



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB1604

Introduced 2/26/2021, by Sen. Bill Cunningham

#### SYNOPSIS AS INTRODUCED:

220 ILCS 5/20-110

Amends the Public Utilities Act. In provisions concerning the Director of Retail Market Development's annual report to the Illinois Commerce Commission, provides that on or before July 31, 2022 and each year thereafter, if the report includes comparisons of the prices between electric utilities and alternative retail electric suppliers, the comparisons shall include an analysis estimating the combined value of additional products and services offered by the alternative retail electric suppliers, as reported by the alternative retail electric suppliers. Provides that the Commission may include additional energy savings and marketing savings programs as they develop in the competitive retail electric market. Provides that the Commission may request information about specific products or services on a confidential and proprietary basis from alternative retail electric suppliers for the purposes of the report.

LRB102 14468 SPS 19820 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 Section 20-110 as follows:

6 (220 ILCS 5/20-110)

7 Sec. 20-110. Office of Retail Market Development. Within  
8 90 days after the effective date of this amendatory Act of the  
9 94th General Assembly, subject to appropriation, the  
10 Commission shall establish an Office of Retail Market  
11 Development and employ on its staff a Director of Retail  
12 Market Development to oversee the Office. The Director shall  
13 have authority to employ or otherwise retain at least 2  
14 professionals dedicated to the task of actively seeking out  
15 ways to promote retail competition in Illinois to benefit all  
16 Illinois consumers.

17 The Office shall actively seek input from all interested  
18 parties and shall develop a thorough understanding and  
19 critical analyses of the tools and techniques used to promote  
20 retail competition in other states.

21 The Office shall monitor existing competitive conditions  
22 in Illinois, identify barriers to retail competition for all  
23 customer classes, and actively explore and propose to the

1 Commission and to the General Assembly solutions to overcome  
2 identified barriers. The Director may include municipal  
3 aggregation of customers and creating and designing customer  
4 choice programs as tools for retail market development.  
5 Solutions proposed by the Office to promote retail competition  
6 must also promote safe, reliable, and affordable electric  
7 service.

8 On or before July 31 of each year, the Director shall  
9 submit a report to the Commission, the General Assembly, and  
10 the Governor, that details specific accomplishments achieved  
11 by the Office in the prior 12 months in promoting retail  
12 electric competition and that suggests administrative and  
13 legislative action necessary to promote further improvements  
14 in retail electric competition. On or before July 31, 2021 and  
15 each year thereafter, the report shall include the information  
16 submitted to the Commission pursuant to paragraph (iii) of  
17 subsection (a) of Section 16-115A.

18 On or before July 31, 2022 and each year thereafter, if the  
19 report includes comparisons of the prices between electric  
20 utilities and alternative retail electric suppliers, the  
21 comparisons shall include an analysis estimating the combined  
22 value of additional products and services offered by the  
23 alternative retail electric suppliers, as reported by the  
24 alternative retail electric suppliers, including, but not  
25 limited to:

26 (1) pricing structures, such as fixed priced products,

1 fixed priced customized products based on the customer's  
2 historic usage, time of use and time variant, demand  
3 response, and direct load control products;

4 (2) voluntary green energy products with renewable  
5 energy credits or on-site generation products;

6 (3) fixed priced products with integrated hardware or  
7 services, such as free or reduced-price smart thermostats,  
8 energy management software and hardware integrated with  
9 existing home solutions, energy efficiency upgrades to  
10 certain home devices, and home warranty products for home  
11 systems including HVAC and hot water heaters;

12 (4) distributed resource products, such as community  
13 solar and roof top solar;

14 (5) emerging technologies; and

15 (6) any other products and services purchased by  
16 customers from alternative retail electric suppliers.

17 The Commission may include additional energy savings and  
18 marketing savings programs as they develop in the competitive  
19 retail electric market. Without limiting any of the  
20 Commission's other authority, the Commission may request  
21 information about specific products or services on a  
22 confidential and proprietary basis from alternative retail  
23 electric suppliers for the purposes of the report.

24 (Source: P.A. 101-590, eff. 1-1-20.)