

1 AN ACT concerning telecommunications.

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  
5 changing Section 13-509 as follows:

6 (220 ILCS 5/13-509) (from Ch. 111 2/3, par. 13-509)

7 (Section scheduled to be repealed on July 1, 2005)

8 Sec. 13-509. Agreements for provisions of competitive  
9 telecommunications services differing from tariffs. Except as  
10 provided in this Section, nothing in this Article prohibits a  
11 telecommunications carrier from filing a tariff that permits  
12 the telecommunications carrier to enter into an individual  
13 agreement with an individual customer to provide competitive  
14 telecommunications services ~~A-telecommunications-carrier--may~~  
15 ~~negotiate--with-customers-or-prospective-customers-to-provide~~  
16 ~~competitive-telecommunications-service,-and-in-so-doing,-may~~  
17 ~~offer--or-agree-to-provide-such-service~~ on such terms and for  
18 such rates or charges as are reasonable, without regard to  
19 any tariffs it may have filed with the Commission with  
20 respect to such services. Within 30 business days after  
21 executing any such agreement, the telecommunications carrier  
22 shall submit to the Commission written notice of the general  
23 nature of the agreement and the parties to the agreement. A  
24 copy of the agreement and relative cost support shall be  
25 available upon request by the Commission. ~~file-any-contract~~  
26 ~~or--memorandum--of--understanding--for--the--provision--of~~  
27 ~~telecommunications--service,-which-shall-include-the-rates-or~~  
28 ~~other-charges,-practices,-rules-or-regulations-applicable--to~~  
29 ~~the--agreed--provision--of--such--service.-Any-cost-support~~  
30 ~~required-to-be-filed-with-the-agreement-by-some-other-Section~~  
31 ~~of-this-Act-shall-be-filed--within--30--business--days--after~~

1 executing--any--such--agreement.--Where--the--agreement--contains  
2 the--same--rates,--charges,--practices,--rules,--and--regulations  
3 found--in--a--single--contract--or--memorandum--already--filed--by--the  
4 telecommunications--carrier--with--the--Commission,--instead--of  
5 filing--the--contract--or--memorandum,--the--telecommunications  
6 carrier--may--elect--to--file--a--letter--identifying--the--new  
7 agreement--and--specifically--referencing--the--contract--or  
8 memorandum--already--on--file--with--the--Commission--which--contains  
9 the--same--provisions.--A--single--letter--may--be--used--to--file  
10 more--than--one--new--agreement. Upon submitting notice of filing  
11 an its agreement contract--or--memorandum,--or--letter, the  
12 telecommunications carrier shall thereafter provide service  
13 according to the terms thereof, unless the Commission finds,  
14 after notice and hearing, that the continued provision of  
15 service pursuant to such agreement contract--or--memorandum  
16 would substantially and adversely affect the financial  
17 integrity of the telecommunications carrier or would violate  
18 any other provision of this Act.

19 Any agreement contract--or--memorandum entered into and  
20 submitted filed pursuant to the provisions of this Section  
21 may, in the Commission's discretion, be accorded proprietary  
22 treatment.

23 (Source: P.A. 92-22, eff. 6-30-01.)

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