



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5101

by Rep. Marcus C. Evans, Jr.

#### SYNOPSIS AS INTRODUCED:

220 ILCS 5/16-101A  
220 ILCS 5/16-118  
220 ILCS 5/19-107 new  
220 ILCS 5/19-135

Amends the Public Utilities Act. In provisions concerning services provided by electric utilities to alternative retail electric suppliers, requires that customers are enrolled with an alternative retail electric supplier through the municipal aggregation process described in the Illinois Power Agency Act when certain electric utilities file a tariff. Creates a natural gas aggregation process by municipalities, townships, and counties. Provides that the corporate authorities of a municipality, township board, or county board of a county may adopt an ordinance under which it may aggregate residential and small commercial retail natural gas loads located within the municipality, township, or county and may enter into service agreements to facilitate for those loads the sale and purchase of natural gas and related services and equipment. Provides that a single billing option shall be offered to customers for both the services provided by the alternative gas supplier and the delivery services provided by the gas utility, provided that the customers are enrolled with the natural gas aggregation process. Requires a gas utility to file a tariff that allows alternative gas suppliers to issue single bills to residential and small commercial customers, provided that the customers are enrolled with the natural gas aggregation process. Makes other changes. Effective immediately.

LRB100 18968 SMS 34218 b

1 AN ACT concerning regulation.

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

4 Section 5. The Public Utilities Act is amended by changing  
5 Sections 16-101A, 16-118, and 19-135 and by adding Section  
6 19-107 as follows:

7 (220 ILCS 5/16-101A)

8 Sec. 16-101A. Legislative findings.

9 (a) The citizens and businesses of the State of Illinois  
10 have been well-served by a comprehensive electrical utility  
11 system which has provided safe, reliable, and affordable  
12 service. The electrical utility system in the State of Illinois  
13 has historically been subject to State and federal regulation,  
14 aimed at assuring the citizens and businesses of the State of  
15 safe, reliable, and affordable service, while at the same time  
16 assuring the utility system of a return on its investment.

17 (b) Competitive forces are affecting the market for  
18 electricity as a result of recent federal regulatory and  
19 statutory changes and the activities of other states.  
20 Competition in the electric services market may create  
21 opportunities for new products and services for customers and  
22 lower costs for users of electricity. Long-standing regulatory  
23 relationships need to be altered to accommodate the competition

1 that could fundamentally alter the structure of the electric  
2 services market.

3 (c) With the advent of increasing competition in this  
4 industry, the State has a continued interest in assuring that  
5 the safety, reliability, and affordability of electrical power  
6 is not sacrificed to competitive pressures, and to that end,  
7 intends to implement safeguards to assure that the industry  
8 continues to operate the electrical system in a manner that  
9 will serve the public's interest. Under the existing regulatory  
10 framework, the industry has been encouraged to undertake  
11 certain investments in its physical plant and personnel to  
12 enhance its efficient operation, the cost of which it has been  
13 permitted to pass on to consumers. The State has an interest in  
14 providing the existing utilities a reasonable opportunity to  
15 obtain a return on certain investments on which they depended  
16 in undertaking those commitments in the first instance while,  
17 at the same time, not permitting new entrants into the industry  
18 to take unreasonable advantage of the investments made by the  
19 formerly regulated industry.

20 (d) A competitive wholesale and retail market must benefit  
21 all Illinois citizens. The Illinois Commerce Commission should  
22 act to promote the development of an effectively competitive  
23 electricity market that operates efficiently and is equitable  
24 to all consumers. Consumer protections must be in place to  
25 ensure that all customers continue to receive safe, reliable,  
26 affordable, and environmentally safe electric service. The

1 sale and marketing of electricity by door-to-door and  
2 telephonic means have proven an ineffective way to ensure  
3 access to affordable, competitive electricity. Electricity is  
4 a fundamental necessity for the people of the State of  
5 Illinois, and in order to protect the people of this State and  
6 State energy assistance funds from price gouging and misleading  
7 marketing, the State shall pursue municipal aggregation of  
8 retail customers as the competitive model.

