



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4989

by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

65 ILCS 5/Art. 11 Div. 15.4 heading new
65 ILCS 5/11-15.4-1 new

Amends the Illinois Municipal Code. Defines "underground" and "undergrounding". Provides that public utilities shall underground specified electric transmission lines under certain conditions. Provides that the Illinois Commerce Commission shall allow a public utility to recover from all retail customers in its service territory all reasonable and prudent costs that it incurs related to the undergrounding of such transmission lines. Provides that a public utility shall record and defer such costs as a regulatory asset to be included in the public utility's total rate base and amortized over a reasonable period that is equal to the expected life of such transmission line. Effective immediately.

LRB100 16684 AWJ 31822 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by adding
5 Division 15.4 to Article 11 as follows:

6 (65 ILCS 5/Art. 11 Div. 15.4 heading new)

7 DIVISION 15.4.

8 UNDERGROUNDING UTILITY FACILITIES

9 (65 ILCS 5/11-15.4-1 new)

10 Sec. 11-15.4-1. Undergrounding utility facilities.

11 (a) As used in this Division and unless the context
12 requires otherwise, "underground" or "undergrounding" means
13 routing and constructing electric transmission lines and their
14 associated components below ground, consistent with sound
15 engineering and utility practices.

16 (b) In the interest of public health and safety,
17 reliability, and electric grid security, a public utility, as
18 defined by Section 3-105 of the Public Utilities Act, shall
19 underground any 138 kilowatt or greater electric transmission
20 line constructed after the effective date of this amendatory
21 Act of the 100th General Assembly where:

22 (1) such transmission line or any portion thereof is to

1 be located within 26,000 feet of an airport that is located
2 in and owned by a municipality with a population greater
3 than 70,000 and less than 80,000 located in or contiguous
4 to a county with a population in excess of 1,000,000
5 inhabitants; or

6 (2) such transmission line is to be located in 4 or
7 more contiguous municipalities with a population density
8 of 1,000 per square mile or more as of the most recent
9 federal decennial census.

10 (c) The costs for undergrounding a new transmission line
11 shall not be allocated solely to the municipality or
12 municipalities in which it is underground; instead, the
13 Illinois Commerce Commission shall allow a public utility to
14 fully recover from all retail customers in its service
15 territory all reasonable and prudent costs that it incurs
16 related to the undergrounding of transmission lines. The public
17 utility shall record and defer such costs as a regulatory asset
18 to be included in the public utility's total rate base and
19 amortized over a reasonable period that is equal to the
20 expected life of the transmission line. Such regulatory assets
21 shall be collected from all ratepayers system-wide, and not
22 only from ratepayers in the corporate limits of the
23 municipality or municipalities within which the transmission
24 line is constructed.

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