



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Constance A. Howard

SYNOPSIS AS INTRODUCED:

220 ILCS 5/8-207

from Ch. 111 2/3, par. 8-207

Amends the Public Utilities Act. Provides that, whenever any former customer is entitled to reconnection or whenever any former residential customer whose gas or electric service was used to provide or control the primary source of space heating in the dwelling is entitled to reconnection because the former customer's account has been paid in full, the gas or electric utility shall complete the reconnection within 48 hours of the time that the former customer first becomes eligible for reconnection. Effective immediately.

LRB093 19056 AMC 44791 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 8-207 as follows:

6 (220 ILCS 5/8-207) (from Ch. 111 2/3, par. 8-207)

7 Sec. 8-207. Any former residential customer whose gas or
8 electric service was used to provide or control the primary
9 source of space heating in the dwelling and whose service is
10 disconnected for nonpayment of a bill or a deposit from
11 December 1 of the prior winter's heating season through April 1
12 of the current heating season shall be eligible for
13 reconnection and a deferred payment arrangement under the
14 provisions of this Section, subject to the following
15 limitations:

16 A utility shall not be required to reconnect service to,
17 and enter into a deferred payment arrangement with, a former
18 customer under the provisions of this Section (1) except
19 between November 1 and April 1 of the current heating season
20 for former customers who do not have applications pending for
21 the program described in Section 6 of the Energy Assistance
22 Act, and except between October 1 and April 1 of the current
23 heating season for all former customers who do have
24 applications pending for the program described in Section 6 of
25 the Energy Assistance Act and who provide proof of application
26 to the utility, (2) in 2 consecutive years, (3) unless that
27 former customer has paid at least 33 1/3% of the amount billed
28 for utility service rendered by that utility subsequent to
29 December 1 of the prior year, or (4) in any instance where the
30 utility can show there has been tampering with the utility's
31 wires, pipes, meters (including locking devices), or other
32 service equipment and further shows that the former customer

1 enjoyed the benefit of utility service obtained in the
2 aforesaid manner.

3 The terms and conditions of any deferred payment
4 arrangements established by the utility and a former customer
5 shall take into consideration the following factors, based upon
6 information available from current utility records or provided
7 by the former customer:

8 (1) the amount past due;

9 (2) the former customer's ability to pay;

10 (3) the former customer's payment history;

11 (4) the reasons for the accumulation of the past due
12 amounts; and

13 (5) any other relevant factors relating to the former
14 customer's circumstances.

15 After the former customer's eligibility has been
16 established in accordance with the first paragraph of this
17 Section and, upon the establishment of a deferred payment
18 agreement, the former customer shall pay 1/3 of the amount past
19 due (including reconnecting charge, if any) and 1/3 of any
20 deposit required by the utility.

21 Upon the payment of 1/3 of the amount past due and 1/3 of
22 any deposit required by the utility, the former customer's
23 service shall be reconnected as soon as possible. The company
24 and the former customer shall agree to a payment schedule for
25 the remaining balances which will reasonably allow the former
26 customer to make the payments on the remainder of the deposit
27 and the past due balance while paying current bills during the
28 winter heating season. However, the utility is not obliged to
29 make payment arrangements extending beyond the following
30 November. The utility shall allow the former customer a minimum
31 of 4 months in which to retire the past due balance and 3
32 months in which to pay the remainder of the deposit. The former
33 customer shall also be informed that payment on the amounts
34 past due and the deposit, if any, plus the current bills must
35 be paid by the due date or the customer may face termination of
36 service pursuant to this Section and Section 8-206.

1 The Commission shall develop rules to govern the
2 reconnection of a former customer who demonstrates a financial
3 inability to meet the requirement of 1/3 of the amount past due
4 and 1/3 of any deposit requested by the utility. The
5 Commission's rules shall establish a means by which the former
6 customer's utility service may be reconnected through the
7 payment of a reasonable amount and upon entering into a
8 deferred payment agreement.

9 Any payment agreement made shall be in writing, with a copy
10 provided to the former customer. The renegotiation and
11 reinstatement of a customer and the establishment of a budget
12 payment plan shall be pursuant to rules established by the
13 Commission.

14 Not later than September 15 of each year, every gas and
15 electric utility shall conduct a survey of all former
16 residential customers whose gas or electric service was used to
17 provide or control the primary source of space heating in the
18 dwelling and whose gas or electric service was terminated for
19 nonpayment of a bill or deposit from December 1 of the previous
20 year to September 15 of that year and where service at that
21 premises has not been restored. Not later than October 1 of
22 each year the utility shall notify each of these former
23 customers that the gas or electric service will be restored by
24 the company for the coming heating season if the former
25 customer contacts the utility and makes arrangements with the
26 utility for reconnection of service under the conditions set
27 forth in this Section. A utility shall notify the former
28 customer or an adult member of the household by personal visit,
29 telephone contact or mailing of a letter by first class mail to
30 the last known address of that former customer. The utility
31 shall keep records which would indicate the date, form and the
32 results of such contact.

33 Each gas and electric utility which has former customers
34 affected by this Section shall file reports with the Commission
35 providing such information as the Commission may deem
36 appropriate. The Commission shall notify each gas and electric

1 utility prior to August 1 of each year concerning the
2 information which is to be included in the report for that
3 year.

4 In no event shall any actions taken by a utility in
5 compliance with this Section be deemed to abrogate or in any
6 way interfere with the utility's rights to pursue the normal
7 collection processes otherwise available to it.

8 Whenever any former customer is entitled to reconnection
9 under this Section or whenever any former residential customer
10 whose gas or electric service was used to provide or control
11 the primary source of space heating in the dwelling is entitled
12 to reconnection because the former customer's account has been
13 paid in full, the gas or electric utility shall complete the
14 reconnection within 48 hours of the time that the former
15 customer first becomes eligible for reconnection.

16 The Commission shall promulgate rules to implement this
17 Section.

18 (Source: P.A. 92-690, eff. 7-18-02.)

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