
11 levels of service; a telephone number through which
12 customers may subscribe to, change, or terminate service,
13 request customer service, or seek general or billing
14 information; instructions on the use of the cable or video
15 services; and a description of rights and remedies that
16 the cable or video providers shall make available to their
17 customers if they do not materially meet the general
18 customer service standards described in this Act.

19 (b) General customer service obligations:

20 (1) Cable or video providers shall render reasonably
21 efficient service, promptly make repairs, and interrupt
22 service only as necessary and for good cause, during
23 periods of minimum use of the system and for no more than
24 24 hours.

25 (2) All service representatives or any other person
26 who contacts customers or potential customers on behalf of

1 the cable or video provider shall have a visible
2 identification card with their name and photograph and
3 shall orally identify themselves upon first contact with
4 the customer. Customer service representatives shall
5 orally identify themselves to callers immediately
6 following the greeting during each telephone contact with
7 the public.

8 (3) The cable or video providers shall: (i) maintain a
9 customer service facility within the boundaries of a local
10 unit of government staffed by customer service
11 representatives that have the capacity to accept payment,
12 adjust bills, and respond to repair, installation,
13 reconnection, disconnection, or other service calls and
14 distribute or receive converter boxes, remote control
15 units, digital stereo units, or other equipment related to
16 the provision of cable or video service; (ii) provide
17 customers with bill payment facilities through retail,
18 financial, or other commercial institutions located within
19 the boundaries of a local unit of government; (iii)
20 provide an address, toll-free telephone number or
21 electronic address to accept bill payments and
22 correspondence and provide secure collection boxes for the
23 receipt of bill payments and the return of equipment,
24 provided that if a cable or video provider provides secure
25 collection boxes, it shall provide a printed receipt when
26 items are deposited; or (iv) provide an address, toll-free

1 telephone number, or electronic address to accept bill
2 payments and correspondence and provide a method for
3 customers to return equipment to the cable or video
4 provider at no cost to the customer.

5 (4) In each contact with a customer, the service
6 representatives or any other person who contacts customers
7 or potential customers on behalf of the cable or video
8 provider shall state the estimated cost of the service,
9 repair, or installation orally prior to delivery of the
10 service or before any work is performed, shall provide the
11 customer with an oral statement of the total charges
12 before terminating the telephone call or other contact in
13 which a service is ordered, whether in-person or over the
14 Internet, and shall provide a written statement of the
15 total charges before leaving the location at which the
16 work was performed. In the event that the cost of service
17 is a promotional price or is for a limited period of time,
18 the cost of service at the end of the promotion or limited
19 period of time shall be disclosed.

20 (5) Cable or video providers shall provide customers a
21 minimum of 30 days' written notice before increasing rates
22 or eliminating transmission of programming and shall
23 submit the notice of any rate increase to the local unit of
24 government in advance of distribution to customers,
25 provided that the cable or video provider is not in
26 violation of this provision if the elimination of

1 transmission of programming was outside the control of the
2 provider, in which case the provider shall use reasonable
3 efforts to provide as much notice as possible, and any
4 rate decrease related to the elimination of transmission
5 of programming shall be applied to the date of the change.

6 (6) Cable or video providers shall provide clear
7 visual and audio reception that meets or exceeds
8 applicable Federal Communications Commission technical
9 standards. If a customer experiences poor video or audio
10 reception due to the equipment of the cable or video
11 provider, the cable or video provider shall promptly
12 repair the problem at its own expense.

13 (c) Bills, payment, and termination:

14 (1) Cable or video providers shall render monthly
15 bills that are clear, accurate, and understandable.

16 (2) Every residential customer who pays bills directly
17 to the cable or video provider shall have at least 28 days
18 from the date of the bill to pay the listed charges.

19 (3) Customer payments shall be posted promptly. When
20 the payment is sent by United States mail, payment is
21 considered paid on the date it is postmarked.

