



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3840

Introduced 2/25/2005, by Rep. Constance A. Howard

SYNOPSIS AS INTRODUCED:

220 ILCS 5/2-204 new
220 ILCS 5/10-112

from Ch. 111 2/3, par. 10-112

Amends the Public Utilities Act. Allows the Illinois Commerce Commission to conduct official business via approved electronic methods, and requires the Commission to use the electronic processing capabilities at its disposal. In provisions concerning service of Commission orders, provides that service by electronic means shall constitute service without additional proof of a receipt of a copy of the order.

LRB094 03793 AMC 33804 b

FISCAL NOTE ACT
MAY APPLY

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 adding
5 Section 2-204 and by changing Section 10-112 as follows:

6 (220 ILCS 5/2-204 new)

7 Sec. 2-204. Electronic writings; administrative rules;
8 fees.

9 (a) To enable the efficient and effective execution of its
10 responsibilities under this Act, the Commission may conduct
11 official business via approved electronic methods and shall use
12 the electronic processing capabilities and associated
13 technological solutions at its disposal, including without
14 limitation all of the following activities:

15 (1) Whenever a document, record, or other writing of
16 any kind or description is either required or permitted by
17 statute or by rule of the Commission to be filed with,
18 submitted to, or otherwise provided to the Commission, the
19 document, record, or writing may be filed with, submitted
20 to, or otherwise provided to the Commission in electronic
21 form pursuant to rules adopted by the Commission.

22 (2) Whenever a document, record, or other writing of
23 any kind or description is either required or permitted by
24 statute or by rule of the Commission to be provided by the
25 Commission or by any person or party to one or more persons
26 or parties other than the Commission, the document, record,
27 or writing may be provided to the persons or parties in
28 electronic form pursuant to rules adopted by the
29 Commission.

30 (3) The Commission may accept digital signatures or
31 other approved forms of electronic authentication in lieu
32 of a written signature for any official business process or

1 transaction that requires a signature, including the
2 acceptance of electronic documents or other informational
3 content.

4 (4) The Commission may accept an electronic date/time
5 stamp derived from a trusted time source for the purposes
6 of acknowledging the receipt of electronic filings. The
7 electronic date/time stamp shall serve the same purpose as
8 is provided by a United States Postal Service cancellation
9 mark pursuant to Section 1.25 of the Statute on Statutes.

10 (5) The Commission may impose appropriate
11 administrative controls, such as user account registration
12 requirements and end user license agreements, as well as
13 reasonable technical standards, such as limitations on
14 acceptable file sizes and file formats, as may be required
15 to effectively manage the filing or submission of
16 electronic documents or other informational content
17 covered under this Act. The Commission may adopt and impose
18 administrative controls and technical standards that are
19 consistent with standards and policies embodied in current
20 State agency rules.

21 (6) The Commission may charge reasonable fees set by
22 rule to offset the cost of developing, deploying, and
23 enhancing automated systems for the purposes of conducting
24 official business activities pursuant to rules adopted by
25 the Commission.

26 (7) The Commission may charge reasonable fees set by
27 rule to offset the cost of accepting, processing, storing,
28 and otherwise administering manual systems for managing
29 documents, records, and other writings that are not in
30 electronic form.

31 (b) Fees collected by the Commission pursuant to the rules
32 adopted under this Section shall be deposited into the Public
33 Utility Fund in the State treasury.

34 (c) Rules adopted under this Section shall comply with the
35 requirements of Article 25 of the Electronic Commerce Security
36 Act and other applicable State statutes and shall comply, to

1 the extent practicable, with the rules adopted by the
2 Department of Central Management Services under that Article.

3 (220 ILCS 5/10-112) (from Ch. 111 2/3, par. 10-112)

4 Sec. 10-112. Service of Commission orders. Every order of
5 the Commission shall be served upon every person or corporation
6 to be affected thereby by personal delivery of a copy thereof,
7 by mailing in the United States mail a copy thereof in a sealed
8 package with postage prepaid, or by electronic means to the
9 person to be affected thereby or in the case of a corporation,
10 to any officer or agent thereof upon whom a summons of a
11 circuit court may be served in a civil action. Where such
12 persons or corporations, or both, exceed 3 in number, service
13 as herein provided may be upon the attorneys or representatives
14 of record, if there be any; and in any event, service by
15 electronic means or mailing in the United States mail as herein
16 provided, shall constitute service, without additional proof
17 of a receipt of such copy or copies of such order. Within a
18 time specified in the order of the Commission every person and
19 corporation upon whom it is served must, if so required in the
20 order, notify the Commission in like manner whether the terms
21 of the order are accepted and will be obeyed.

22 (Source: P.A. 91-341, eff. 7-29-99.)

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