



Sen. James F. Clayborne Jr.

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09400SB0239sam001

LRB094 07417 MKM 45267 a

1 AMENDMENT TO SENATE BILL 239

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 239 by replacing  
3 everything after the enacting clause with the following:

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

1 established at a level which provides a net benefit to  
2 customers within a public utility's service area.

3 Prior to October 1, 1989, no public utility providing  
4 electrical or gas service shall consider the use of solar or  
5 other nonconventional renewable sources of energy by a customer  
6 as a basis for establishing higher rates or charges for any  
7 service or commodity sold to such customer; nor shall a public  
8 utility subject any customer utilizing such energy source or  
9 sources to any other prejudice or disadvantage on account of  
10 such use. No public utility shall without the consent of the  
11 Commission, charge or receive any greater compensation in the  
12 aggregate for a lesser commodity, product, or service than for  
13 a greater commodity, product or service of like character.

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

29 Any public utility, with the consent and approval of the  
30 Commission, may as a basis for the determination of the charges  
31 made by it classify its service according to the amount used,  
32 the time when used, the purpose for which used, and other  
33 relevant factors.

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

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