

# SB2037



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB2037

Introduced 2/20/2009, by Sen. Randall M. Hultgren

#### SYNOPSIS AS INTRODUCED:

220 ILCS 5/13-202

from Ch. 111 2/3, par. 13-202

Amends the Public Utilities Act. Makes a technical change in a Section concerning the definition of "telecommunications carrier".

LRB096 04797 MJR 14861 b

A BILL FOR

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 13-202 as follows:

6 (220 ILCS 5/13-202) (from Ch. 111 2/3, par. 13-202)

7 (Section scheduled to be repealed on July 1, 2009)

8 Sec. 13-202. "Telecommunications carrier" means and ~~and~~  
9 includes every corporation, company, association, joint stock  
10 company or association, firm, partnership or individual, their  
11 lessees, trustees or receivers appointed by any court  
12 whatsoever that owns, controls, operates or manages, within  
13 this State, directly or indirectly, for public use, any plant,  
14 equipment or property used or to be used for or in connection  
15 with, or owns or controls any franchise, license, permit or  
16 right to engage in the provision of, telecommunications  
17 services between points within the State which are specified by  
18 the user. Telecommunications carrier does not include,  
19 however:

20 (a) telecommunications carriers that are owned and  
21 operated by any political subdivision, public or private  
22 institution of higher education or municipal corporation of  
23 this State, for their own use, or telecommunications carriers

1 that are owned by such political subdivision, public or private  
2 institution of higher education, or municipal corporation and  
3 operated by any of its lessees or operating agents, for their  
4 own use;

5 (b) telecommunications carriers which are purely mutual  
6 concerns, having no rates or charges for services, but paying  
7 the operating expenses by assessment upon the members of such a  
8 company and no other person but does include telephone or  
9 telecommunications cooperatives as defined in Section 13-212;

10 (c) a company or person which provides telecommunications  
11 services solely to itself and its affiliates or members or  
12 between points in the same building, or between closely located  
13 buildings, affiliated through substantial common ownership,  
14 control or development; or

15 (d) a company or person engaged in the delivery of  
16 community antenna television services as described in  
17 subdivision (c) of Section 13-203, except with respect to the  
18 provision of telecommunications services by that company or  
19 person.

20 (Source: P.A. 87-856.)