



Rep. George Scully Jr.

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09400HB4977ham001

LRB094 16740 AMC 56786 a

1 AMENDMENT TO HOUSE BILL 4977

2 AMENDMENT NO. _____. Amend House Bill 4977 by replacing
3 everything after the enacting clause with the following:

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.

1 Alternative electric retail suppliers actively compete to
2 supply electricity to large Illinois commercial and industrial
3 consumers with attractive prices, terms, and conditions.

4 (c) A competitive retail electric market does not yet exist
5 for residential and small commercial consumers. As a result,
6 millions of residential and small commercial consumers in
7 Illinois are faced with escalating heating and power bills and
8 are unable to shop for alternatives to the rates demanded by
9 the State's incumbent electric utilities.

10 (d) The General Assembly reiterates its findings from the
11 Electric Service Customer Choice and Rate Relief Law of 1997
12 that the Illinois Commerce Commission should promote the
13 development of an effectively competitive retail electricity
14 market that operates efficiently and benefits all Illinois
15 consumers.

16 (220 ILCS 5/20-105 new)

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

18 "Director" means the Director of the Office of Retail
19 Market Development.

20 "Office" means the Office of Retail Market
21 Development.

22 (220 ILCS 5/20-110 new)

23 Sec. 20-110. Office of Retail Market Development. Within 90
24 days after the effective date of this amendatory Act of the
25 94th General Assembly, subject to appropriation, the
26 Commission shall establish an Office of Retail Market
27 Development and employ on its staff a Director of Retail Market
28 Development to oversee the Office. The Director shall have
29 authority to employ or otherwise retain at least 2
30 professionals dedicated to the task of actively seeking out
31 ways to promote retail competition in Illinois to benefit all
32 Illinois consumers.

1 The Office shall actively seek input from all interested
2 parties and shall develop a thorough understanding and critical
3 analyses of the tools and techniques used to promote retail
4 competition in other states.

5 The Office shall monitor existing competitive conditions
6 in Illinois, identify barriers to retail competition for all
7 customer classes, and actively explore and propose to the
8 Commission and to the General Assembly solutions to overcome
9 identified barriers. The Director may include municipal
10 aggregation of customers and creating and designing customer
11 choice programs as tools for retail market development.
12 Solutions proposed by the Office to promote retail competition
13 must also promote safe, reliable, and affordable electric
14 service.

15 On or before June 30 of each year, the Director shall
16 submit a report to the Commission, the General Assembly, and
17 the Governor, that details specific accomplishments achieved
18 by the office in the prior 12 months in promoting retail
19 electric competition and that suggests administrative and
20 legislative action necessary to promote further improvements
21 in retail electric competition.

22 (220 ILCS 5/20-120 new)

23 Sec. 20-120. Residential and small commercial retail
24 electric competition. Within 12 months after the effective date
25 of this amendatory Act of the 94th General Assembly, the
26 Director shall conduct research, gather input from all
27 interested parties and develop and present to the Commission,
28 the General Assembly, and the Governor a detailed plan designed
29 to promote, in the most expeditious manner possible, retail
30 electric competition for residential and small commercial
31 electricity consumers while maintaining safe, reliable, and
32 affordable service. Interested parties shall be given the
33 opportunity to review the plan and provide written comments

1 regarding the plan prior to its submission to the Commission,
2 the General Assembly, and the Governor. Any written comments
3 received by the Office shall be posted on the Commission's web
4 site. The final plan submitted to the Commission, the General
5 Assembly, and the Governor must include summaries of any
6 written comments and must also be posted on the Commission's
7 web site.

8 To the extent the plan calls for Commission action, the
9 Commission shall initiate any proceeding or proceedings called
10 for in the final plan within 60 days after receipt of the final
11 plan and complete those proceedings within 11 months after
12 their initiation.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.".