

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7 (Section scheduled to be repealed on July 1, 2005)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. A
10 telecommunications carrier may negotiate with customers or
11 prospective customers to provide competitive
12 telecommunications service, and in so doing, may offer or
13 agree to provide such service on such terms and for such
14 rates or charges as are reasonable, without regard to any
15 tariffs it may have filed with the Commission with respect to
16 such services. Within 30 business days after executing any
17 such agreement, the telecommunications carrier shall submit
18 to the Commission written notice of a list of any such
19 agreements (which list may be filed electronically). The
20 notice shall identify the general nature of all such
21 agreements, the parties to each agreement, and a general
22 description of differences between each agreement and the
23 related tariff. A copy of each such agreement and any cost
24 support required to be filed with the agreement by some other
25 Section of this Act shall be provided to the Commission
26 within 10 business days after a request for review of the
27 agreement is made by the Commission or is made to the
28 Commission by another telecommunications carrier. file--any
29 contract--or-memorandum-of-understanding-for-the-provision-of
30 telecommunications-service, which shall include the rates--or
31 other--charges, practices, rules or regulations applicable to

1 the-agreed-provision--of--such--service.---Any--cost--support
2 required-to-be-filed-with-the-agreement-by-some-other-Section
3 of--this--Act--shall--be--filed-within-30-business-days-after
4 executing-any-such-agreement.-Where--the--agreement--contains
5 the--same--rates,-charges,-practices,-rules,-and-regulations
6 found-in-a-single-contract-or-memorandum-already-filed-by-the
7 telecommunications-carrier-with-the--Commission,-instead--of
8 filing--the--contract--or--memorandum,-the-telecommunications
9 carrier-may-elect--to--file--a--letter--identifying--the--new
10 agreement---and--specifically--referencing--the--contract--or
11 memorandum-already-on-file-with-the-Commission-which-contains
12 the-same-provisions.-A-single-letter-may--be--used--to--file
13 more--than--one--new-agreement. Upon submitting notice to the
14 Commission of any such agreement filing--its--contract--or
15 memorandum,-or--letter, the telecommunications carrier shall
16 thereafter provide service according to the terms thereof,
17 unless the Commission finds, after notice and hearing, that
18 the continued provision of service pursuant to such agreement
19 contract-or--memorandum would substantially and adversely
20 affect the financial integrity of the telecommunications
21 carrier or would violate any other provision of this Act.

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

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

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.