# **Section 730.120 Penalties**

Upon complaint or its own motion and after notice and a hearing, the Commission may assess fines, penalties or impose other enforcement mechanisms against a carrier that fails to meet the requirements or standards established in this Part. In determining the appropriate fines, penalties or other enforcement mechanisms, the Commission shall consider, at a minimum, the carrier’s gross annual intrastate revenue; past performance; the frequency, duration, severity, and recurrence of the violation or violations; and the relative harm caused to the affected customer or other users of the network. In imposing fines, the Commission shall take into account compensation or credits paid by the telecommunications carrier to its customers. In addition, carriers subject to alternative regulation may have fines, penalties and other enforcement mechanisms determined in a company specific docket and fines, penalties or other enforcement mechanisms as part of an alternative regulation plan.

(Source: Added at 27 Ill. Reg. 17997, effective December 1, 2003)