9 (e) All consumers must benefit in an equitable and timely  
10 fashion from the lower costs for electricity that result from  
11 retail and wholesale competition and receive sufficient  
12 information to make informed choices among suppliers and  
13 services. The use of renewable resources and energy efficiency  
14 resources should be encouraged in competitive markets.

15 (f) The efficiency of electric markets depends both upon  
16 the competitiveness of supply and upon the  
17 price-responsiveness of the demand for service. Therefore, to  
18 ensure the lowest total cost of service and to enhance the  
19 reliability of service, all classes of the electricity  
20 customers of electric utilities should have access to and be  
21 able to voluntarily use real-time pricing and other  
22 price-response and demand-response mechanisms.

23 (g) Including cost-effective renewable resources and  
24 demand-response resources in a diverse electricity supply  
25 portfolio will reduce long-term direct and indirect costs to  
26 consumers by decreasing environmental impacts and by avoiding

1 or delaying the need for new generation, transmission, and  
2 distribution infrastructure. It serves the public interest to  
3 allow electric utilities to recover costs for reasonably and  
4 prudently incurred expenses for electricity generated by  
5 renewable resources and demand-response resources.

6 (h) Including electricity generated by clean coal  
7 facilities, as defined under Section 1-10 of the Illinois Power  
8 Agency Act, in a diverse electricity procurement portfolio will  
9 reduce the need to purchase, directly or indirectly, carbon  
10 dioxide emission credits and will decrease environmental  
11 impacts. It serves the public interest to allow electric  
12 utilities to recover costs for reasonably and prudently  
13 incurred expenses for sourcing electricity generated by clean  
14 coal facilities.

15 (Source: P.A. 94-977, eff. 6-30-06; 95-481, eff. 8-28-07;  
16 95-1027, eff. 6-1-09.)

17 (220 ILCS 5/16-118)

18 Sec. 16-118. Services provided by electric utilities to  
19 alternative retail electric suppliers.

20 (a) It is in the best interest of Illinois energy consumers  
21 to promote fair and open competition in the provision of  
22 electric power and energy and to prevent anticompetitive  
23 practices in the provision of electric power and energy.  
24 Therefore, to the extent an electric utility provides electric  
25 power and energy or delivery services to alternative retail

1 electric suppliers and such services are not subject to the  
2 jurisdiction of the Federal Energy Regulatory Commission, and  
3 are not competitive services, they shall be provided through  
4 tariffs that are filed with the Commission, pursuant to Article  
5 IX of this Act. Each electric utility shall permit alternative  
6 retail electric suppliers to interconnect facilities to those  
7 owned by the utility provided they meet established standards  
8 for such interconnection, and may provide standby or other  
9 services to alternative retail electric suppliers. The  
10 alternative retail electric supplier shall sign a contract  
11 setting forth the prices, terms and conditions for  
12 interconnection with the electric utility and the prices, terms  
13 and conditions for services provided by the electric utility to  
14 the alternative retail electric supplier in connection with the  
15 delivery by the electric utility of electric power and energy  
16 supplied by the alternative retail electric supplier.

17 (b) An electric utility shall file a tariff pursuant to  
18 Article IX of the Act that would allow alternative retail  
19 electric suppliers or electric utilities other than the  
20 electric utility in whose service area retail customers are  
21 located to issue single bills to the retail customers for both  
22 the services provided by such alternative retail electric  
23 supplier or other electric utility and the delivery services  
24 provided by the electric utility to such customers, provided  
25 that customers are enrolled with an alternative retail electric  
26 supplier through the municipal aggregation process described

