

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 16-120 and 16-122 as follows:

6 (220 ILCS 5/16-120)

7 Sec. 16-120. Development of competitive market;  
8 Commission study and reports; investigation.

9 (a) On or before December 31, 1999 and once every 3  
10 years thereafter, the Commission shall monitor and analyze  
11 patterns of entry and exit, applications for entry and exit,  
12 and any barriers to entry or participation that may exist,  
13 for services provided under this Article; shall analyze any  
14 impediments to the establishment of a fully competitive  
15 energy and power market in Illinois; and shall include its  
16 findings together with appropriate recommendations for  
17 legislative action in a report to the General Assembly.

18 (b) Beginning in 2001, and ending in 2006, the  
19 Commission shall prepare an annual report regarding the  
20 development of electricity markets in Illinois which shall be  
21 filed by April 1 of each year with the Joint Committee on  
22 Legislative Support Services of the General Assembly and the  
23 Governor and which shall be publicly available. Such report  
24 shall include, at a minimum, the following information:

25 (1) the aggregate annual peak demand of retail  
26 customers in the State of Illinois in the preceding  
27 calendar year;

28 (2) the total annual kilowatt-hours delivered and  
29 sold to retail customers in the State of Illinois by each  
30 electric utility within its own service territory, each  
31 electric utility outside its service territory, and

1 alternative retail electric suppliers in the preceding  
2 calendar year;

3 (3) the percentage of the total kilowatt-hours  
4 delivered and sold to retail customers in the State of  
5 Illinois in the preceding calendar year by each electric  
6 utility within its service territory, each electric  
7 utility outside its service territory, and each  
8 alternative retail electric supplier; and

9 (4) any other information the Commission considers  
10 significant in assessing the development of Illinois  
11 electricity markets, which may include, to the extent  
12 available, information similar to that described in items  
13 1, 2 and 3 with respect to cogeneration, self-generation  
14 and other sources of electric power and energy provided  
15 to customers that do not take delivery services or  
16 bundled electric utility services.

17 The Commission may also include such other information as  
18 it deems to be necessary or beneficial in describing or  
19 explaining the results of its Report. The Report required by  
20 this Section shall be adopted by a vote of the full  
21 Commission prior to filing. Proprietary or confidential  
22 information shall not be disclosed publicly. Nothing  
23 contained in this Section shall prohibit the Commission from  
24 taking actions that would otherwise be allowed under this  
25 Act.

26 (c) The Commission shall prepare a report on the value  
27 of municipal aggregation of electricity customers. The  
28 report shall be filed with the General Assembly and the  
29 Governor no later than January 15, 2003 and shall be publicly  
30 available. The report shall, at a minimum, include:

31 (1) a description and analysis of actual and  
32 potential forms of aggregation of electricity customers  
33 in Illinois and in the other states, including  
34 aggregation through municipal, affinity, and other

1 organizations and through aggregation of consumer  
2 purchases of electricity from renewable energy sources;

3 (2) estimates of the potential benefits of  
4 municipal aggregation to Illinois electricity customers  
5 in at least 5 specific municipal examples comparing their  
6 costs under bundled rates and unbundled rates, including  
7 real-time prices;

8 (3) a description of the barriers to municipal and  
9 other forms of aggregation in Illinois, including legal,  
10 economic, informational, and other barriers; and

11 (4) options for legislative action to foster  
12 municipal and other forms of aggregation of electricity  
13 customers.

14 In preparing the report, the Commission shall consult  
15 with persons involved in aggregation or the study of  
16 aggregation of electricity customers in Illinois, including  
17 municipalities, utilities, aggregators, and non-profit  
18 organizations. The provisions of Section 16-122  
19 notwithstanding, the Commission may request and utilities  
20 shall provide such aggregated load data as may be necessary  
21 to perform the analyses required by this subsection;  
22 provided, however, proprietary or confidential information  
23 shall not be disclosed publicly.

24 (Source: P.A. 90-561, eff. 12-16-97.)

25 (220 ILCS 5/16-122)

26 Sec. 16-122. Customer information.

27 (a) Upon the request of a retail customer, or a person  
28 who presents verifiable authorization and is acting as the  
29 customer's agent, and payment of a reasonable fee, electric  
30 utilities shall provide to the customer or its authorized  
31 agent the customer's billing and usage data.

32 (b) Upon request from any alternative retail electric  
33 supplier and payment of a reasonable fee, an electric utility

1 serving retail customers in its service area shall make  
2 available generic information concerning the usage, load  
3 shape curve or other general characteristics of customers by  
4 rate classification. Provided however, no customer specific  
5 billing, usage or load shape data shall be provided under  
6 this subsection unless authorization to provide such  
7 information is provided by the customer pursuant to  
8 subsection (a) of this Section.

9 (c) Upon request from a unit of local government and  
10 payment of a reasonable fee, an electric utility shall make  
11 available information concerning the usage, load shape  
12 curves, and other characteristics of customers by customer  
13 classification and location within the boundaries of the unit  
14 of local government, however, no customer specific billing,  
15 usage, or load shape data shall be provided under this  
16 subsection unless authorization to provide that information  
17 is provided by the customer.

18 (d) (e) All such customer information shall be made  
19 available in a timely fashion in an electronic format, if  
20 available.

21 (Source: P.A. 90-561, eff. 12-16-97.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.