

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 9-225 as follows:

6 (220 ILCS 5/9-225) (from Ch. 111 2/3, par. 9-225)

7 Sec. 9-225. (1) For the purposes of this Section:

8 (a) "Advertising" means the commercial use, by an electric,  
9 ~~or~~ gas, water, or sewer utility, of any media, including  
10 newspapers, printed matter, radio and television, in order to  
11 transmit a message to a substantial number of members of the  
12 public or to such utility's consumers;

13 (b) "Political advertising" means any advertising for the  
14 purpose of influencing public opinion with respect to  
15 legislative, administrative or electoral matters, or with  
16 respect to any controversial issue of public importance;

17 (c) "Promotional advertising" means any advertising for  
18 the purpose of encouraging any person to select or use the  
19 service or additional service of a utility or the selection or  
20 installation of any appliance or equipment designed to use such  
21 utility's service; and

22 (d) "Goodwill or institutional advertising" means any  
23 advertising either on a local or national basis designed

1 primarily to bring the utility's name before the general public  
2 in such a way as to improve the image of the utility or to  
3 promote controversial issues for the utility or the industry.

4 (2) In any general rate increase requested by any gas, ~~or~~  
5 electric, water, or sewer utility company under the provisions  
6 of this Act, the Commission shall not consider, for the purpose  
7 of determining any rate, charge or classification of costs, any  
8 direct or indirect expenditures for promotional, political,  
9 institutional or goodwill advertising, unless the Commission  
10 finds the advertising to be in the best interest of the  
11 Consumer or authorized as provided pursuant to subsection 3 of  
12 this Section.

13 (3) The following categories of advertising shall be  
14 considered allowable operating expenses for gas, ~~or~~ electric,  
15 water, or sewer utilities:

16 (a) Advertising which informs consumers how they can  
17 conserve energy or water, ~~or can~~ reduce peak demand for  
18 electric or gas energy, or reduce demand for water;

19 (b) Advertising required by law or regulations, including  
20 advertising required under Part I of Title II of the National  
21 Energy Conservation Policy Act;

22 (c) Advertising regarding service interruptions, safety  
23 measures or emergency conditions;

24 (d) Advertising concerning employment opportunities with  
25 such utility;

26 (e) Advertising which promotes the use of energy efficient

1 appliances, equipment or services;

2 (f) Explanations of existing or proposed rate schedules or  
3 notifications of hearings thereon;

4 (g) Advertising that identifies the location and operating  
5 hours of company business offices;

6 (h) Advertising which promotes the shifting of demand from  
7 peak to off-peak hours or which encourages the off-peak usage  
8 of the service; and

9 (i) "Other" categories of advertisements not includable in  
10 paragraphs (a) through (h), but which are not political,  
11 promotional, institutional or goodwill advertisements.

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

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