

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 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 information program to help provide residential and
20 small commercial retail customers ~~with information to help them~~
21 understand their service options in a competitive electric
22 services market, and their rights and responsibilities.

23 (c) Not more than 90 days after the effective date of this

1 amendatory Act of the 97th General Assembly, the Commission
2 shall direct the Office of Retail Market Development to review
3 the existing consumer education information for residential
4 and small commercial customers and consider whether updates are
5 necessary. The Office of Retail Market Development shall seek
6 input from interested persons, including alternative retail
7 electric suppliers, electric utilities, the Attorney General,
8 and the Citizens Utility Board, to further its review of the
9 consumer education materials and possible proposed changes.
10 Within 4 months after the start of the review, the Office of
11 Retail Market Development shall submit recommendations to the
12 Commission for approval. ~~The Commission shall form a working~~
13 ~~group following the enactment of this amendatory Act of 1997.~~
14 ~~This group shall consist of 5 representatives of the~~
15 ~~investor-owned electric utilities in this State, 2 of which~~
16 ~~shall be appointed by electric utilities serving over 1,000,000~~
17 ~~retail customers in this State; 2 representatives of~~
18 ~~alternative retail electric suppliers; 3 representatives of~~
19 ~~organizations representing the interests of residential and~~
20 ~~small commercial retail customers; and the Commission.~~

21 (d) (Blank). By March 1, 1999, with respect to educational
22 materials for small commercial customers and by November 1,
23 2001 with respect to educational materials for residential
24 customers, the working group appointed pursuant to this Section
25 shall develop a package of printed educational materials which
26 meet the requirements of subsection (e) and shall submit such

1 ~~package to the Commission for approval, along with~~
2 ~~recommendations for implementing this consumer education~~
3 ~~program. Such materials shall consider the needs of different~~
4 ~~types of consumers in this State, such as elderly, low income,~~
5 ~~multilingual, minority, rural and disabled customers. The~~
6 ~~working group shall issue recommendations to the Commission on~~
7 ~~how such education program can be implemented through a variety~~
8 ~~of communication methods, including specifically mass media,~~
9 ~~distribution of printed material, public service~~
10 ~~announcements, and posting on the Internet.~~

11 (e) At a minimum, the ~~materials constituting the~~ consumer
12 education information program submitted to the Commission by
13 the Office of Retail Market Development ~~working group~~ shall
14 include concise explanations or descriptions of the following:

15 (1) the structure of the electric utility industry
16 following this amendatory Act of 1997 and a glossary of
17 basic terms;

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

21 (3) a customer's rights, risks and responsibilities in
22 receiving service from an alternative retail electric
23 supplier or remaining as a retail customer of an electric
24 utility;

25 (4) the legal obligations of alternative retail
26 electric suppliers;

1 (5) those services that may be offered on a competitive
2 basis in a deregulated electric services market, including
3 services that could be packaged with the delivery of
4 electric power and energy;

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

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

9 (8) the complaint procedures set forth in Section
10 10-108 of this Act by which consumers may seek a redress of
11 grievances against an electric utility or an alternative
12 retail electric supplier and a list of phone numbers of the
13 Commission, the Attorney General or other entities that can
14 provide information and assistance to customers; and

15 (9) additional information available from the
16 Commission upon request.

17 (f) Within 45 days following the submission required of the
18 Office of Retail Market Development ~~working group~~ by subsection
19 (c) ~~(d)~~ of this Section, the Commission shall approve or
20 disapprove the consumer education information ~~educational~~
21 ~~materials and recommendations for program implementation. The~~
22 ~~Commission shall be deemed to have approved the educational~~
23 ~~program materials and recommendations unless the Commission~~
24 ~~disapproves of any such material or recommendation within 45~~
25 ~~days following the date of receipt.~~

26 (g) Once approved by the Commission, ~~materials comprising~~

1 the consumer education information ~~program contemplated by~~
2 ~~this Section~~ shall be provided ~~distributed~~ as follows:

3 (1) If the electric utility bills residential or small
4 commercial retail customers directly, then the bill shall
5 include the Commission's electric education internet
6 address in the space reserved for alternative retail
7 electric supplier messages. ~~Electric utilities shall mail~~
8 ~~printed educational materials specified by the working~~
9 ~~group and approved by the Commission (a) to all residential~~
10 ~~and small commercial retail customers within a reasonable~~
11 ~~period prior to the date that such customers become~~
12 ~~eligible to purchase power from alternative retail~~
13 ~~electric suppliers, such "reasonable period" to be~~
14 ~~determined by the Commission; and (b) once the applicable~~
15 ~~customer class becomes eligible to receive delivery~~
16 ~~services, to all new residential and small commercial~~
17 ~~retail customers at the time that such customers begin~~
18 ~~taking services from the electric utility.~~

19 (2) Alternative retail electric suppliers shall
20 provide the Commission's electric education internet
21 address ~~include such materials with all initial mailings to~~
22 all ~~potential~~ residential and small commercial retail
23 customers ~~but in all circumstances prior to the time by~~
24 ~~which an alternative retail electric supplier executes any~~
25 ~~agreements or contracts with such customers for the supply~~
26 ~~of electric services.~~

1 (3) (Blank). ~~Both electric utilities and alternative~~
2 ~~retail electric suppliers shall provide such materials at~~
3 ~~no charge to residential and small commercial retail~~
4 ~~customers upon request.~~

5 (4) The Commission shall make the following
6 information available on its web site and printed
7 information from the web site available to the public upon
8 request and at no charge, ~~and shall make available to the~~
9 ~~public on the Internet through the State of Illinois World~~
10 ~~Wide Web Site:~~

11 (A) all consumer education information developed
12 by the Office of Retail Market Development ~~printed~~
13 ~~educational materials developed by the working group~~
14 and approved by the Commission;

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

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

26 (D) guidelines to assist customers in determining

1 which energy supplier is most appropriate for each
2 customer.

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

7 (i) The Commission shall make available to the public staff
8 with the ability and knowledge to respond to consumer
9 inquiries.

10 (j) (Blank). ~~The costs of printing educational materials~~
11 ~~approved by the Commission pursuant to this Section shall be~~
12 ~~payable solely from funding as provided in this subsection.~~

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

24 (k) (Blank). ~~The Commission shall study the effectiveness~~
25 ~~of the consumer education program. Such study shall include a~~
26 ~~notice and an opportunity for participation and comment by all~~

1 ~~interested and potentially affected parties. Such study shall~~
2 ~~be completed by January 31st of each year during the mandatory~~
3 ~~transition period and a summary thereof, together with any~~
4 ~~legislative recommendations, shall be included in the~~
5 ~~Commission's Annual Report due in accordance with Section 4-304~~
6 ~~of this Act.~~

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

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.