22 (4) Cable or video providers may not terminate
23 residential service for nonpayment of a bill unless the
24 cable or video provider furnishes notice of the
25 delinquency and impending termination at least 15 days
26 prior to the proposed termination. Notice of proposed

1 termination shall be provided in electronic format or
2 mailed, postage prepaid, to the customer to whom service
3 is billed. Notice of proposed termination shall not be
4 delivered or mailed until the 24th day after the date of
5 the bill for services. Notice of delinquency and impending
6 termination may be part of a billing statement only if the
7 notice is designed to be conspicuous. The cable or video
8 providers may not assess a late fee prior to the 24th day
9 after the date of the bill for service.

10 (5) Every notice of impending termination shall
11 include all of the following: the name and address of
12 customer; the amount of the delinquency; the date on which
13 payment is required to avoid termination; and the
14 telephone number of the cable or video provider's service
15 representative to make payment arrangements and to provide
16 additional information about the charges for failure to
17 return equipment and for reconnection, if any.

18 (6) Service may only be terminated on days when the
19 customer is able to reach a service representative of the
20 cable or video providers, either in person or by
21 telephone.

22 (7) Any service terminated by a cable or video
23 provider without good cause shall be restored without any
24 reconnection fee, charge, or penalty; good cause for
25 termination includes, but is not limited to, failure to
26 pay a bill by the date specified in the notice of impending

1 termination, payment by check for which there are
2 insufficient funds, theft of service, abuse of equipment
3 or personnel, or other similar subscriber actions.

4 (8) Cable or video providers shall cease charging a
5 customer for any or all services within one business day
6 after it receives a request to immediately terminate
7 service or on the day requested by the customer if such a
8 date is at least 5 days from the date requested by the
9 customer. Nothing in this subsection (c) shall prohibit
10 the provider from billing for charges that the customer
11 incurs prior to the date of termination. Cable or video
12 providers shall issue a credit no later than the
13 customer's next billing cycle following the determination
14 that a credit is warranted. Cable or video providers shall
15 issue a refund or return a deposit promptly, but not later
16 than either the customer's next billing cycle following
17 resolution of the request or 30 days, whichever is
18 earlier, or the return of equipment, if any, whichever is
19 later.

20 (9) The customers or subscribers of a cable or video
21 provider shall be allowed to disconnect their service at
22 any time within the first 30 days after subscribing to or
23 upgrading the service. Within this 30-day period, cable or
24 video providers shall not charge or impose any fees or
25 penalties on the customer for disconnecting service,
26 including, but not limited to, any installation charge or

1 the imposition of an early termination charge, except the
2 cable or video provider may impose a charge or fee to
3 offset any rebates or credits received by the customer and
4 may impose monthly service or maintenance charges,
5 including pay-per-view and premium services charges,
6 during such 30-day period.

7 (d) Response to customer inquiries:

8 (1) Cable or video providers will maintain a toll-free
9 telephone access line that is available to customers 24
10 hours a day, 7 days a week to accept calls regarding
11 installation, termination, service, and complaints.
12 Trained, knowledgeable, qualified service representatives
13 of the cable or video providers will be available to
14 respond to customer telephone inquiries during normal
15 business hours. Customer service representatives shall be
16 able to provide credit, waive fees, schedule appointments,
17 and change billing cycles. Any difficulties that cannot be
18 resolved by the customer service representatives shall be
19 referred to a supervisor who shall make his or her best
20 efforts to resolve the issue immediately. If the
21 supervisor does not resolve the issue to the customer's
22 satisfaction, the customer shall be informed of the cable
23 or video provider's complaint procedures and procedures
24 for billing dispute resolution and given a description of
25 the rights and remedies available to customers to enforce
26 the terms of this Article, including the customer's rights

1 to have the complaint reviewed by the local unit of
2 government, to request mediation, and to review in a court
3 of competent jurisdiction.

