

SB1396



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1396

Introduced 2/9/2011, by Sen. Mike Jacobs

SYNOPSIS AS INTRODUCED:

220 ILCS 5/16-117

Amends the Public Utilities Act. Makes a technical change in a provision concerning the Commission consumer education program.

LRB097 09365 ASK 49500 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 16-117 as follows:

6 (220 ILCS 5/16-117)

7 Sec. 16-117. Commission consumer education program.

8 (a) The restructuring of the ~~the~~ electricity industry will
9 create a new electricity market with new marketers and sellers
10 offering new goods and services, many of which the average
11 consumer will not be able to readily evaluate. It is the intent
12 of the General Assembly that (i) electricity consumers be
13 provided with sufficient and reliable information so that they
14 are able to compare and make informed selections of products
15 and services provided in the electricity market; and (ii)
16 mechanisms be provided to enable consumers to protect
17 themselves from marketing practices that are unfair or abusive.

18 (b) The Commission shall implement and maintain a consumer
19 education program to provide residential and small commercial
20 retail customers with information to help them understand their
21 service options in a competitive electric services market, and
22 their rights and responsibilities.

23 (c) The Commission shall form a working group following the

1 enactment of this amendatory Act of 1997. This group shall
2 consist of 5 representatives of the investor-owned electric
3 utilities in this State, 2 of which shall be appointed by
4 electric utilities serving over 1,000,000 retail customers in
5 this State; 2 representatives of alternative retail electric
6 suppliers; 3 representatives of organizations representing the
7 interests of residential and small commercial retail
8 customers; and the Commission.

9 (d) By March 1, 1999, with respect to educational materials
10 for small commercial customers and by November 1, 2001 with
11 respect to educational materials for residential customers,
12 the working group appointed pursuant to this Section shall
13 develop a package of printed educational materials which meet
14 the requirements of subsection (e) and shall submit such
15 package to the Commission for approval, along with
16 recommendations for implementing this consumer education
17 program. Such materials shall consider the needs of different
18 types of consumers in this State, such as elderly, low-income,
19 multilingual, minority, rural and disabled customers. The
20 working group shall issue recommendations to the Commission on
21 how such education program can be implemented through a variety
22 of communication methods, including specifically mass media,
23 distribution of printed material, public service
24 announcements, and posting on the Internet.

25 (e) At a minimum, the materials constituting the consumer
26 education program submitted to the Commission by the working

1 group shall include concise explanations or descriptions of the
2 following:

3 (1) the structure of the electric utility industry
4 following this amendatory Act of 1997 and a glossary of
5 basic terms;

6 (2) the choices available to consumers to take electric
7 service from an alternative retail electric supplier or
8 remain as a retail customer of an electric utility;

9 (3) a customer's rights, risks and responsibilities in
10 receiving service from an alternative retail electric
11 supplier or remaining as a retail customer of an electric
12 utility;

13 (4) the legal obligations of alternative retail
14 electric suppliers;

15 (5) those services that may be offered on a competitive
16 basis in a deregulated electric services market, including
17 services that could be packaged with the delivery of
18 electric power and energy;

19 (6) services that an electric utility is required to
20 provide pursuant to tariffed rates;

21 (7) the components of a bill that could be received by
22 a customer taking delivery services;

23 (8) the complaint procedures set forth in Section
24 10-108 of this Act by which consumers may seek a redress of
25 grievances against an electric utility or an alternative
26 retail electric supplier and a list of phone numbers of the

1 Commission, the Attorney General or other entities that can
2 provide information and assistance to customers; and

3 (9) additional information available from the
4 Commission upon request.

5 (f) Within 45 days following the submission required of the
6 working group by subsection (d) of this Section, the Commission
7 shall approve or disapprove the educational materials and
8 recommendations for program implementation. The Commission
9 shall be deemed to have approved the educational program
10 materials and recommendations unless the Commission
11 disapproves of any such material or recommendation within 45
12 days following the date of receipt.

13 (g) Once approved by the Commission, materials comprising
14 the consumer education program contemplated by this Section
15 shall be distributed as follows:

16 (1) Electric utilities shall mail printed educational
17 materials specified by the working group and approved by
18 the Commission (a) to all residential and small commercial
19 retail customers within a reasonable period prior to the
20 date that such customers become eligible to purchase power
21 from alternative retail electric suppliers, such
22 "reasonable period" to be determined by the Commission; and
23 (b) once the applicable customer class becomes eligible to
24 receive delivery services, to all new residential and small
25 commercial retail customers at the time that such customers
26 begin taking services from the electric utility.

1 (2) Alternative retail electric suppliers shall
2 include such materials with all initial mailings to
3 potential residential and small commercial retail
4 customers but in all circumstances prior to the time by
5 which an alternative retail electric supplier executes any
6 agreements or contracts with such customers for the supply
7 of electric services.

8 (3) Both electric utilities and alternative retail
9 electric suppliers shall provide such materials at no
10 charge to residential and small commercial retail
11 customers upon request.

12 (4) The Commission shall make available upon request
13 and at no charge, and shall make available to the public on
14 the Internet through the State of Illinois World Wide Web
15 Site:

16 (A) all printed educational materials developed by
17 the working group and approved by the Commission;

18 (B) a list of all certified alternative retail
19 electric suppliers serving residential and small
20 commercial retail customers within the service
21 territory of each electric utility;

22 (C) a list of alternative retail electric
23 suppliers serving residential or small commercial
24 retail customers which have been found in the last 3
25 years by the Commission pursuant to Section 10-108 to
26 have failed to provide service in accordance with the

1 terms of their contracts with such retail customers;
2 and

3 (D) guidelines to assist customers in determining
4 which energy supplier is most appropriate for each
5 customer.

6 (h) The Commission may also adopt a uniform disclosure form
7 which alternative retail electric suppliers would be required
8 to complete enabling consumers to compare prices, terms and
9 conditions offered by such suppliers.

10 (i) The Commission shall make available to the public staff
11 with the ability and knowledge to respond to consumer
12 inquiries.

13 (j) The costs of printing educational materials approved by
14 the Commission pursuant to this Section shall be payable solely
15 from funding as provided in this subsection.

16 Each year the General Assembly shall appropriate money to
17 the Commission from the General Revenue Fund for the expenses
18 of the Commission associated with this Section. The cost of the
19 consumer education program contemplated by this Section shall
20 not exceed the amount of such appropriation. In no event shall
21 any electric utility, alternative retail electric supplier or
22 customer be liable for the costs of printing consumer education
23 program material in accordance with this Section. The
24 obligations associated with this consumer education program
25 shall not exceed the amounts appropriated for this program
26 pursuant to this Section.

1 (k) The Commission shall study the effectiveness of the
2 consumer education program. Such study shall include a notice
3 and an opportunity for participation and comment by all
4 interested and potentially affected parties. Such study shall
5 be completed by January 31st of each year during the mandatory
6 transition period and a summary thereof, together with any
7 legislative recommendations, shall be included in the
8 Commission's Annual Report due in accordance with Section 4-304
9 of this Act.

10 (Source: P.A. 90-561, eff. 12-16-97.)