



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

220 ILCS 5/13-202

from Ch. 111 2/3, par. 13-202

Amends the Public Utilities Act. Adds a caption to a Section concerning the definition of "telecommunications carrier".

LRB093 17298 AMC 42964 b

1 AN ACT concerning 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 changing
5 Section 13-202 as follows:

6 (220 ILCS 5/13-202) (from Ch. 111 2/3, par. 13-202)

7 (Section scheduled to be repealed on July 1, 2005)

8 Sec. 13-202. Telecommunications carrier.

9 "Telecommunications carrier" means and includes every
10 corporation, company, association, joint stock company or
11 association, firm, partnership or individual, their lessees,
12 trustees or receivers appointed by any court whatsoever that
13 owns, controls, operates or manages, within this State,
14 directly or indirectly, for public use, any plant, equipment or
15 property used or to be used for or in connection with, or owns
16 or controls any franchise, license, permit or right to engage
17 in the provision of, telecommunications services between
18 points within the State which are specified by the user.

19 "Telecommunications carrier" does not include, however:

20 (a) telecommunications carriers that are owned and
21 operated by any political subdivision, public or private
22 institution of higher education or municipal corporation of
23 this State, for their own use, or telecommunications carriers
24 that are owned by such political subdivision, public or private
25 institution of higher education, or municipal corporation and
26 operated by any of its lessees or operating agents, for their
27 own use;

28 (b) telecommunications carriers which are purely mutual
29 concerns, having no rates or charges for services, but paying
30 the operating expenses by assessment upon the members of such a
31 company and no other person but does include telephone or
32 telecommunications cooperatives as defined in Section 13-212;

1 (c) a company or person which provides telecommunications
2 services solely to itself and its affiliates or members or
3 between points in the same building, or between closely located
4 buildings, affiliated through substantial common ownership,
5 control or development; or

6 (d) a company or person engaged in the delivery of
7 community antenna television services as described in
8 subdivision (c) of Section 13-203, except with respect to the
9 provision of telecommunications services by that company or
10 person.

11 (Source: P.A. 87-856.)