

1 AN ACT concerning regulation.

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 9-241 as follows:

6 (220 ILCS 5/9-241) (from Ch. 111 2/3, par. 9-241)

7 Sec. 9-241. No public utility shall, as to rates or other  
8 charges, services, facilities or in other respect, make or  
9 grant any preference or advantage to any corporation or person  
10 or subject any corporation or person to any prejudice or  
11 disadvantage. No public utility shall establish or maintain any  
12 unreasonable difference as to rates or other charges, services,  
13 facilities, or in any other respect, either as between  
14 localities or as between classes of service.

15 However, nothing in this Section shall be construed as  
16 limiting the authority of the Commission to permit the  
17 establishment of economic development rates as incentives to  
18 economic development either in enterprise zones as designated  
19 by the State of Illinois or in other areas of a utility's  
20 service area. Such rates should be available to existing  
21 businesses which demonstrate an increase to existing load as  
22 well as new businesses which create new load for a utility so  
23 as to create a more balanced utilization of generating  
24 capacity. The Commission shall ensure that such rates are  
25 established at a level which provides a net benefit to  
26 customers within a public utility's service area.

27 Prior to October 1, 1989, no public utility providing  
28 electrical or gas service shall consider the use of solar or  
29 other nonconventional renewable sources of energy by a customer  
30 as a basis for establishing higher rates or charges for any  
31 service or commodity sold to such customer; nor shall a public  
32 utility subject any customer utilizing such energy source or

1 sources to any other prejudice or disadvantage on account of  
2 such use. No public utility shall without the consent of the  
3 Commission, charge or receive any greater compensation in the  
4 aggregate for a lesser commodity, product, or service than for  
5 a greater commodity, product or service of like character.

6 The Commission, in order to expedite the determination of  
7 rate questions, or to avoid unnecessary and unreasonable  
8 expense, or to avoid unjust or unreasonable discrimination  
9 between classes of customers, or, whenever in the judgment of  
10 the Commission public interest so requires, may, for rate  
11 making and accounting purposes, or either of them, consider one  
12 or more municipalities either with or without the adjacent or  
13 intervening rural territory as a regional unit (i) where the  
14 same public utility serves such region under substantially  
15 similar conditions or (ii) where 2 or more public utilities  
16 under the jurisdiction of the Commission, that are under the  
17 same public utility holding company or that are affiliated with  
18 each other, serve such region under substantially similar  
19 conditions, and may within such region prescribe uniform rates  
20 for consumers or patrons of the same class.

21 Any public utility, with the consent and approval of the  
22 Commission, may as a basis for the determination of the charges  
23 made by it classify its service according to the amount used,  
24 the time when used, the purpose for which used, and other  
25 relevant factors.

26 (Source: P.A. 91-357, eff. 7-29-99.)

27 Section 99. Effective date. This Act takes effect upon  
28 becoming law.