1 in Section 1-92 of the Illinois Power Agency Act. The tariff  
2 filed pursuant to this subsection shall (i) require partial  
3 payments made by retail customers to be credited first to the  
4 electric utility's tariffed services, (ii) impose commercially  
5 reasonable terms with respect to credit and collection,  
6 including requests for deposits, (iii) retain the electric  
7 utility's right to disconnect the retail customers, if it does  
8 not receive payment for its tariffed services, in the same  
9 manner that it would be permitted to if it had billed for the  
10 services itself, and (iv) require the alternative retail  
11 electric supplier or other electric utility that elects the  
12 billing option provided by this tariff to include on each bill  
13 to retail customers an identification of the electric utility  
14 providing the delivery services and a listing of the charges  
15 applicable to such services. The tariff filed pursuant to this  
16 subsection may also include other just and reasonable terms and  
17 conditions. In addition, an electric utility, an alternative  
18 retail electric supplier or electric utility other than the  
19 electric utility in whose service area the customer is located,  
20 and a customer served by such alternative retail electric  
21 supplier or other electric utility, may enter into an agreement  
22 pursuant to which the alternative retail electric supplier or  
23 other electric utility pays the charges specified in Section  
24 16-108, or other customer-related charges, including taxes and  
25 fees, in lieu of such charges being recovered by the electric  
26 utility directly from the customer.

1 (c) An electric utility with more than 100,000 customers  
2 shall file a tariff pursuant to Article IX of this Act that  
3 provides alternative retail electric suppliers, and electric  
4 utilities other than the electric utility in whose service area  
5 the retail customers are located, with the option to have the  
6 electric utility purchase their receivables for power and  
7 energy service provided to residential retail customers and  
8 non-residential retail customers with a non-coincident peak  
9 demand of less than 400 kilowatts, provided that customers are  
10 enrolled with an alternative retail electric supplier through  
11 the municipal aggregation process described in Section 1-92 of  
12 the Illinois Power Agency Act. Receivables for power and energy  
13 service of alternative retail electric suppliers or electric  
14 utilities other than the electric utility in whose service area  
15 the retail customers are located shall be purchased by the  
16 electric utility at a just and reasonable discount rate to be  
17 reviewed and approved by the Commission after notice and  
18 hearing. The discount rate shall be based on the electric  
19 utility's historical bad debt and any reasonable start-up costs  
20 and administrative costs associated with the electric  
21 utility's purchase of receivables. The discounted rate for  
22 purchase of receivables shall be included in the tariff filed  
23 pursuant to this subsection (c). The discount rate filed  
24 pursuant to this subsection (c) shall be subject to periodic  
25 Commission review. The electric utility retains the right to  
26 impose the same terms on retail customers with respect to



1 credit and collection, including requests for deposits, and  
2 retain the electric utility's right to disconnect the retail  
3 customers, if it does not receive payment for its tariffed  
4 services or purchased receivables, in the same manner that it  
5 would be permitted to if the retail customers purchased power  
6 and energy from the electric utility. The tariff filed pursuant  
7 to this subsection (c) shall permit the electric utility to  
8 recover from retail customers any uncollected receivables that  
9 may arise as a result of the purchase of receivables under this  
10 subsection (c), may also include other just and reasonable  
11 terms and conditions, and shall provide for the prudently  
12 incurred costs associated with the provision of this service  
13 pursuant to this subsection (c). Nothing in this subsection (c)  
14 permits the double recovery of bad debt expenses from  
15 customers.

16 (d) An electric utility with more than 100,000 customers  
17 shall file a tariff pursuant to Article IX of this Act that  
18 would provide alternative retail electric suppliers or  
19 electric utilities other than the electric utility in whose  
20 service area retail customers are located with the option to  
21 have the electric utility produce and provide single bills to  
22 the retail customers for both the electric power and energy  
23 service provided by the alternative retail electric supplier or  
24 other electric utility and the delivery services provided by  
25 the electric utility to the customers, provided that customers  
26 are enrolled with an alternative retail electric supplier

