



Rep. Patrick J Verschoore

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09500HB1470ham002

LRB095 09118 MJR 33999 a

1 AMENDMENT TO HOUSE BILL 1470

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1470, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Public Utilities Act is amended by adding  
6 Section 8-408 as follows:

7 (220 ILCS 5/8-408 new)

8 Sec. 8-408. Energy efficiency plans for small  
9 multi-jurisdictional utilities.

10 (a) Any electric or gas public utility with fewer than  
11 200,000 customers in Illinois on January 1, 2007 that offers  
12 energy efficiency programs to its customers in a state adjacent  
13 to Illinois may seek the approval of the Commission to offer  
14 the same or comparable energy efficiency programs to its  
15 customers in Illinois. For each program to be offered, the  
16 utility shall submit to the Commission:

1           (1) a description of the program;

2           (2) a proposed implementation schedule and method;

3           (3) the number of eligible participants;

4           (4) the expected rate of participation per year;

5           (5) the estimated annual peak demand and energy  
6           savings;

7           (6) the budget or level of spending; and

8           (7) the rate impacts and average bill impacts, by  
9           customer class, resulting from the program.

10          The Commission shall approve each program demonstrated to  
11          be cost-effective. Programs for low-income customers shall be  
12          approved by the Commission even if they have not been  
13          demonstrated to be cost-effective if they are demonstrated to  
14          be reasonable. An order of the State agency that regulates the  
15          rates of the utility in the adjacent state that finds a program  
16          to be cost-effective or reasonable shall be sufficient to  
17          demonstrate that the program is cost-effective or reasonable  
18          for the utility's customers in Illinois. Approved programs may  
19          be delivered by the utility or by a contractor or agent of the  
20          utility.

21          (b) Notwithstanding the provisions of Section 9-201, a  
22          public utility providing approved energy efficiency programs  
23          in the State shall be permitted to recover the reasonable costs  
24          of those programs through an automatic adjustment clause tariff  
25          filed with and approved by the Commission. Each year the  
26          Commission shall initiate a review to reconcile any amounts

1 collected with the actual costs and to determine the adjustment  
2 to the annual tariff factor to match annual expenditures. The  
3 determination shall be made within 90 days after the date of  
4 initiation of the review.

5 (c) The utility may request a waiver of one or more  
6 components of an approved energy efficiency program at any time  
7 in order to improve the program's effectiveness. The Commission  
8 may grant the waiver if good cause is shown by the utility.  
9 Notwithstanding the cessation of the programs, a utility shall  
10 file a final reconciliation of the amounts collected as  
11 compared to the actual costs and shall continue the resulting  
12 factor until any over-recovery or under-recovery approaches  
13 zero.

14 (d) A public utility that offers approved energy efficiency  
15 programs in the State may do so through at least December 31,  
16 2012. The Commission shall monitor the performance of the  
17 energy efficiency programs and, on or before October 31, 2012,  
18 the Commission shall make a determination regarding whether the  
19 programs should be continued beyond calendar year 2012. The  
20 Commission shall also file a written report with the General  
21 Assembly explaining the basis for that determination and  
22 detailing the results of the energy efficiency programs,  
23 including energy savings, participation numbers, and costs.

24 Section 99. Effective date. This Act takes effect January  
25 1, 2008."