

SB1494



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1494

Introduced 2/9/2017, by Sen. Laura M. Murphy

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 138 kilowatt or greater 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 a 138 kilowatt or greater electric transmission line. Provides that a public utility shall record and defer costs that it incurs related to the undergrounding of transmission lines 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 11174 AWJ 21471 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 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) a 138 kilowatt or greater electric transmission

1 line or any portion of a 138 kilowatt or greater electric
2 transmission line is to be located within 26,000 feet of an
3 airport that is located in and owned by a municipality with
4 a population greater than 70,000 and less than 80,000
5 located in or contiguous to a county with a population in
6 excess of 1,000,000 inhabitants; or

7 (2) a 138 kilowatt or greater electric transmission
8 line is to be located in 4 or more contiguous
9 municipalities with a population density of 1,000 per
10 square mile or more as of the most recent federal decennial
11 census.

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

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