

1 AN ACT concerning public utilities.

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  
5 changing Section 10-106 as follows:

6 (220 ILCS 5/10-106) (from Ch. 111 2/3, par. 10-106)  
7 Sec. 10-106. Subpoenas. All subpoenas issued under the  
8 terms of this Act may be served by any person of full age.  
9 The fees of witnesses for attendance and travel shall be the  
10 same as fees of witnesses before the circuit courts of this  
11 State, such fees to be paid when the witness is excused from  
12 further attendance, when the witness is subpoenaed at the  
13 instance of the Commission, or any commissioner or hearing  
14 examiner; and the disbursements made in the payment of such  
15 fees shall be audited and paid in the same manner as are  
16 other expenses of the Commission. Whenever a subpoena is  
17 issued at the instance of a complainant, respondent, or other  
18 party to any proceeding before the Commission, the Commission  
19 may require that the cost of service thereof and the fee of  
20 the witness shall be borne by the party at whose instance the  
21 witness is summoned, and the Commission shall have power, in  
22 its discretion, to require a deposit to cover the cost of  
23 such service and witness fees and the payment of the legal  
24 witness fee and mileage to the witness when served with  
25 subpoena. A subpoena issued as aforesaid shall be served in  
26 the same manner as a subpoena issued out of a court.

27 Any person who shall be served with a subpoena to appear  
28 and testify, or to produce books, papers, accounts or  
29 documents, issued by the Commission or by any commissioner or  
30 hearing examiner, in the course of an inquiry, investigation  
31 or hearing conducted under any of the provisions of this Act,

1 and who refuse or neglect to appear, or to testify, or to  
2 produce books, papers, accounts and documents relevant to  
3 said inquiry, investigation or hearing as commanded in such  
4 subpoena, shall be guilty of a Class A misdemeanor.

5 Any circuit court of this State, upon application of the  
6 Commission, or a commissioner or hearing examiner, may, in  
7 its discretion, compel the attendance of witnesses, the  
8 production of books, papers, accounts and documents, and the  
9 giving of testimony before the Commission, or before any such  
10 commissioner or hearing examiner, by an attachment for  
11 contempt or otherwise, in the same manner as production of  
12 evidence may be compelled before the court.

13 The Commission or a commissioner or hearing examiner or  
14 any party may in any investigation or hearing before the  
15 Commission, cause the deposition of witnesses residing within  
16 or without the State to be taken in the manner prescribed by  
17 law for like depositions in civil actions in the courts of  
18 this State and to that end may compel the attendance of  
19 witnesses and the production of papers, books, accounts and  
20 documents.

21 The Commission may require, by order served on any public  
22 utility in the manner provided herein for the service of  
23 orders, the production within this State at such time and  
24 place as it may designate, of any books, accounts, papers or  
25 documents kept by any public utility operating within this  
26 State in any office or place without this State, or, at its  
27 option, verified copies in lieu thereof, so that an  
28 examination thereof may be made by the Commission or under  
29 its direction.

30 (Source: P.A. 84-617.)