

1 AN ACT concerning public 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 Article XX as follows:

6 (220 ILCS 5/Art. XX heading new)

7 ARTICLE XX. RETAIL ELECTRIC COMPETITION

8 (220 ILCS 5/20-101 new)

9 Sec. 20-101. This Article may be cited as the Retail  
10 Electric Competition Act of 2006.

11 (220 ILCS 5/20-102 new)

12 Sec. 20-102. Findings and intent.

13 (a) A competitive wholesale electricity market alone will  
14 not deliver the full benefits of competition to Illinois  
15 consumers. For Illinois consumers to receive products, prices  
16 and terms tailored to meet their needs, a competitive wholesale  
17 electricity market must be closely linked to a competitive  
18 retail electric market.

19 (b) To date, as a result of the Electric Service Customer  
20 Choice and Rate Relief Law of 1997, thousands of large Illinois  
21 commercial and industrial consumers have experienced the  
22 benefits of a competitive retail electricity market.  
23 Alternative electric retail suppliers actively compete to  
24 supply electricity to large Illinois commercial and industrial  
25 consumers with attractive prices, terms, and conditions.

26 (c) A competitive retail electric market does not yet exist  
27 for residential and small commercial consumers. As a result,  
28 millions of residential and small commercial consumers in  
29 Illinois are faced with escalating heating and power bills and  
30 are unable to shop for alternatives to the rates demanded by

1 the State's incumbent electric utilities.

2 (d) The General Assembly reiterates its findings from the  
3 Electric Service Customer Choice and Rate Relief Law of 1997  
4 that the Illinois Commerce Commission should promote the  
5 development of an effectively competitive retail electricity  
6 market that operates efficiently and benefits all Illinois  
7 consumers.

8 (220 ILCS 5/20-105 new)

9 Sec. 20-105. Definitions. In this Article:

10 "Director" means the Director of the Office of Retail  
11 Market Development.

12 "Office" means the Office of Retail Market  
13 Development.

14 (220 ILCS 5/20-110 new)

15 Sec. 20-110. Office of Retail Market Development. Within 90  
16 days after the effective date of this amendatory Act of the  
17 94th General Assembly, subject to appropriation, the  
18 Commission shall establish an Office of Retail Market  
19 Development and employ on its staff a Director of Retail Market  
20 Development to oversee the Office. The Director shall have  
21 authority to employ or otherwise retain at least 2  
22 professionals dedicated to the task of actively seeking out  
23 ways to promote retail competition in Illinois to benefit all  
24 Illinois consumers.

25 The Office shall actively seek input from all interested  
26 parties and shall develop a thorough understanding and critical  
27 analyses of the tools and techniques used to promote retail  
28 competition in other states.

29 The Office shall monitor existing competitive conditions  
30 in Illinois, identify barriers to retail competition for all  
31 customer classes, and actively explore and propose to the  
32 Commission and to the General Assembly solutions to overcome  
33 identified barriers. The Director may include municipal  
34 aggregation of customers and creating and designing customer

1 choice programs as tools for retail market development.  
2 Solutions proposed by the Office to promote retail competition  
3 must also promote safe, reliable, and affordable electric  
4 service.

5 On or before June 30 of each year, the Director shall  
6 submit a report to the Commission, the General Assembly, and  
7 the Governor, that details specific accomplishments achieved  
8 by the Office in the prior 12 months in promoting retail  
9 electric competition and that suggests administrative and  
10 legislative action necessary to promote further improvements  
11 in retail electric competition.

12 (220 ILCS 5/20-120 new)

13 Sec. 20-120. Residential and small commercial retail  
14 electric competition. Within 12 months after the effective date  
15 of this amendatory Act of the 94th General Assembly, the  
16 Director shall conduct research, gather input from all  
17 interested parties and develop and present to the Commission,  
18 the General Assembly, and the Governor a detailed plan designed  
19 to promote, in the most expeditious manner possible, retail  
20 electric competition for residential and small commercial  
21 electricity consumers while maintaining safe, reliable, and  
22 affordable service. Interested parties shall be given the  
23 opportunity to review the plan and provide written comments  
24 regarding the plan prior to its submission to the Commission,  
25 the General Assembly, and the Governor. Any written comments  
26 received by the Office shall be posted on the Commission's web  
27 site. The final plan submitted to the Commission, the General  
28 Assembly, and the Governor must include summaries of any  
29 written comments and must also be posted on the Commission's  
30 web site.

31 To the extent the plan calls for Commission action, the  
32 Commission shall initiate any proceeding or proceedings called  
33 for in the final plan within 60 days after receipt of the final  
34 plan and complete those proceedings within 11 months after  
35 their initiation.

1        Nothing in this Section shall prevent the Commission from  
2        acting earlier to remove identified barriers to retail electric  
3        competition for residential and small commercial consumers.

4        Section 99. Effective date. This Act takes effect upon  
5        becoming law.