

HB4656



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4656

by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

220 ILCS 5/8-207

from Ch. 111 2/3, par. 8-207

Amends the Public Utilities Act. Provides that a disconnected natural gas customer who remedies the reason for the disconnection and is not required by the utility to provide information as a new applicant for service shall be reconnected within 3 calendar days. Effective immediately.

LRB099 17694 EGJ 42053 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 8-207 as follows:

6 (220 ILCS 5/8-207) (from Ch. 111 2/3, par. 8-207)

7 Sec. 8-207. Any former residential customer whose gas or
8 electric service was used to provide or control the primary
9 source of space heating in the dwelling and whose service is
10 disconnected for nonpayment of a bill or a deposit from
11 December 1 of the prior winter's heating season through April 1
12 of the current heating season shall be eligible for
13 reconnection and a deferred payment arrangement under the
14 provisions of this Section, subject to the following
15 limitations:

16 A utility shall not be required to reconnect service to,
17 and enter into a deferred payment arrangement with, a former
18 customer under the provisions of this Section (1) except
19 between November 1 and April 1 of the current heating season
20 for former customers who do not have applications pending for
21 the program described in Section 6 of the Energy Assistance
22 Act, and except between October 1 and April 1 of the current
23 heating season for all former customers who do have

1 applications pending for the program described in Section 6 of
2 the Energy Assistance Act and who provide proof of application
3 to the utility, (2) in 2 consecutive years, (3) unless that
4 former customer has paid at least 33 1/3% of the amount billed
5 for utility service rendered by that utility subsequent to
6 December 1 of the prior year, or (4) in any instance where the
7 utility can show there has been tampering with the utility's
8 wires, pipes, meters (including locking devices), or other
9 service equipment and further shows that the former customer
10 enjoyed the benefit of utility service obtained in the
11 aforesaid manner.

12 The terms and conditions of any deferred payment
13 arrangements established by the utility and a former customer
14 shall take into consideration the following factors, based upon
15 information available from current utility records or provided
16 by the former customer:

- 17 (1) the amount past due;
- 18 (2) the former customer's ability to pay;
- 19 (3) the former customer's payment history;
- 20 (4) the reasons for the accumulation of the past due
21 amounts; and
- 22 (5) any other relevant factors relating to the former
23 customer's circumstances.

24 After the former customer's eligibility has been
25 established in accordance with the first paragraph of this
26 Section and, upon the establishment of a deferred payment

1 agreement, the former customer shall pay 1/3 of the amount past
2 due (including reconnecting charge, if any) and 1/3 of any
3 deposit required by the utility.

4 Upon the payment of 1/3 of the amount past due and 1/3 of
5 any deposit required by the utility, the former customer's
6 service shall be reconnected as soon as possible. The company
7 and the former customer shall agree to a payment schedule for
8 the remaining balances which will reasonably allow the former
9 customer to make the payments on the remainder of the deposit
10 and the past due balance while paying current bills during the
11 winter heating season. However, the utility is not obliged to
12 make payment arrangements extending beyond the following
13 November. The utility shall allow the former customer a minimum
14 of 4 months in which to retire the past due balance and 3
15 months in which to pay the remainder of the deposit. The former
16 customer shall also be informed that payment on the amounts
17 past due and the deposit, if any, plus the current bills must
18 be paid by the due date or the customer may face termination of
19 service pursuant to this Section and Section 8-206.

20 The Commission shall develop rules to govern the
21 reconnection of a former customer who demonstrates a financial
22 inability to meet the requirement of 1/3 of the amount past due
23 and 1/3 of any deposit requested by the utility. The
24 Commission's rules shall establish a means by which the former
25 customer's utility service may be reconnected through the
26 payment of a reasonable amount and upon entering into a

1 deferred payment agreement.

2 Any payment agreement made shall be in writing, with a copy
3 provided to the former customer. The renegotiation and
4 reinstatement of a customer and the establishment of a budget
5 payment plan shall be pursuant to rules established by the
6 Commission.

7 A disconnected natural gas customer who remedies the reason
8 for the disconnection and is not required by the utility to
9 provide information as a new applicant for service shall be
10 reconnected within 3 calendar days.

11 Not later than September 15 of each year, every gas and
12 electric utility shall conduct a survey of all former
13 residential customers whose gas or electric service was used to
14 provide or control the primary source of space heating in the
15 dwelling and whose gas or electric service was terminated for
16 nonpayment of a bill or deposit from December 1 of the previous
17 year to September 15 of that year and where service at that
18 premises has not been restored. Not later than October 1 of
19 each year the utility shall notify each of these former
20 customers that the gas or electric service will be restored by
21 the company for the coming heating season if the former
22 customer contacts the utility and makes arrangements with the
23 utility for reconnection of service under the conditions set
24 forth in this Section. A utility shall notify the former
25 customer or an adult member of the household by personal visit,
26 telephone contact or mailing of a letter by first class mail to

1 the last known address of that former customer. The utility
2 shall keep records which would indicate the date, form and the
3 results of such contact.

4 Each gas and electric utility which has former customers
5 affected by this Section shall file reports with the Commission
6 providing such information as the Commission may deem
7 appropriate. The Commission shall notify each gas and electric
8 utility prior to August 1 of each year concerning the
9 information which is to be included in the report for that
10 year.

11 In no event shall any actions taken by a utility in
12 compliance with this Section be deemed to abrogate or in any
13 way interfere with the utility's rights to pursue the normal
14 collection processes otherwise available to it.

15 The Commission shall promulgate rules to implement this
16 Section.

17 (Source: P.A. 92-690, eff. 7-18-02.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.