**Section 1200.210 Planning Cycle Fees Assessed to Participating Utilities**

a) *The Agency shall assess fees to each affected utility to recover the costs incurred in preparation of the annual procurement plan for the utility.* [20 ILCS 3855/1-75(g)] These fees shall cover costs for the Agency and its agents, representatives and consultants.

b) The costs incurred by the Agency and its agents, representatives and consultants shall consist of the following:

1) Actual contract costs invoiced by the procurement planning consultant in furtherance of work required under or related to requirements of Section 1-75 of the Act.

2) 67% of the overhead budgeted by the Agency for the fiscal year, reduced by the amount of overhead collected through fees otherwise authorized in Subparts B, C and D pursuant to Section 1200.140 already collected at the time of billing during the same fiscal year, and further reduced by 67% of the interest generated by the Agency's Trust Fund to fund the Agency's Operating Fund.

c) Allocation

1) The Agency shall assign and allocate its costs incurred pursuant to subsection (b)(1) to reflect costs incurred in support of each of the participating utilities. To the extent that the procurement planning consultant incurs costs in support of more than one participating utility, the Agency shall allocate costs based on the total amount of energy associated with each participating utility's total potentially eligible load in the first delivery year of the procurement as forecast in the participating utility's load forecast submitted in accordance with Section 16-111.5(d) of the Public Utilities Act.

2) The Agency shall allocate costs recoverable under subsection (b)(2) between the participating utilities in the same manner as the costs allocated pursuant to subsection (c)(1).

d) Notwithstanding any other subsection of this Section, in a year in which the Agency's appropriation and transfer of funds from the Illinois Power Agency Trust Fund pursuant to Section 6z-75 of the State Finance Act [30 ILCS 105] does not cover 33% of the Agency's overhead and no procurement occurs, then the Agency may recover 100% of its overhead pursuant to subsection (b)(2) of this Section.