



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5107

by Rep. Theresa Mah

SYNOPSIS AS INTRODUCED:

| | |
|---------------------|---------------------------------|
| 220 ILCS 5/13-503 | from Ch. 111 2/3, par. 13-503 |
| 220 ILCS 5/13-505 | from Ch. 111 2/3, par. 13-505 |
| 220 ILCS 5/13-505.4 | from Ch. 111 2/3, par. 13-505.4 |

Amends the Public Utilities Act. Provides for the giving of notice and information concerning rates, charges, terms, and conditions of service to customers of telecommunications carriers.

LRB100 18109 SMS 33303 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 13-503, 13-505, and 13-505.4 as follows:

6 (220 ILCS 5/13-503) (from Ch. 111 2/3, par. 13-503)

7 (Section scheduled to be repealed on December 31, 2020)

8 Sec. 13-503. Information available to the public. With
9 respect to rates or other charges made, demanded, or received
10 for any telecommunications service offered, provided, or to be
11 provided, that is subject to subsection (a) of Section 13-501
12 of this Act, telecommunications carriers shall comply with the
13 publication and filing provisions of Sections 9-101, 9-102,
14 9-102.1, and 9-201 of this Act. Except for the provision of
15 services offered or provided by payphone providers pursuant to
16 a tariff, telecommunications carriers shall make all tariffs
17 and all written service offerings for competitive
18 telecommunications service available electronically to the
19 public without requiring a password or other means of
20 registration. A telecommunications carrier's website shall, if
21 applicable, provide in a conspicuous manner information on the
22 rates, charges, terms, and conditions of competitive and
23 noncompetitive service available, and a toll-free telephone

1 number that may be used to contact an agent for assistance with
2 obtaining rate or other charge information or the terms and
3 conditions of service. The website shall also provide
4 information on a variety of plans the telecommunications
5 carrier offers, and an evaluation of which telecommunications
6 tariffs and written service offerings for competitive
7 telecommunications service are the most appropriate and cost
8 efficient for each customer based upon each customer's
9 individually stated needs, wants, and prior telecommunications
10 use. Such information shall also be conspicuously provided
11 along with each billing statement for each customer in the same
12 manner as the billing statement is provided, or, in the absence
13 of such information, instructions on how to obtain the
14 information from the telecommunications carrier's website.
15 Telecommunications carriers shall keep record of who has
16 contacted the carrier about rates and packages. If a customer
17 has not contacted a carrier at least once before November 1 of
18 each year to discuss rates and packages, the carrier will send
19 to the customer, in the same manner as the customer's billing
20 statement, an invitation to discuss such details. Notices will
21 be sent in a least one more additional instance than the
22 customer's bill is sent.

23 (Source: P.A. 100-20, eff. 7-1-17.)

24 (220 ILCS 5/13-505) (from Ch. 111 2/3, par. 13-505)

25 (Section scheduled to be repealed on December 31, 2020)

1 Sec. 13-505. Rate changes; competitive services. Any
2 proposed increase or decrease in rates or charges, or proposed
3 change in any classification, written service offering, or
4 tariff resulting in an increase or decrease in rates or
5 charges, for a competitive telecommunications service shall be
6 permitted upon the filing with the Commission or posting on the
7 telecommunications carrier's website of the proposed rate,
8 charge, classification, written service offering, or tariff
9 pursuant to Section 13-501 of this Act. Notice of an increase
10 shall be given, no later than the prior billing cycle, to all
11 potentially affected customers by mail or equivalent means of
12 notice, including electronic if the customer has elected
13 electronic billing. Notice of an increase shall be delivered
14 separate and apart from the customer's monthly bill. In the
15 notice of an increase, the customer shall also be instructed to
16 contact the carrier and ask for the "Retention Department" in
17 order to discuss and negotiate his or her bill. Additional
18 notice by publication in a newspaper of general circulation may
19 also be given.

20 (Source: P.A. 100-20, eff. 7-1-17.)

21 (220 ILCS 5/13-505.4) (from Ch. 111 2/3, par. 13-505.4)

22 (Section scheduled to be repealed on December 31, 2020)

23 Sec. 13-505.4. Provision of noncompetitive services.

24 (a) A telecommunications carrier that offers or provides a
25 noncompetitive service, service element, feature, or

1 functionality on a separate, stand-alone basis to any customer
2 shall provide that service, service element, feature, or
3 functionality pursuant to tariff to all persons, including all
4 telecommunications carriers and competitors, in accordance
5 with the provisions of this Article.

6 (b) A telecommunications carrier that offers or provides a
7 noncompetitive service, service element, feature, or
8 functionality to any customer as part of an offering of
9 competitive services pursuant to tariff or contract shall
10 publicly disclose the offering or provisioning of the
11 noncompetitive service, service element, feature, or
12 functionality by filing with the Commission information that
13 generally describes the offering or provisioning and that shows
14 the rates, terms, and conditions of the noncompetitive service,
15 service element, feature, or functionality. The information
16 shall be filed with the Commission concurrently with the filing
17 of the tariff or not more than 10 days following the customer's
18 acceptance of the offering in a contract. Information under
19 this subsection (b) shall be provided to customers in the same
20 manner as information is provided for competitive
21 telecommunications services under Section 13-503 of this Act.

22 (c) A telecommunications carrier that is not subject to
23 regulation under an alternative regulation plan pursuant to
24 Section 13-506.1 of this Act may reduce the rate or charge for
25 a noncompetitive service, service element, feature, or
26 functionality offered to customers on a separate, stand-alone

1 basis or as part of a bundled service offering by filing with
2 the Commission a tariff that shows the reduced rate or charge
3 and all applicable terms and conditions of the noncompetitive
4 service, service element, feature, or functionality or bundled
5 offering. The reduction of rates or charges shall be permitted
6 upon the filing of the proposed rate, charge, classification,
7 tariff, or bundled offering. The total price of a bundled
8 offering shall not attribute any portion of the charge to
9 services subject to the jurisdiction of the Commission and
10 shall not be binding on the Commission in any proceeding under
11 Article IX of this Act to set the revenue requirement or to set
12 just and reasonable rates for services subject to the
13 jurisdiction of the Commission. Prices for bundles shall not be
14 subject to Section 13-505.1 of this Act. For purposes of this
15 subsection (c), a bundle is a group of services offered
16 together for a fixed price where at least one of the services
17 is an interLATA service as that term is defined in 47 U.S.C.
18 153(21), a cable service or a video service, a community
19 antenna television service, a satellite broadcast service, a
20 public mobile service as defined in Section 13-214 of this Act,
21 or an advanced telecommunications service as "advanced
22 telecommunications services" is defined in Section 13-517 of
23 this Act.

24 (Source: P.A. 100-20, eff. 7-1-17.)