

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 Sections 8-205 and 8-206 and adding Sections
6 8-205.5, 8-310, and 8-315 as follows:

7 (220 ILCS 5/8-205) (from Ch. 111 2/3, par. 8-205)

8 Sec. 8-205. Termination of heating service. Termination
9 of gas and electric utility service to all residential users,
10 including all tenants of mastermetered apartment buildings,
11 for nonpayment of bills, where gas or electricity is used as
12 the only source of space heating or to control or operate the
13 only space heating equipment at the residence is prohibited:

14 (1) on any day when the National Weather Service
15 forecast for the following 24 hours covering the area of
16 the utility in which the residence is located includes a
17 forecast that the temperature will be 32 degrees
18 Fahrenheit or below; or

19 (2) on any day preceding a holiday or a weekend
20 when such a forecast indicated that the temperature will
21 be 32 degrees Fahrenheit or below during the holiday or
22 weekend; or

23 (3) at any time the price of natural gas during the
24 billing period exceeds by 30% or more the average price
25 of natural gas during the previous 5 years.

26 (Source: P.A. 84-617.)

27 (220 ILCS 5/8-205.5 new)

28 Sec. 8-205.5. Natural gas price increases; response.

29 (a) When the price of natural gas during the billing
30 period exceeds by 30% or more the average price of natural

1 gas during the previous 5 years, a public utility that
2 supplies natural gas to its customers must:

3 (1) offer customers upon request a home energy
4 audit without cost or charge to the customer;

5 (2) provide to customers with their monthly bills
6 notice regarding:

7 (A) predicted increases in the cost of natural
8 gas;

9 (B) levelized payment plans;

10 (C) home energy audits; and

11 (D) energy savings tips that help to reduce
12 costs;

13 (3) not disconnect a customer's service until after
14 April 1 regardless of the state of the customer's billing
15 account; and

16 (4) not report to a collection agency a customer
17 who is late making payments on his or her bill as long as
18 the customer has contacted the utility within 30 days
19 after the date the account became due and has made
20 arrangements for payment.

21 (b) Within 90 days after the effective date of this
22 amendatory Act of the 92nd General Assembly, the Commerce
23 Commission shall issue rules governing the staffing of the
24 customer service department of utilities that supply natural
25 gas. The rules shall ensure that a customer service
26 department is adequately staffed to properly respond to the
27 increased number of telephone calls generated by increases in
28 the price of natural gas of 30% or more.

29 (c) As used in this Section, "home energy audit" means
30 an inspection of a residence by a weatherization professional
31 to evaluate the existing home weatherization, make
32 suggestions for improved weatherization, provide energy
33 savings tips, and provide a specific calculation of the
34 amount of money that will be saved by following the provided

1 suggestions.

2 (220 ILCS 5/8-206) (from Ch. 111 2/3, par. 8-206)

3 Sec. 8-206. Disconnection of heating service.

4 (a) Notwithstanding any other provision of this Act
5 except the provisions of Section 8-205.5, no electric or gas
6 public utility shall disconnect service to any residential
7 customer or mastermeters apartment building for nonpayment
8 of a bill or deposit where gas or electricity is used as the
9 primary source of space heating or is used to control or
10 operate the primary source of space heating equipment at the
11 premises during the period of time from December 1 through
12 and including March 31 of the immediately succeeding calendar
13 year, unless:

14 (1) The utility (i) has offered the customer a deferred
15 payment arrangement allowing for payment of past due amounts
16 over a period of not less than 4 months not to extend beyond
17 the following November and the option to enter into a
18 levelized payment plan for the payment of future bills. The
19 maximum down payment requirements shall not exceed 10% of the
20 amount past due and owing at the time of entering into the
21 agreement; and (ii) has provided the customer with the names,
22 addresses and telephone numbers of governmental and private
23 agencies which may provide assistance to customers of public
24 utilities in paying their utility bills; the utility shall
25 obtain the approval of an agency before placing the name of
26 that agency on any list which will be used to provide such
27 information to customers;

28 (2) The customer has refused or failed to enter into a
29 deferred payment arrangement as described in paragraph (1) of
30 this subsection (a); and

31 (3) All notice requirements as provided by law and rules
32 or regulations of the Commission have been met.

33 (b) Prior to termination of service for any residential

1 customer or mastermeters apartment building during the
2 period from December 1 through and including March 31 of the
3 immediately succeeding calendar year, all electric and gas
4 public utilities shall, in addition to all other notices:

5 (1) Notify the customer or an adult residing at the
6 customer's premises by telephone, a personal visit to the
7 customer's premises or by first class mail, informing the
8 customer that:

9 (i) the customer's account is in arrears and the
10 customer's service is subject to termination for nonpayment
11 of a bill;

12 (ii) the customer can avoid disconnection of service by
13 entering into a deferred payment agreement to pay past due
14 amounts over a period not to extend beyond the following
15 November and the customer has the option to enter into a
16 levelized payment plan for the payment of future bills;

17 (iii) the customer may apply for any available
18 assistance to aid in the payment of utility bills from any
19 governmental or private agencies from the list of such
20 agencies provided to the customer by the utility.

