



Sen. John J. Cullerton

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09800SB0009sam002

LRB098 04269 CEL 42285 a

1 AMENDMENT TO SENATE BILL 9

2 AMENDMENT NO. _____. Amend Senate Bill 9, AS AMENDED, with
3 reference to page and line numbers of Senate Amendment No. 1 as
4 follows:

5 on page 48, line 22, by replacing "affect" with "effect"; and

6 by replacing line 2 on page 49 through line 2 on page 50 with
7 the following:

8 "(1) Each participating utility shall be deemed to have
9 been in full compliance with all requirements of subsection (b)
10 of this Section, subsection (c) of this Section, Section
11 16-108.6 of this Act, and all Commission orders entered
12 pursuant to Sections 16-108.5 and 16-108.6 of this Act, up to
13 and including the effective date of this amendatory Act of the
14 98th General Assembly. The Commission shall not undertake any
15 investigation of such compliance and no penalty shall be
16 assessed or adverse action taken against a participating

1 utility for noncompliance with Commission orders associated
2 with subsection (b) of this Section, subsection (c) of this
3 Section, and Section 16-108.6 of this Act prior to such date.
4 Each participating utility other than a combination utility
5 shall be permitted, without penalty, a period of 12 months
6 after such effective date to take actions required to ensure
7 its infrastructure investment program is in compliance with
8 subsection (b) of this Section and with Section 16-108.6 of
9 this Act. Provided further:

10 (1) if this amendatory Act of the 98th General Assembly
11 takes effect on or before June 15, 2013, the following
12 subparagraphs shall apply to a participating utility other
13 than a combination utility:

14 (A) if the Commission has initiated a proceeding
15 pursuant to subsection (e) of Section 16-108.6 of this
16 Act that is pending as of the effective date of this
17 amendatory Act of the 98th General Assembly, then the
18 order entered in such proceeding shall, after notice
19 and hearing, accelerate the commencement of the meter
20 deployment schedule approved in the final Commission
21 order on rehearing entered in Docket No. 12-0298;

22 (B) if the Commission has entered an order pursuant
23 to subsection (e) of Section 16-108.6 of this Act prior
24 to the effective date of this amendatory Act of the
25 98th General Assembly that does not accelerate the
26 commencement of the meter deployment schedule approved

1 in the final Commission order on rehearing entered in
2 Docket No. 12-0298, then the utility shall file with
3 the Commission, within 45 days after such effective
4 date, a plan for accelerating the commencement of the
5 utility's meter deployment schedule approved in the
6 final Commission order on rehearing entered in Docket
7 No. 12-0298; the Commission shall reopen the
8 proceeding in which it entered its order pursuant to
9 subsection (e) of Section 16-108.6 of this Act and
10 shall, after notice and hearing, enter an amendatory
11 order that approves or approves as modified such
12 accelerated plan within 90 days after the utility's
13 filing; or

14 (C) if the Commission has not initiated a
15 proceeding pursuant to subsection (e) of Section
16 16-108.6 of this Act prior to the effective date of
17 this amendatory Act of the 98th General Assembly, then
18 the utility shall file with the Commission, within 45
19 days after such effective date, a plan for accelerating
20 the commencement of the utility's meter deployment
21 schedule approved in the final Commission order on
22 rehearing entered in Docket No. 12-0298 and the
23 Commission shall, after notice and hearing, approve or
24 approve as modified such plan within 90 days after the
25 utility's filing;

26 (2) if this amendatory Act of the 98th General Assembly

1 takes effect after June 15, 2013, then each participating
2 utility other than a combination utility shall file with
3 the Commission, within 45 days after such effective date, a
4 plan for accelerating the commencement of the utility's
5 meter deployment schedule approved in the final Commission
6 order on rehearing entered in Docket No. 12-0298; the
7 Commission shall reopen the most recent proceeding in which
8 it entered an order pursuant to subsection (e) of Section
9 16-108.6 of this Act and within 90 days after the utility's
10 filing shall, after notice and hearing, enter an amendatory
11 order that approves or approves as modified such
12 accelerated plan, provided that if there was no such prior
13 proceeding the Commission shall open a new proceeding and
14 within 90 days after the utility's filing shall, after
15 notice and hearing, enter an order that approves or
16 approves as modified such accelerated plan.

17 Any schedule for meter deployment approved by the
18 Commission pursuant to subparagraphs (1) or (2) of this
19 subsection (1) shall take into consideration procurement times
20 for meters and other equipment and operational issues. Nothing
21 in this amendatory Act of the 98th General Assembly shall
22 shorten or extend the end dates for the 5-year or 10-year
23 periods set forth in subsection (b) of this Section or Section
24 16-108.6 of this Act. Nothing in this subsection is intended to
25 address whether a participating utility has, or has not,
26 satisfied any or all of the metrics and performance goals

1 established pursuant to subsection (f) of this Section.".