



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4252

Introduced 2/27/2009, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

220 ILCS 50/2.2

from Ch. 111 2/3, par. 1602.2

Amends the Illinois Underground Utility Facilities Damage Prevention Act. Provides that "underground utility facilities" or "facilities" means and includes wires, the internal electric grid of a wind generation farm facility, ducts, fiber optic cable, conduits, pipes, sewers, and cables and their connected appurtenances installed beneath the surface of the ground by: (1) a public utility as defined in the Public Utilities Act; (2) a municipally owned or mutually owned utility providing a similar utility service; (3) a pipeline entity transporting gases, crude oil, petroleum products, or other hydrocarbon materials within the State; (4) a telecommunications carrier as defined in the Universal Telephone Service Protection Law of 1985, or by a company described in Section 1 of the Telephone Company Act; (5) a community antenna television system, as defined in the Illinois Municipal Code; and (6) any other entity owning or operating underground facilities that transport generated electrical power to other utility owners or operators. Provides that "underground utility facilities" or "facilities" does not mean underground utility facilities operated by an electric cooperative as defined in the Public Utilities Act. Effective immediately.

LRB096 11827 MJR 22679 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 Illinois Underground Utility Facilities
5 Damage Prevention Act is amended by changing Section 2.2 as
6 follows:

7 (220 ILCS 50/2.2) (from Ch. 111 2/3, par. 1602.2)

8 Sec. 2.2. Underground utility facilities.

9 (a) "Underground utility facilities" or "facilities" means
10 and includes wires, the internal electric grid of a wind
11 generation farm facility, ducts, fiber optic cable, conduits,
12 pipes, sewers, and cables and their connected appurtenances
13 installed beneath the surface of the ground by:

14 (1) a public utility as defined in the Public Utilities
15 Act;

16 (2) a municipally owned or mutually owned utility
17 providing a similar utility service;

18 (3) a pipeline entity transporting gases, crude oil,
19 petroleum products, or other hydrocarbon materials within
20 the State;

21 (4) a telecommunications carrier as defined in the
22 Universal Telephone Service Protection Law of 1985, or by a
23 company described in Section 1 of the Telephone Company

1 Act;

2 (5) a community antenna television system, as defined
3 in the Illinois Municipal Code; and

4 (6) any other entity owning or operating underground
5 facilities that transport generated electrical power to
6 other utility owners or operators.

7 (b) "Underground utility facilities" or "facilities" does
8 not mean underground utility facilities operated by an electric
9 cooperative as defined in the Public Utilities Act.

10 ~~"Underground utility facilities" or "facilities" means and~~
11 ~~includes wires, ducts, fiber optic cable, conduits, pipes,~~
12 ~~sewers, and cables and their connected appurtenances installed~~
13 ~~beneath the surface of the ground by a public utility (as is~~
14 ~~defined in the Illinois Public Utilities Act, as amended), or~~
15 ~~by a municipally owned or mutually owned utility providing a~~
16 ~~similar utility service, except an electric cooperative as~~
17 ~~defined in the Illinois Public Utilities Act, as amended, or by~~
18 ~~a pipeline entity transporting gases, crude oil, petroleum~~
19 ~~products, or other hydrocarbon materials within the State, or~~
20 ~~by a telecommunications carrier as defined in the Universal~~
21 ~~Telephone Service Protection Law of 1985, or by a company~~
22 ~~described in Section 1 of "An Act relating to the powers,~~
23 ~~duties and property of telephone companies", approved May 16,~~
24 ~~1903, as amended, or by a community antenna television system,~~
25 ~~hereinafter referred to as "CATS", as defined in the Illinois~~
26 ~~Municipal Code, as amended.~~

1 (Source: P.A. 94-623, eff. 8-18-05.)

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