21 Provided, however, that a public utility shall be
22 required to make only one such contact with the customer
23 during any such period from December 1 through and including
24 March 31 of the immediately succeeding calendar year.

25 (2) Each public utility shall maintain records which
26 shall include, but not necessarily be limited to, the manner
27 by which the customer was notified and the time, date and
28 manner by which any prior but unsuccessful attempts to
29 contact were made. These records shall also describe the
30 terms of the deferred payment arrangements offered to the
31 customer and those entered into by the utility and customers.
32 These records shall indicate the total amount past due, the
33 down payment, the amount remaining to be paid and the number
34 of months allowed to pay the outstanding balance. No public

1 utility shall be required to retain records pertaining to
2 unsuccessful attempts to contact or deferred payment
3 arrangements rejected by the customer after such customer has
4 entered into a deferred payment arrangement with such
5 utility.

6 (c) No public utility shall disconnect service for
7 nonpayment of a bill until the lapse of 6 business days after
8 making the notification required by paragraph (1) of
9 subsection (b) so as to allow the customer an opportunity to:

10 (1) Enter into a deferred payment arrangement and the
11 option to enter into a levelized payment plan for the payment
12 of future bills.

13 (2) Contact a governmental or private agency that may
14 provide assistance to customers for the payment of public
15 utility bills.

16 (d) Any residential customer who enters into a deferred
17 payment arrangement pursuant to this Act, and subsequently
18 during that period of time set forth in subsection (a)
19 becomes subject to termination, shall be given notice as
20 required by law and any rule or regulation of the Commission
21 prior to termination of service.

22 (e) During that time period set forth in subsection (a),
23 a utility shall not require a down payment for a deposit from
24 a residential customer in excess of 20% of the total deposit
25 requested. An additional 4 months shall be allowed to pay
26 the remainder of the deposit. This provision shall not apply
27 to mastermeters apartment buildings or other nonresidential
28 customers.

29 (f) During that period of time set forth in subsection
30 (a), no utility may refuse to offer a deferred payment
31 agreement to a residential customer who has defaulted on such
32 an agreement within the past 12 months. However, no utility
33 shall be required to enter into more than one deferred
34 payment arrangement under this Section with any residential

1 customer or mastermetered apartment building during the
2 period from December 1 through and including March 31 of the
3 immediately succeeding calendar year.

4 (g) In order to enable customers to take advantage of
5 energy assistance programs, customers who can demonstrate
6 that their applications for a local, state or federal energy
7 assistance program have been approved may request that the
8 amount they will be entitled to receive as a regular energy
9 assistance payment be deducted and set aside from the amount
10 past due on which they make deferred payment arrangements.
11 Payment on the set-aside amount shall be credited when the
12 energy assistance voucher or check is received, according to
13 the utility's common business practice.

14 (h) In no event shall any utility send a final notice to
15 any customer who has entered into a current deferred payment
16 agreement and has not defaulted on that deferred payment
17 agreement, unless the final notice pertains to a deposit
18 request.

19 (i) Each utility shall include with each disconnection
20 notice sent during the period for December 1 through and
21 including March 31 of the immediately succeeding calendar
22 year to a residential customer an insert explaining the above
23 provisions and providing a telephone number of the utility
24 company which the consumer may call to receive further
25 information.

26 (j) Each utility shall file with the Commission prior to
27 December 1 of each year a plan detailing the implementation
28 of this Section. This plan shall contain, but not be limited
29 to:

30 (1) a description of the methods to be used to notify
31 residential customers as required in this Section, including
32 the forms of written and oral notices which shall be required
33 to include all the information contained in subsection (b) of
34 this Section.

1 (2) a listing of the names, addresses and telephone
2 numbers of governmental and private agencies which may
3 provide assistance to residential customers in paying their
4 utility bills;

5 (3) the program of employee education and information
6 which shall be used by the company in the implementation of
7 this Section.

8 (4) a description of methods to be utilized to inform
9 residential customers of those governmental and private
10 agencies and current and planned methods of cooperation with
11 those agencies to identify the customers who qualify for
12 assistance in paying their utility bills.

13 A utility which has a plan on file with the Commission
14 need not resubmit a new plan each year. However, any
15 alteration of the plan on file must be submitted and approved
16 prior to December 1 of any year.

17 All plans are subject to review and approval by the
18 Commission. The Commission may direct a utility to alter its
19 plan to comply with the requirements of this Section.

20 (Source: P.A. 84-617.)

21 (220 ILCS 5/8-310 new)

22 Sec. 8-310. Billing statement; contents. In addition to
23 other required or necessary information, a billing statement
24 must disclose a toll-free telephone number for customers to
25 use to contact the utility.

26 (220 ILCS 5/8-315 new)

27 Sec. 8-315. Natural gas price disclosure.

28 (a) A public utility that sells or delivers natural gas
29 must prominently disclose the price of natural gas on the
30 customer's billing statement and on the utility's website.

31 (b) A public utility must issue a press release
32 regarding the price of natural gas on the same day as it

1 files with the Commission a tariff related to the price of
2 natural gas.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.