

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 19-105 as follows:

6 (220 ILCS 5/19-105)

7 Sec. 19-105. Definitions. For the purposes of this Article,
8 the following terms shall be defined as set forth in this
9 Section.

10 "Alternative gas supplier" means every person,
11 cooperative, corporation, municipal corporation, company,
12 association, joint stock company or association, firm,
13 partnership, individual, or other entity, their lessees,
14 trustees, or receivers appointed by any court whatsoever, that
15 offers gas for sale, lease, or in exchange for other value
16 received to one or more customers, or that engages in the
17 furnishing of gas to one or more customers, and shall include
18 affiliated interests of a gas utility, resellers, aggregators
19 and marketers, but shall not include (i) gas utilities (or any
20 agent of the gas utility to the extent the gas utility provides
21 tariffed services to customers through an agent); (ii) public
22 utilities that are owned and operated by any political
23 subdivision, public institution of higher education or

1 municipal corporation of this State, or public utilities that
2 are owned by a political subdivision, public institution of
3 higher education, or municipal corporation and operated by any
4 of its lessees or operating agents; (iii) natural gas
5 cooperatives that are not-for-profit corporations operated for
6 the purpose of administering, on a cooperative basis, the
7 furnishing of natural gas for the benefit of their members who
8 are consumers of natural gas; and (iv) the ownership or
9 operation of a facility that sells compressed natural gas at
10 retail to the public for use only as a motor vehicle fuel and
11 the selling of compressed natural gas at retail to the public
12 for use only as a motor vehicle fuel.

13 "Gas utility" means a public utility, as defined in Section
14 3-105 of this Act, that has a franchise, license, permit, or
15 right to furnish or sell gas or transportation services to
16 customers within a service area.

17 "Residential customer" means a customer who receives gas
18 utility service for household purposes distributed to a
19 dwelling of 2 or fewer units which is billed under a
20 residential rate or gas utility service for household purposes
21 distributed to a dwelling unit or units which is billed under a
22 residential rate and is registered by a separate meter for each
23 dwelling unit.

24 "Service area" means (i) the geographic area within which a
25 gas utility was lawfully entitled to provide gas to customers
26 as of the effective date of this amendatory Act of the 92nd

1 General Assembly and includes (ii) the location of any customer
2 to which the gas utility was lawfully providing gas utility
3 services on such effective date.

4 "Single billing" means the combined billing of the services
5 provided by both a natural gas utility and an alternative gas
6 supplier to any customer who has enrolled in a customer choice
7 program.

8 "Small commercial customer" means a nonresidential retail
9 customer of a natural gas utility who is identified by the
10 alternative gas supplier, prior to becoming a customer of the
11 alternative gas supplier, as consuming 5,000 or fewer therms of
12 natural gas during the previous year; provided that any
13 alternative gas supplier may remove the customer from
14 designation as a "small commercial customer" if the customer
15 consumes more than 5,000 therms of natural gas in any calendar
16 year after becoming a customer of the alternative gas supplier.

17 "Tariffed service" means a service provided to customers by
18 a gas utility as defined by its rates on file with the
19 Commission pursuant to the provisions of Article IX of this
20 Act.

21 "Transportation services" means those services provided by
22 the gas utility that are necessary in order for the storage,
23 transmission and distribution systems to function so that
24 customers located in the gas utility's service area can receive
25 gas from suppliers other than the gas utility and shall
26 include, without limitation, standard metering and billing

1 services.

2 (Source: P.A. 94-738, eff. 5-4-06.)