4 (2) After normal business hours, the access line may
5 be answered by a service or an automated response system,
6 including an answering machine. Inquiries received by
7 telephone or e-mail after normal business hours shall be
8 responded to by a trained service representative on the
9 next business day. The cable or video provider shall
10 respond to a written billing inquiry within 10 days of
11 receipt of the inquiry.

12 (3) Cable or video providers shall provide customers
13 seeking non-standard installations with a total
14 installation cost estimate and an estimated date of
15 completion. The actual charge to the customer shall not
16 exceed the estimated cost without the written consent of
17 the customer.

18 (4) If the cable or video provider receives notice
19 that an unsafe condition exists with respect to its
20 equipment, it shall investigate such condition immediately
21 and shall take such measures as are necessary to remove or
22 eliminate the unsafe condition. The cable or video
23 provider shall inform the local unit of government
24 promptly, but no later than 2 hours after it receives
25 notification of an unsafe condition that it has not
26 remedied.

1 (5) Under normal operating conditions, telephone
2 answer time by the cable or video provider's customer
3 representative, including wait time, shall not exceed 30
4 seconds when the connection is made. If the call needs to
5 be transferred, transfer time shall not exceed 30 seconds.
6 These standards shall be met no less than 90% of the time
7 under normal operating conditions, measured on a quarterly
8 basis. The cable or video provider shall not be required
9 to acquire equipment or perform surveys to measure
10 compliance with these telephone answering standards unless
11 an historical record of complaints indicates a clear
12 failure to comply.

13 (6) Under normal operating conditions, the cable or
14 video provider's customers will receive a busy signal less
15 than 3% of the time.

16 (e) Under normal operating conditions, each of the
17 following standards related to installations, outages, and
18 service calls will be met no less than 95% of the time measured
19 on a quarterly basis:

20 (1) Standard installations will be performed within 7
21 business days after an order has been placed. "Standard"
22 installations are those that are located up to 125 feet
23 from the existing distribution system.

24 (2) Excluding conditions beyond the control of the
25 cable or video providers, the cable or video providers
26 will begin working on "service interruptions" promptly and

1 in no event later than 24 hours after the interruption is
2 reported by the customer or otherwise becomes known to the
3 cable or video providers. Cable or video providers must
4 begin actions to correct other service problems the next
5 business day after notification of the service problem and
6 correct the problem.

7 (3) The "appointment window" alternatives for
8 installations, service calls, and other installation
9 activities will be either a specific time or, at a
10 maximum, a 4-hour time block during evening, weekend, and
11 normal business hours. The cable or video provider may
12 schedule service calls and other installation activities
13 outside of these hours for the express convenience of the
14 customer.

15 (4) Cable or video providers may not cancel an
16 appointment with a customer after the close of business on
17 the business day prior to the scheduled appointment. If
18 the cable or video provider's representative is running
19 late for an appointment with a customer and will not be
20 able to keep the appointment as scheduled, the customer
21 will be contacted. The appointment will be rescheduled, as
22 necessary, at a time that is convenient for the customer,
23 even if the rescheduled appointment is not within normal
24 business hours.

25 (f) Public benefit obligation:

26 (1) All cable or video providers offering service

1 pursuant to the Cable and Video Competition Law of 2007,
2 the Illinois Municipal Code, or the Counties Code shall
3 provide a free service line drop and free basic service to
4 all current and future public buildings within their
5 footprint, including, but not limited to, all local unit
6 of government buildings, public libraries, and public
7 primary and secondary schools, whether owned or leased by
8 that local unit of government ("eligible buildings"). Such
9 service shall be used in a manner consistent with the
10 government purpose for the eligible building and shall not
11 be resold.