1 through the municipal aggregation process described in Section  
2 1-92 of the Illinois Power Agency Act. The tariffs filed  
3 pursuant to this subsection shall require the electric utility  
4 to collect and remit customer payments for electric power and  
5 energy service provided by alternative retail electric  
6 suppliers or electric utilities other than the electric utility  
7 in whose service area retail customers are located. The tariff  
8 filed pursuant to this subsection shall require the electric  
9 utility to include on each bill to retail customers an  
10 identification of the alternative retail electric supplier or  
11 other electric utility that elects the billing option. The  
12 tariff filed pursuant to this subsection (d) may also include  
13 other just and reasonable terms and conditions and shall  
14 provide for the recovery of prudently incurred costs associated  
15 with the provision of service pursuant to this subsection (d).  
16 The costs associated with the provision of service pursuant to  
17 this Section shall be subject to periodic Commission review.

18 (e) An electric utility with more than 100,000 customers in  
19 this State shall file a tariff pursuant to Article IX of this  
20 Act that provides alternative retail electric suppliers, and  
21 electric utilities other than the electric utility in whose  
22 service area the retail customers are located, with the option  
23 to have the electric utility purchase 2 billing cycles worth of  
24 uncollectible receivables for power and energy service  
25 provided to residential retail customers and to  
26 non-residential retail customers with a non-coincident peak

1 demand of less than 400 kilowatts upon returning that customer  
2 to that electric utility for delivery and energy service after  
3 that alternative retail electric supplier, or an electric  
4 utility other than the electric utility in whose service area  
5 the retail customer is located, has made reasonable collection  
6 efforts on that account, provided that customers are enrolled  
7 with an alternative retail electric supplier through the  
8 municipal aggregation process described in Section 1-92 of the  
9 Illinois Power Agency Act. Uncollectible receivables for power  
10 and energy service of alternative retail electric suppliers, or  
11 electric utilities other than the electric utility in whose  
12 service area the retail customers are located, shall be  
13 purchased by the electric utility at a just and reasonable  
14 discount rate to be reviewed and approved by the Commission,  
15 after notice and hearing. The discount rate shall be based on  
16 the electric utility's historical bad debt for receivables that  
17 are outstanding for a similar length of time and any reasonable  
18 start-up costs and administrative costs associated with the  
19 electric utility's purchase of receivables. The discounted  
20 rate for purchase of uncollectible receivables shall be  
21 included in the tariff filed pursuant to this subsection (e).  
22 The electric utility retains the right to impose the same terms  
23 on these retail customers with respect to credit and  
24 collection, including requests for deposits, and retains the  
25 right to disconnect these retail customers, if it does not  
26 receive payment for its tariffed services or purchased

1 receivables, in the same manner that it would be permitted to  
2 if the retail customers had purchased power and energy from the  
3 electric utility. The tariff filed pursuant to this subsection  
4 (e) shall permit the electric utility to recover from retail  
5 customers any uncollectable receivables that may arise as a  
6 result of the purchase of uncollectible receivables under this  
7 subsection (e), may also include other just and reasonable  
8 terms and conditions, and shall provide for the prudently  
9 incurred costs associated with the provision of this service  
10 pursuant to this subsection (e). Nothing in this subsection (e)  
11 permits the double recovery of utility bad debt expenses from  
12 customers. The electric utility may file a joint tariff for  
13 this subsection (e) and subsection (c) of this Section.

14 (Source: P.A. 95-700, eff. 11-9-07.)

15 (220 ILCS 5/19-107 new)

16 Sec. 19-107. Aggregation of natural gas load by  
17 municipalities, townships, and counties.

18 (a) The sale and marketing of natural gas by door-to-door  
19 and telephonic means has proven an ineffective way to ensure  
20 access to affordable, competitive natural gas. Natural gas is a  
21 fundamental necessity for the people of the State of Illinois,  
22 and in order to protect the people of this State and State  
23 energy assistance funds from price gouging and misleading  
24 marketing, the State shall pursue municipal aggregation of  
25 retail customers as the competitive model.

1       (b) This Section applies to a natural gas utility serving  
2 more than 700,000 customers in southern and central Illinois  
3 and a natural gas utility serving more than 1,000,000 customers  
4 in northern Illinois.

