



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2069

Introduced 2/26/2007, by Rep. Michael J. Madigan - Barbara Flynn Currie - Annazette Collins

SYNOPSIS AS INTRODUCED:

220 ILCS 5/13-504

from Ch. 111 2/3, par. 13-504

Amends the Public Utilities Act. Makes a technical change in a Section concerning the application of ratemaking provisions of Article IX of the Act.

LRB095 01547 MJR 21549 b

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 13-504 as follows:

6 (220 ILCS 5/13-504) (from Ch. 111 2/3, par. 13-504)

7 (Section scheduled to be repealed on July 1, 2007)

8 Sec. 13-504. Application of ratemaking provisions of
9 Article IX.

10 (a) Except where the ~~the~~ context clearly renders such
11 provisions inapplicable, the ratemaking provisions of Article
12 IX of this Act relating to public utilities are fully and
13 equally applicable to the rates, charges, tariffs and
14 classifications for the offer or provision of noncompetitive
15 telecommunications services. However, the ratemaking
16 provisions do not apply to any proposed change in rates or
17 charges, any proposed change in any classification or tariff
18 resulting in a change in rates or charges, or the establishment
19 of new services and rates therefor for a noncompetitive local
20 exchange telecommunications service offered or provided by a
21 local exchange telecommunications carrier with no more than
22 35,000 subscriber access lines. Proposed changes in rates,
23 charges, classifications, or tariffs meeting these criteria

1 shall be permitted upon the filing of the proposed tariff and
2 30 days notice to the Commission and all potentially affected
3 customers. The proposed changes shall not be subject to
4 suspension. The Commission shall investigate whether any
5 proposed change is just and reasonable only if a
6 telecommunications carrier that is a customer of the local
7 exchange telecommunications carrier or 10% of the potentially
8 affected access line subscribers of the local exchange
9 telecommunications carrier shall file a petition or complaint
10 requesting an investigation of the proposed changes. When the
11 telecommunications carrier or 10% of the potentially affected
12 access line subscribers of a local exchange telecommunications
13 carrier file a complaint, the Commission shall, after notice
14 and hearing, have the power and duty to establish the rates,
15 charges, classifications, or tariffs it finds to be just and
16 reasonable.

17 (b) Subsection (c) of Section 13-502 and Sections 13-505.1,
18 13-505.4, 13-505.6, and 13-507 of this Article do not apply to
19 rates or charges or proposed changes in rates or charges for
20 applicable competitive or interexchange services when offered
21 or provided by a local exchange telecommunications carrier with
22 no more than 35,000 subscriber access lines. In addition,
23 Sections 13-514, 13-515, and 13-516 do not apply to
24 telecommunications carriers with no more than 35,000
25 subscriber access lines. The Commission may require
26 telecommunications carriers with no more than 35,000

1 subscriber access lines to furnish information that the
2 Commission deems necessary for a determination that rates and
3 charges for any competitive telecommunications service are
4 just and reasonable.

5 (c) For a local exchange telecommunications carrier with no
6 more than 35,000 access lines, the Commission shall consider
7 and adjust, as appropriate, a local exchange
8 telecommunications carrier's depreciation rates only in
9 ratemaking proceedings.

10 (d) Article VI and Sections 7-101 and 7-102 of Article VII
11 of this Act pertaining to public utilities, public utility
12 rates and services, and the regulation thereof are not
13 applicable to local exchange telecommunication carriers with
14 no more than 35,000 subscriber access lines.

15 (Source: P.A. 89-139, eff. 1-1-96; 90-185, eff. 7-23-97.)