12 (2) This obligation only applies to those cable or
13 video service providers whose cable service or video
14 service systems pass eligible buildings and its cable or
15 video service is generally available to residential
16 subscribers in the same local unit of government in which
17 the eligible building is located. The burden of providing
18 such service at each eligible building shall be shared by
19 all cable and video providers whose systems pass the
20 eligible buildings in an equitable and competitively
21 neutral manner, and nothing herein shall require
22 duplicative installations by more than one cable or video
23 provider at each eligible building. Cable or video
24 providers operating in a local unit of government shall
25 meet as necessary and determine who will provide service
26 to eligible buildings under this subsection (f). If the

1 cable or video providers are unable to reach an agreement,
2 they shall meet with the local unit of government, which
3 shall determine which cable or video providers will serve
4 each eligible building. The local unit of government shall
5 bear the costs of any inside wiring or video equipment
6 costs not ordinarily provided as part of the cable or
7 video provider's basic offering.

8 (g) After the cable or video providers have offered
9 service for one year, the cable or video providers shall make
10 an annual report to the Commission, to the local unit of
11 government, and to the Attorney General that it is meeting the
12 standards specified in this Article, identifying the number of
13 complaints it received over the prior year in the State and
14 specifying the number of complaints related to each of the
15 following: (1) billing, charges, refunds, and credits; (2)
16 installation or termination of service; (3) quality of service
17 and repair; (4) programming; and (5) miscellaneous complaints
18 that do not fall within these categories.

19 (h) To the extent consistent with federal law, cable or
20 video providers shall offer the lowest-cost basic cable or
21 video service as a stand-alone service to residential
22 customers at reasonable rates. Cable or video providers shall
23 not require the subscription to any service other than the
24 lowest-cost basic service or to any telecommunications or
25 information service, as a condition of access to cable or
26 video service, including programming offered on a per channel

1 or per program basis. Cable or video providers shall not
2 discriminate between subscribers to the lowest-cost basic
3 service, subscribers to other cable services or video
4 services, and other subscribers with regard to the rates
5 charged for cable or video programming offered on a per
6 channel or per program basis.

7 (i) To the extent consistent with federal law, cable or
8 video providers shall ensure that charges for changes in the
9 subscriber's selection of services or equipment shall be based
10 on the cost of such change and shall not exceed nominal amounts
11 when the system's configuration permits changes in service
12 tier selection to be effected solely by coded entry on a
13 computer terminal or by other similarly simple method.

14 (j) To the extent consistent with federal law, cable or
15 video providers shall have a rate structure for the provision
16 of cable or video service that is uniform throughout the area
17 within the boundaries of the local unit of government. This
18 subsection (j) is not intended to prohibit bulk discounts to
19 multiple dwelling units or to prohibit reasonable discounts to
20 senior citizens or other economically disadvantaged groups.

21 (k) To the extent consistent with federal law, cable or
22 video providers shall not charge a subscriber for any service
23 or equipment that the subscriber has not affirmatively
24 requested or affirmatively agreed to by name. For purposes of
25 this subsection (k), a subscriber's failure to refuse a cable
26 or video provider's proposal to provide service or equipment

1 shall not be deemed to be an affirmative request for such
2 service or equipment.

3 (l) No contract or service agreement containing an early
4 termination clause offering residential cable or video
5 services or any bundle including such services shall be for a
6 term longer than 2 years. Any contract or service offering
7 with a term of service that contains an early termination fee
8 shall limit the early termination fee to not more than the
9 value of any additional goods or services provided with the
10 cable or video services, the amount of the discount reflected
11 in the price for cable services or video services for the
12 period during which the consumer benefited from the discount,
13 or a declining fee based on the remainder of the contract term.

14 (m) Cable or video providers shall not discriminate in the
15 provision of services for the hearing and visually impaired,
16 and shall comply with the accessibility requirements of 47
17 U.S.C. 613. Cable or video providers shall deliver and pick-up
18 or provide customers with pre-paid shipping and packaging for
19 the return of converters and other necessary equipment at the
20 home of customers with disabilities. Cable or video providers
21 shall provide free use of a converter or remote control unit to
22 mobility impaired customers.

