



Rep. Rosemary Mulligan

Filed: 4/25/2007

09500HB2972ham001

LRB095 06409 MJR 35521 a

1 AMENDMENT TO HOUSE BILL 2972

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2972 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by changing  
5 Section 8-303 as follows:

6 (220 ILCS 5/8-303) (from Ch. 111 2/3, par. 8-303)

7 Sec. 8-303. Where, within 30 days of receipt of a utility  
8 bill, a customer alleges that the level of consumption  
9 reflected in his utility bill is unreasonably high, it shall be  
10 the responsibility of the public utility furnishing natural or  
11 artificial gas, electricity or water to that customer to  
12 investigate the allegation. If as a result of such an  
13 investigation, the public utility determines that the  
14 customer's line has been tapped, the utility shall attempt to  
15 ascertain the identity of the third party benefiting from the  
16 usage of the utility service or for payment for all or part of

1 the disputed charges. If the utility determines that the  
2 landlord of the building or his agent is the party who  
3 benefited from the usage of the utility service, either the  
4 utility or the customer may petition the court for the  
5 appointment of receiver to collect the rents due and to remit a  
6 portion to the utility company for payment of bills for the  
7 tapped service, for current bills and for any expenses incurred  
8 by the utility as a result of the tap. The receiver shall make  
9 all reasonable efforts, including the obtaining of court  
10 orders, to provide to the utility access to the building. Any  
11 changes in the building's piping which are necessitated by the  
12 tap shall be at the expense of the person benefiting from the  
13 tap.

14 If the utility determines that the landlord of the building  
15 is not the party who benefited from the usage of the utility  
16 service, the customer shall be so notified and shall also be  
17 informed by the utility of a right to register a dispute  
18 pursuant to procedures developed by the Commission for  
19 resolution of disputed bills, including his right to bring a  
20 complaint before the Commission if an agreement with the  
21 utility cannot be reached.

22 In order to enable the customer to ascertain whether the  
23 level of consumption is greater than the amounts billed in  
24 other billing periods and to eliminate to the fullest extent  
25 practicable consecutive estimated bills, the public utility  
26 shall make an actual meter reading at least every second

1 billing period. If a meter reader is unable to gain access to  
2 the meter for the purpose of making an actual reading, the  
3 public utility shall take other appropriate and reasonable  
4 measures to read the meter. No late fees shall be charged to a  
5 residential customer for bills that are estimated by the  
6 utility.

7 Nothing in this Section shall preclude either the customer  
8 or the public utility from filing a complaint with the State's  
9 Attorney located in the county where the utility service is  
10 being rendered to allege an unlawful theft of the customer's  
11 utility service.

12 (Source: P.A. 84-617.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law."