



Rep. Kelly Burke

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LRB099 06843 MLM 35147 a

1 AMENDMENT TO SENATE BILL 1312

2 AMENDMENT NO. _____. Amend Senate Bill 1312 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by changing
5 Section 4-304 as follows:

6 (220 ILCS 5/4-304) (from Ch. 111 2/3, par. 4-304)

7 Sec. 4-304. Beginning in 1986, the Commission shall prepare
8 an annual report which shall be filed by January 31 of each
9 year with the Joint Committee on Legislative Support Services
10 of the General Assembly, ~~the Public Counsel~~ and the Governor
11 and which shall be publicly available. Such report shall
12 include:

13 (1) A general review of agency activities and changes,
14 including:

15 (a) a review of significant decisions and other
16 regulatory actions for the preceding year, and pending

1 cases, and an analysis of the impact of such decisions and
2 actions, and potential impact of any significant pending
3 cases;

4 (b) for each significant decision, regulatory action
5 and pending case, a description of the positions advocated
6 by major parties, including Commission staff, and for each
7 such decision rendered or action taken, the position
8 adopted by the Commission and reason therefor;

9 (c) a description of the Commission's budget,
10 caseload, and staff levels, including specifically:

11 (i) a breakdown by type of case of the cases
12 resolved and filed during the year and of pending
13 cases;

14 (ii) a description of the allocation of the
15 Commission's budget, identifying amounts budgeted for
16 each significant regulatory function or activity and
17 for each department, bureau, section, division or
18 office of the Commission and its employees;

19 (iii) a description of current employee levels,
20 identifying any change occurring during the year in the
21 number of employees, personnel policies and practices
22 or compensation levels; and identifying the number and
23 type of employees assigned to each Commission
24 regulatory function and to each department, bureau,
25 section, division or office of the Commission;

26 (d) a description of any significant changes in

1 Commission policies, programs or practices with respect to
2 agency organization and administration, hearings and
3 procedures or substantive regulatory activity.

4 (2) A discussion and analysis of the state of each utility
5 industry regulated by the Commission and significant changes,
6 trends and developments therein, including the number and types
7 of firms offering each utility service, existing, new and
8 prospective technologies, variations in the quality,
9 availability and price for utility services in different
10 geographic areas of the State, and any other industry factors
11 or circumstances which may affect the public interest or the
12 regulation of such industries.

13 (3) A specific discussion of the energy planning
14 responsibilities and activities of the Commission and energy
15 utilities, including:

16 (a) the extent to which conservation, cogeneration,
17 renewable energy technologies and improvements in energy
18 efficiency are being utilized by energy consumers, the
19 extent to which additional potential exists for the
20 economical utilization of such supplies, and a description
21 of existing and proposed programs and policies designed to
22 promote and encourage such utilization;

23 (b) a description of each energy plan filed with the
24 Commission pursuant to the provisions of this Act, and a
25 copy, or detailed summary of the most recent energy plans
26 adopted by the Commission; ~~and~~

1 (c) a discussion of the powers by which the Commission
2 is implementing the planning responsibilities of Article
3 VIII, including a description of the staff and budget
4 assigned to such function, the procedures by which
5 Commission staff reviews and analyzes energy plans
6 submitted by the utilities, the Department of Natural
7 Resources, and any other person or party; and -

8 (d) a summary of the adoption of solar photovoltaic
9 systems by residential and small business consumers in
10 Illinois and a description of any and all barriers to
11 residential and small business consumers' financing,
12 installation, and valuation of energy produced by solar
13 photovoltaic systems.

14 (4) A discussion of the extent to which utility services
15 are available to all Illinois citizens including:

16 (a) the percentage and number of persons or households
17 requiring each such service who are not receiving such
18 service, and the reasons therefore, including specifically
19 the number of such persons or households who are unable to
20 afford such service;

21 (b) a critical analysis of existing programs designed
22 to promote and preserve the availability and affordability
23 of utility services; and

24 (c) an analysis of the financial impact on utilities
25 and other ratepayers of the inability of some customers or
26 potential customers to afford utility service, including

1 the number of service disconnections and reconnections,
2 and cost thereof and the dollar amount of uncollectible
3 accounts recovered through rates.

4 (5) A detailed description of the means by which the
5 Commission is implementing its new statutory responsibilities
6 under this Act, and the status of such implementation,
7 including specifically:

8 (a) Commission reorganization resulting from the
9 addition of an Executive Director and hearing examiner
10 qualifications and review;

11 (b) Commission responsibilities for construction and
12 rate supervision, including construction cost audits,
13 management audits, excess capacity adjustments, phase-ins
14 of new plant and the means and capability for monitoring
15 and reevaluating existing or future construction projects;

16 (c) promulgation and application of rules concerning
17 ex parte communications, circulation of recommended orders
18 and transcription of closed meetings.

19 (6) A description of all appeals taken from Commission
20 orders, findings or decisions and the status and outcome of
21 such appeals.

22 (7) A description of the status of all studies and
23 investigations required by this Act, including those ordered
24 pursuant to Sections 8-304, 9-242, 9-244 and 13-301 and all
25 such subsequently ordered studies or investigations.

26 (8) A discussion of new or potential developments in

1 federal legislation, and federal agency and judicial decisions
2 relevant to State regulation of utility services.

3 (9) All recommendations for appropriate legislative action
4 by the General Assembly.

5 The Commission may include such other information as it
6 deems to be necessary or beneficial in describing or explaining
7 its activities or regulatory responsibilities. The report
8 required by this Section shall be adopted by a vote of the full
9 Commission prior to filing.

10 (Source: P.A. 91-357, eff. 7-29-99.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."