

1 AMENDMENT TO SENATE BILL 884

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 884 by replacing  
3 everything after the enacting clause with the following:

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7 (Section scheduled to be repealed on July 1, 2005)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. Every Within 30 business days after-executing  
17 any-sueh--agreement, the telecommunications carrier shall  
18 submit to the Commission written notice (which may be  
19 provided electronically to a service list approved by the  
20 Commission) of all current agreements in effect as of the  
21 date of the notice. The notice shall identify the general  
22 nature of all such agreements, the parties to each agreement,

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

31 Any agreement ~~contract or memorandum~~ entered into and  
32 submitted ~~filed~~ pursuant to the provisions of this Section  
33 may, in the Commission's discretion, be accorded proprietary  
34 treatment.

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

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law."