

1 AN ACT concerning telecommunications.

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 13-509 as follows:

6 (220 ILCS 5/13-509) (from Ch. 111 2/3, par. 13-509)

7 (Section scheduled to be repealed on July 1, 2005)

8 Sec. 13-509. Agreements for provisions of competitive
9 telecommunications services differing from tariffs. Except as
10 provided in this Section, nothing in this Article prohibits a
11 telecommunications carrier from filing a tariff that permits
12 the telecommunications carrier to enter into an individual
13 agreement with an individual customer to provide competitive
14 telecommunications services A-telecommunications-carrier--may
15 negotiate--with-customers-or-prospective-customers-to-provide
16 competitive-telecommunications-service,--and-in-so-doing,--may
17 offer--or-agree-to-provide-such-service on such terms and for
18 such rates or charges as are reasonable, without regard to
19 any tariffs it may have filed with the Commission with
20 respect to such services. Within 30 business days after
21 executing any such agreement, the telecommunications carrier
22 shall submit to the Commission written notice of the general
23 nature of the agreement and the parties to the agreement. A
24 copy of the agreement and relative cost support shall be
25 available upon request by the Commission. file-any-contract
26 or--memorandum--of--understanding--for---the---provision---of
27 telecommunications--service,--which--shall--include--the--rates--or
28 other--charges,--practices,--rules--or--regulations--applicable--to
29 the--agreed--provision--of--such--service.---Any-cost-support
30 required-to-be-filed-with-the-agreement-by-some-other-Section
31 of-this-Act-shall-be-filed--within--30--business--days--after

1 executing--any--such--agreement.--Where--the--agreement--contains
2 the--same--rates,--charges,--practices,--rules,--and--regulations
3 found--in--a--single--contract--or--memorandum--already--filed--by--the
4 telecommunications--carrier--with--the--Commission,--instead--of
5 filing--the--contract--or--memorandum,--the--telecommunications
6 carrier--may--elect--to--file--a--letter--identifying--the--new
7 agreement--and--specifically--referencing--the--contract--or
8 memorandum--already--on--file--with--the--Commission--which--contains
9 the--same--provisions.--A--single--letter--may--be--used--to--file
10 more--than--one--new--agreement. Upon submitting notice of filing
11 an its agreement contract--or--memorandum,--or--letter, the
12 telecommunications carrier shall thereafter provide service
13 according to the terms thereof, unless the Commission finds,
14 after notice and hearing, that the continued provision of
15 service pursuant to such agreement contract--or--memorandum
16 would substantially and adversely affect the financial
17 integrity of the telecommunications carrier or would violate
18 any other provision of this Act.

19 Any agreement contract--or--memorandum entered into and
20 submitted filed pursuant to the provisions of this Section
21 may, in the Commission's discretion, be accorded proprietary
22 treatment.

23 (Source: P.A. 92-22, eff. 6-30-01.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.