5       (c) The corporate authorities of a municipality, township  
6 board, or county board of a county may adopt an ordinance under  
7 which it may aggregate in accordance with this Section  
8 residential and small commercial retail natural gas loads  
9 located, respectively, within the municipality, the township,  
10 or the unincorporated areas of the county and, for that  
11 purpose, may solicit bids and enter into service agreements to  
12 facilitate for those loads the sale and purchase of natural gas  
13 and related services and equipment.

14       The corporate authorities, township board, or county board  
15 may also exercise such authority jointly with any other  
16 municipality, township, or county. Two or more municipalities,  
17 townships, or counties, or a combination of both, may initiate  
18 a process jointly to authorize aggregation by a majority vote  
19 of each particular municipality, township, or county as  
20 required by this Section.

21       If the corporate authorities, township board, or the county  
22 board seek to operate the aggregation program as an opt-out  
23 program for residential and small commercial retail customers,  
24 then prior to the adoption of an ordinance with respect to  
25 aggregation of residential and small commercial retail natural  
26 gas loads, the corporate authorities of a municipality, the

1 township board, or the county board of a county shall submit a  
2 referendum to its residents to determine whether or not the  
3 aggregation program shall operate as an opt-out program for  
4 residential and small commercial retail customers. Any county  
5 board that seeks to submit such a referendum to its residents  
6 shall do so only in unincorporated areas of the county where no  
7 natural gas aggregation ordinance has been adopted.

8 In addition to the notice and conduct requirements of the  
9 general election law, notice of the referendum shall state  
10 briefly the purpose of the referendum. The question of whether  
11 the corporate authorities, the township board, or the county  
12 board shall adopt an opt-out aggregation program for  
13 residential and small commercial retail customers shall be  
14 submitted to the electors of the municipality, township board,  
15 or county board at a regular election and approved by a  
16 majority of the electors voting on the question. The corporate  
17 authorities, township board, or county board must certify to  
18 the proper election authority, which must submit the question  
19 at an election in accordance with the Election Code.

20 The election authority must submit the question in  
21 substantially the following form:

22 Shall the (municipality, township, or county in which  
23 the question is being voted upon) have the authority to  
24 arrange for the supply of natural gas for its residential  
25 and small commercial retail customers who have not opted  
26 out of such program?

1       The election authority must record the votes as "Yes" or  
2       "No".

3       If a majority of the electors voting on the question vote  
4       in the affirmative, then the corporate authorities, township  
5       board, or county board may implement an opt-out aggregation  
6       program for residential and small commercial retail customers.

7       A referendum must pass in each particular municipality,  
8       township, or county that is engaged in the aggregation program.  
9       If the referendum fails, then the corporate authorities,  
10      township board, or county board shall operate the aggregation  
11      program as an opt-in program for residential and small  
12      commercial retail customers.

13      No aggregation shall take effect unless approved by a  
14      majority of the members of the corporate authority, township  
15      board, or county board voting upon the ordinance.

16      A governmental aggregator under this Section is not a  
17      public utility or an alternative gas supplier.

18      For purposes of this Section, "township" means the portion  
19      of a township that is an unincorporated portion of a county  
20      that is not otherwise a part of a municipality. In addition to  
21      such other limitations as are included in this Section, a  
22      township board shall only have authority to aggregate  
23      residential and small commercial customer loads in accordance  
24      with this Section if the county board of the county in which  
25      the township is located (i) is not also submitting a referendum  
26      to its residents at the same general election that the township

1 board proposes to submit a referendum under this subsection  
2 (a), (ii) has not received authorization through passage of a  
3 referendum to operate an opt-out aggregation program for  
4 residential and small commercial retail customers under this  
5 subsection (a), and (iii) has not otherwise enacted an  
6 ordinance under this subsection (a) authorizing the operation  
7 of an opt-in aggregation program for residential and small  
8 commercial retail customers as described in this Section.