23 (n) (1) To the extent consistent with federal law, cable or
24 video providers shall comply with the provisions of 47 U.S.C.
25 532(h) and (j). The cable or video providers shall not
26 exercise any editorial control over any video programming

1 provided pursuant to this Section, or in any other way
2 consider the content of such programming, except that a cable
3 or video provider may refuse to transmit any leased access
4 program or portion of a leased access program that contains
5 obscenity, indecency, or nudity and may consider such content
6 to the minimum extent necessary to establish a reasonable
7 price for the commercial use of designated channel capacity by
8 an unaffiliated person. This subsection (n) shall permit cable
9 or video providers to enforce prospectively a written and
10 published policy of prohibiting programming that the cable or
11 video provider reasonably believes describes or depicts sexual
12 or excretory activities or organs in a patently offensive
13 manner as measured by contemporary community standards.

14 (2) Upon customer request, the cable or video provider
15 shall, without charge, fully scramble or otherwise fully
16 block the audio and video programming of each channel
17 carrying such programming so that a person who is not a
18 subscriber does not receive the channel or programming.

19 (3) In providing sexually explicit adult programming
20 or other programming that is indecent on any channel of
21 its service primarily dedicated to sexually oriented
22 programming, the cable or video provider shall fully
23 scramble or otherwise fully block the video and audio
24 portion of such channel so that a person who is not a
25 subscriber to such channel or programming does not receive
26 it.

1 (4) Scramble means to rearrange the content of the
2 signal of the programming so that the programming cannot
3 be viewed or heard in an understandable manner.

4 (o) Cable or video providers will maintain a listing,
5 specific to the level of street address, of the areas where its
6 cable or video services are available. Customers who inquire
7 about purchasing cable or video service shall be informed
8 about whether the cable or video provider's cable or video
9 services are currently available to them at their specific
10 location.

11 (p) Cable or video providers shall not disclose the name,
12 address, telephone number or other personally identifying
13 information of a cable service or video service customer to be
14 used in mailing lists or to be used for other commercial
15 purposes not reasonably related to the conduct of its business
16 unless the cable or video provider has provided to the
17 customer a notice, separately or included in any other
18 customer service notice, that clearly and conspicuously
19 describes the customer's ability to prohibit the disclosure.
20 Cable or video providers shall provide an address and
21 telephone number for a customer to use without a toll charge to
22 prevent disclosure of the customer's name and address in
23 mailing lists or for other commercial purposes not reasonably
24 related to the conduct of its business to other businesses or
25 affiliates of the cable or video provider. Cable or video
26 providers shall comply with the consumer privacy requirements

1 of Section 26-4.5 of the Criminal Code of 2012, the Restricted
2 Call Registry Act, and 47 U.S.C. 551 that are in effect as of
3 June 30, 2007 (the effective date of Public Act 95-9) and as
4 amended thereafter.

5 (q) Cable or video providers shall implement an informal
6 process for handling inquiries from local units of government
7 and customers concerning billing issues, service issues,
8 privacy concerns, and other consumer complaints. In the event
9 that an issue is not resolved through this informal process, a
10 local unit of government or the customer may request
11 nonbinding mediation with the cable or video provider, with
12 each party to bear its own costs of such mediation. Selection
13 of the mediator will be by mutual agreement, and preference
14 will be given to mediation services that do not charge the
15 consumer for their services. In the event that the informal
16 process does not produce a satisfactory result to the customer
17 or the local unit of government, enforcement may be pursued as
18 provided in subdivision (4) of subsection (r) of this Section.

19 (r) The Attorney General and the local unit of government
20 may enforce all of the customer service and privacy protection
21 standards of this Section with respect to complaints received
22 from residents within the local unit of government's
23 jurisdiction, but it may not adopt or seek to enforce any
24 additional or different customer service or performance
25 standards under any other authority or provision of law.

