

# HB1565



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1565

by Rep. Elaine Nekritz

### 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".

LRB098 08664 JLS 38784 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7 (Section scheduled to be repealed on July 1, 2013)

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" includes an Electing  
19 Provider, as defined in Section 13-506.2. Telecommunications  
20 carrier does not include, however:

21 (a) telecommunications carriers that are owned and  
22 operated by any political subdivision, public or private  
23 institution of higher education or municipal corporation of

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

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

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

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

21 (Source: P.A. 96-927, eff. 6-15-10.)