9 (d) Upon the applicable requisite authority under this  
10 Section, the corporate authorities, the township board, or the  
11 county board, with assistance from the Illinois Power Agency,  
12 shall develop a plan of operation and governance for the  
13 aggregation program so authorized. Before adopting a plan under  
14 this Section, the corporate authorities, township board, or  
15 county board shall hold at least 2 public hearings on the plan.  
16 Before the first hearing, the corporate authorities, township  
17 board, or county board shall publish notice of the hearings  
18 once a week for 2 consecutive weeks in a newspaper of general  
19 circulation in the jurisdiction. The notice shall summarize the  
20 plan and state the date, time, and location of each hearing.  
21 Any load aggregation plan established pursuant to this Section  
22 shall:

23 (1) provide for universal access to all applicable  
24 residential customers and equitable treatment of  
25 applicable residential customers;

26 (2) describe demand management and energy efficiency



1 services to be provided to each class of customers; and

2 (3) meet any requirements established by law  
3 concerning aggregated service offered pursuant to this  
4 Section.

5 (e) The process for soliciting bids for natural gas and  
6 other related services and awarding proposed agreements for the  
7 purchase of natural gas and other related services shall be  
8 conducted in the following order:

9 (1) The corporate authorities, township board, or  
10 county board may solicit bids for natural gas and other  
11 related services. The bid specifications may include a  
12 provision requiring the bidder to disclose the fuel type of  
13 natural gas to be procured on behalf of the aggregation  
14 program customers. The corporate authorities, township  
15 board, or county board may consider the proposed source of  
16 natural gas to be procured or generated to be put into the  
17 gas system on behalf of aggregation program customers in  
18 the competitive bidding process. The Commission may issue  
19 guidance on voluntary uniform standards for bidder  
20 disclosures of the source of natural gas to be procured or  
21 generated to be put into the gas system on behalf of  
22 aggregation program customers.

23 (2) A township board shall request from the natural gas  
24 utility those residential and small commercial customers  
25 within their aggregate area either by zip code or zip codes  
26 or other means as determined by the natural gas utility.

1       The natural gas utility shall then provide to the township  
2       board the residential and small commercial customers,  
3       including the names and addresses of residential and small  
4       commercial customers, electronically. The township board  
5       shall be responsible for authenticating the residential  
6       and small commercial customers contained in this listing  
7       and providing edits of the data to affirm, add, or delete  
8       the residential and small commercial customers located  
9       within its jurisdiction. The township board shall provide  
10       the edited list to the natural gas utility in an electronic  
11       format or other means selected by the natural gas utility  
12       and certify that the information is accurate.

13       (3) Notwithstanding Section 16-122, a natural gas  
14       utility that provides residential and small commercial  
15       retail natural gas service in the aggregate area must, upon  
16       request of the corporate authorities, township board, or  
17       the county board in the aggregate area, submit to the  
18       requesting party, in an electronic format, those account  
19       numbers, names, and addresses of residential and small  
20       commercial retail customers in the aggregate area that are  
21       reflected in the natural gas utility's records at the time  
22       of the request, provided that a township board has first  
23       provided an accurate customer list to the natural gas  
24       utility as provided in this Section.

25       Any corporate authority, township board, or county  
26       board receiving customer information from a natural gas

1 utility shall be subject to the limitations on the  
2 disclosure of the information described in Section 16-122  
3 and Section 2HH of the Consumer Fraud and Deceptive  
4 Business Practices Act, and a natural gas utility shall not  
5 be held liable for any claims arising out of the provision  
6 of information pursuant to this paragraph (3).

7 (f) If the corporate authorities, township board, or county  
8 board operate under an opt-in program for residential and small  
9 commercial retail customers, then the corporate authorities,  
10 township board, or county board shall comply with all of the  
11 following:

12 (1) Within 60 days after receiving the bids, the  
13 corporate authorities, township board, or county board  
14 shall allow residential and small commercial retail  
15 customers to commit to the terms and conditions of a bid  
16 that has been selected by the corporate authorities,  
17 township board, or county board.

