

1 AN ACT concerning public utilities.

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 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 Not more than 90 days after the effective date of this
26 amendatory Act of the 97th General Assembly, the Commission

1 shall direct the Office of Retail Market Development to update
2 the consumer education materials for residential consumers and
3 small business consumers. The Commission may form another
4 working group to prepare and review the consumer education
5 materials prior to their adoption by the Commission.

6 (e) At a minimum, the materials constituting the consumer
7 education program submitted to the Commission by the working
8 group shall include concise explanations or descriptions of the
9 following:

10 (1) the structure of the electric utility industry
11 following this amendatory Act of 1997 and a glossary of
12 basic terms;

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

16 (3) a customer's rights, risks and responsibilities in
17 receiving service from an alternative retail electric
18 supplier or remaining as a retail customer of an electric
19 utility;

20 (4) the legal obligations of alternative retail
21 electric suppliers;

22 (5) those services that may be offered on a competitive
23 basis in a deregulated electric services market, including
24 services that could be packaged with the delivery of
25 electric power and energy;

26 (6) services that an electric utility is required to

1 provide pursuant to tariffed rates;

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

4 (8) the complaint procedures set forth in Section
5 10-108 of this Act by which consumers may seek a redress of
6 grievances against an electric utility or an alternative
7 retail electric supplier and a list of phone numbers of the
8 Commission, the Attorney General or other entities that can
9 provide information and assistance to customers; and

10 (9) additional information available from the
11 Commission upon request.

12 (f) Within 45 days following the submission required of the
13 working group by subsection (d) of this Section, the Commission
14 shall approve or disapprove the educational materials and
15 recommendations for program implementation. The Commission
16 shall be deemed to have approved the educational program
17 materials and recommendations unless the Commission
18 disapproves of any such material or recommendation within 45
19 days following the date of receipt.

20 (g) Once approved by the Commission, materials comprising
21 the consumer education program contemplated by this Section
22 shall be distributed as follows:

23 (1) Electric utilities shall mail printed educational
24 materials specified by the working group and approved by
25 the Commission (a) to all residential and small commercial
26 retail customers within a reasonable period prior to the

1 date that such customers become eligible to purchase power
2 from alternative retail electric suppliers, such
3 "reasonable period" to be determined by the Commission; and
4 (b) once the applicable customer class becomes eligible to
5 receive delivery services, to all new residential and small
6 commercial retail customers at the time that such customers
7 begin taking services from the electric utility.

8 (2) Alternative retail electric suppliers shall
9 include such materials with all initial mailings to
10 potential residential and small commercial retail
11 customers but in all circumstances prior to the time by
12 which an alternative retail electric supplier executes any
13 agreements or contracts with such customers for the supply
14 of electric services.

15 (3) Both electric utilities and alternative retail
16 electric suppliers shall provide such materials at no
17 charge to residential and small commercial retail
18 customers upon request.

19 (4) The Commission shall make available upon request
20 and at no charge, and shall make available to the public on
21 the Internet through the State of Illinois World Wide Web
22 Site:

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

25 (B) a list of all certified alternative retail
26 electric suppliers serving residential and small

1 commercial retail customers within the service
2 territory of each electric utility;

3 (C) a list of alternative retail electric
4 suppliers serving residential or small commercial
5 retail customers which have been found in the last 3
6 years by the Commission pursuant to Section 10-108 to
7 have failed to provide service in accordance with the
8 terms of their contracts with such retail customers;
9 and

10 (D) guidelines to assist customers in determining
11 which energy supplier is most appropriate for each
12 customer.

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

17 (i) The Commission shall make available to the public staff
18 with the ability and knowledge to respond to consumer
19 inquiries.

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

23 Each year the General Assembly shall appropriate money to
24 the Commission from the General Revenue Fund for the expenses
25 of the Commission associated with this Section. The cost of the
26 consumer education program contemplated by this Section shall

1 not exceed the amount of such appropriation. In no event shall
2 any electric utility, alternative retail electric supplier or
3 customer be liable for the costs of printing consumer education
4 program material in accordance with this Section. The
5 obligations associated with this consumer education program
6 shall not exceed the amounts appropriated for this program
7 pursuant to this Section.

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

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