26 (1) The local unit of government may, by ordinance,

1 provide a schedule of penalties for any material breach of
2 this Section by cable or video providers in addition to
3 the penalties provided herein. No monetary penalties shall
4 be assessed for a material breach if it is out of the
5 reasonable control of the cable or video providers or its
6 affiliate. Monetary penalties adopted in an ordinance
7 pursuant to this Section shall apply on a competitively
8 neutral basis to all providers of cable service or video
9 service within the local unit of government's
10 jurisdiction. In no event shall the penalties imposed
11 under this subsection (r) exceed \$750 for each day of the
12 material breach, and these penalties shall not exceed
13 \$25,000 for each occurrence of a material breach per
14 customer.

15 (2) For purposes of this Section, "material breach"
16 means any substantial failure of a cable or video service
17 provider to comply with service quality and other
18 standards specified in any provision of this Act. The
19 Attorney General or the local unit of government shall
20 give the cable or video provider written notice of any
21 alleged material breaches of this Act and allow such
22 provider at least 30 days from receipt of the notice to
23 remedy the specified material breach.

24 (3) A material breach, for the purposes of assessing
25 penalties, shall be deemed to have occurred for each day
26 that a material breach has not been remedied by the cable

1 service or video service provider after the expiration of
2 the period specified in subdivision (2) of this subsection
3 (r) in each local unit of government's jurisdiction,
4 irrespective of the number of customers affected.

5 (4) Any customer, the Attorney General, or a local
6 unit of government may pursue alleged violations of this
7 Act by the cable or video provider in a court of competent
8 jurisdiction. A cable or video provider may seek judicial
9 review of a decision of a local unit of government
10 imposing penalties in a court of competent jurisdiction.
11 No local unit of government shall be subject to suit for
12 damages or other relief based upon its action in
13 connection with its enforcement or review of any of the
14 terms, conditions, and rights contained in this Act except
15 a court may require the return of any penalty it finds was
16 not properly assessed or imposed.

17 (s) Cable or video providers shall credit customers for
18 violations in the amounts stated herein. The credits shall be
19 applied on the statement issued to the customer for the next
20 monthly billing cycle following the violation or following the
21 discovery of the violation. Cable or video providers are
22 responsible for providing the credits described herein and the
23 customer is under no obligation to request the credit. If the
24 customer is no longer taking service from the cable or video
25 provider, the credit amount will be refunded to the customer
26 by check within 30 days of the termination of service. A local

1 unit of government may, by ordinance, adopt a schedule of
2 credits payable directly to customers for breach of the
3 customer service standards and obligations contained in this
4 Article, provided the schedule of customer credits applies on
5 a competitively neutral basis to all providers of cable
6 service or video service in the local unit of government's
7 jurisdiction and the credits are not greater than the credits
8 provided in this Section.

9 (1) Failure to keep an appointment or to notify the
10 customer prior to the close of business on the business
11 day prior to the scheduled appointment: \$25.00.

12 (2) Violation of customer service and billing
13 standards in subsections (c) and (d) of this Section:
14 \$25.00 per occurrence.

15 (3) Violation of the bundling rules in subsection (h)
16 of this Section: \$25.00 per month.

17 (t) The enforcement powers granted to the Attorney General
18 in Article XXI of this Act shall apply to this Article, except
19 that the Attorney General may not seek penalties for violation
20 of this Article other than in the amounts specified herein.
21 Nothing in this Section shall limit or affect the powers of the
22 Attorney General to enforce the provisions of Article XXI of
23 this Act or the Consumer Fraud and Deceptive Business
24 Practices Act.

25 (u) This Article applies to all cable and video providers
26 in the State, including but not limited to those operating

1 under a local franchise as that term is used in 47 U.S.C.
2 522(9), those operating under authorization pursuant to
3 Section 11-42-11 of the Illinois Municipal Code, those
4 operating under authorization pursuant to Section 5-1095 of
5 the Counties Code, and those operating under a State-issued
6 authorization pursuant to Article XXI of this Act.

7 (Source: P.A. 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13;
8 98-45, eff. 6-28-13.)

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