18 (2) If (A) the corporate authorities, township board,  
19 or county board award proposed agreements for the purchase  
20 of natural gas and other related services and (B) an  
21 agreement is reached between the corporate authorities,  
22 township board, or county board for those services, then  
23 customers committed to the terms and conditions according  
24 to paragraph (1) of this subsection (f) shall be committed  
25 to the agreement.

26 (g) If the corporate authorities, township board, or county

1 board operate as an opt-out program for residential and small  
2 commercial retail customers, then it shall be the duty of the  
3 aggregated entity to fully inform residential and small  
4 commercial retail customers in advance that they have the right  
5 to opt out of the aggregation program. The disclosure shall  
6 prominently state all charges to be made and shall include full  
7 disclosure of the cost to obtain service pursuant to Section  
8 16-103, how to access it, and the fact that it is available to  
9 them without penalty, if they are currently receiving service  
10 under that Section.

11 (h) Any person or entity retained by a municipality or  
12 county, or jointly by more than one such unit of local  
13 government, to provide input, guidance, or advice in the  
14 selection of a natural gas supplier for an aggregation program  
15 shall disclose in writing to the involved units of local  
16 government the nature of any relationship through which the  
17 person or entity may receive, either directly or indirectly,  
18 commissions or other remuneration as a result of the selection  
19 of any particular natural gas supplier. The written disclosure  
20 must be made prior to formal approval by the involved units of  
21 local government of any professional services agreement with  
22 the person or entity, or no later than October 1, 2019 with  
23 respect to any such professional services agreement entered  
24 into prior to the effective date of this amendatory Act of the  
25 100th General Assembly. The disclosure shall cover all direct  
26 and indirect relationships through which commissions or

1 remuneration may result, including the pooling of commissions  
2 or remuneration among multiple persons or entities, and shall  
3 identify all involved natural gas suppliers. The disclosure  
4 requirements in this subsection (h) are to be liberally  
5 construed to ensure that the nature of financial interests are  
6 fully revealed, and these disclosure requirements shall apply  
7 regardless of whether the involved person or entity is licensed  
8 under Section 16-115C. Any person or entity that fails to make  
9 the disclosure required under this subsection (h) is liable to  
10 the involved units of local government in an amount equal to  
11 all compensation paid to such person or entity by the units of  
12 local government for the input, guidance, or advice in the  
13 selection of a natural gas supplier, plus reasonable attorneys  
14 fees and court costs incurred by the units of local government  
15 in connection with obtaining such amount.

16 (i) This Section does not prohibit municipalities or  
17 counties from entering into an intergovernmental agreement to  
18 aggregate residential and small commercial retail natural gas  
19 loads.

20 (220 ILCS 5/19-135)

21 Sec. 19-135. Single billing. It is the intent of the  
22 General Assembly that in any service area where customers are  
23 able to choose their natural gas supplier, a single billing  
24 option shall be offered to customers for both the services  
25 provided by the alternative gas supplier and the delivery

1 services provided by the gas utility, provided that customers  
2 are enrolled with the alternative natural gas supplier through  
3 the municipal aggregation process described in Section 19-107.

4 A gas utility shall file a tariff pursuant to Article IX of  
5 this Act that allows alternative gas suppliers to issue single  
6 bills to residential and small commercial customers, provided  
7 that customers are enrolled with the alternative natural gas  
8 supplier through the municipal aggregation process described  
9 in Section 19-107, for both the services provided by the

10 alternative gas supplier and the delivery services provided by  
11 the gas utility to customers; provided that if a form of single  
12 billing is being offered in a gas utility's service area on the  
13 effective date of this amendatory Act of the 92nd General  
14 Assembly, that form of single billing shall remain in effect  
15 unless and until otherwise ordered by the Commission.

16 (Source: P.A. 92-852, eff. 8-26-02.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.