

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
5 changing Section 8-505.1 as follows:

6 (220 ILCS 5/8-505.1)

7 Sec. 8-505.1. Non-emergency vegetation management
8 activities.

9 (a) Except as provided in subsection (c), in conducting
10 its non-emergency vegetation management activities, an
11 electric public utility shall:

12 (1) Follow the most current guidelines set forth by
13 the International Society of Arboriculture and the most
14 current applicable Occupational Safety and Health
15 Administration or American National Standards Institute
16 standards.

17 (2) Provide direct notice of vegetation management
18 activities at least 21 days before beginning those
19 activities. If the vegetation management activities will
20 occur in an incorporated municipality, the notice must be
21 given to the mayor. If the vegetation management
22 activities will occur in an unincorporated area, the
23 notice must be given to the chairman of the county board.
24 Maps or a description of the area to be affected by
25 vegetation management activities must accompany the
26 notice. Notification may be discontinued upon the
27 request of the governing body of the municipality or
28 county. Requests for the termination of notices shall be
29 in writing.

30 (3) Directly notify affected customers no fewer
31 than 7 days before the activity is scheduled to begin.

1 (4) Provide notified customers with a toll-free
 2 telephone number to call regarding the vegetation
 3 management activities.

4 The Commission shall have sole authority to investigate
 5 and issue complaints against the utility under this
 6 subsection (a).

7 (b) A public utility shall not be required to comply
 8 with the requirements of subsection (c) or of paragraphs (2),
 9 (3), and (4) of subsection (a) when (i) it is taking actions
 10 to restore reliable service after interruptions of service;
 11 (ii) there is a franchise, contract, or written agreement
 12 between the public utility and the municipality mandating
 13 specific vegetation management practices; or (iii) there is a
 14 mutual agreement between the municipality or county and the
 15 public utility to waive the requirements of paragraph (2),
 16 (3), or (4) of subsection (a), to the extent of the waiver
 17 agreement.

18 (c) If ~~(i)~~ no franchise, contract, or written agreement
 19 between a utility and a municipality mandates a specific
 20 vegetation management practice, ~~(ii) no applicable tariff~~
 21 ~~governing non-emergency vegetation management practices has~~
 22 ~~been approved by the Commission,~~ and ~~(iii)~~ the municipality
 23 enacts an ordinance establishing standards for non-emergency
 24 vegetation management practices that are more restrictive
 25 than the standards established in accordance with by this
 26 Section and agrees to pay, ~~then the electric public utility~~
 27 ~~may recover from the municipality~~ the difference between the
 28 costs of complying with the standards established under the
 29 municipality's ordinance and the costs of complying with the
 30 standards established in accordance with by this Section, an
 31 electric public utility must comply with the ordinance.
 32 Before beginning any non-emergency vegetation management
 33 activities in a municipality that has enacted an ordinance
 34 establishing standards for vegetation management practices

1 that are more restrictive than the standards established in
2 accordance with by this Section, an electric public utility
3 shall provide to the municipality a good faith estimate of
4 the costs of complying with the more restrictive municipal
5 standards for vegetation management practices.

6 The provisions of this Section shall not in any way
7 diminish or replace other civil or administrative remedies
8 available to a customer or class of customers under this Act
9 ~~nor invalidate any tariff approved~~ or any rule promulgated by
10 the Commission.

11 (Source: P.A. 91-902, eff. 7-6-00.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.