

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Public Utilities Act is amended by changing Section 16-117 as follows:

(220 ILCS 5/16-117)

Sec. 16-117. Commission consumer education program.

(a) The restructuring of the electricity industry will create a new electricity market with new marketers and sellers offering new goods and services, many of which the average consumer will not be able to readily evaluate. It is the intent of the General Assembly that (i) electricity consumers be provided with sufficient and reliable information so that they are able to compare and make informed selections of products and services provided in the electricity market; and (ii) mechanisms be provided to enable consumers to protect themselves from marketing practices that are unfair or abusive.

(b) The Commission shall ~~implement and maintain a~~ consumer education information program to help provide residential and small commercial retail customers ~~with information to help them~~ understand their service options in a competitive electric services market, and their rights and responsibilities.

(c) Not more than 90 days after the effective date of this

amendatory Act of the 97th General Assembly, the Commission shall direct the Office of Retail Market Development to review the existing consumer education information for residential and small commercial customers and consider whether updates are necessary. The Office of Retail Market Development shall seek input from interested persons, including alternative retail electric suppliers, electric utilities, the Attorney General, and the Citizens Utility Board, to further its review of the consumer education materials and possible proposed changes. Within 4 months after the start of the review, the Office of Retail Market Development shall submit recommendations to the Commission for approval. The Commission shall form a working group following the enactment of this amendatory Act of 1997. This group shall consist of 5 representatives of the investor-owned electric utilities in this State, 2 of which shall be appointed by electric utilities serving over 1,000,000 retail customers in this State; 2 representatives of alternative retail electric suppliers; 3 representatives of organizations representing the interests of residential and small commercial retail customers; and the Commission.

(d) (Blank). By March 1, 1999, with respect to educational materials for small commercial customers and by November 1, 2001 with respect to educational materials for residential customers, the working group appointed pursuant to this Section shall develop a package of printed educational materials which meet the requirements of subsection (e) and shall submit such

~~package to the Commission for approval, along with recommendations for implementing this consumer education program. Such materials shall consider the needs of different types of consumers in this State, such as elderly, low income, multilingual, minority, rural and disabled customers. The working group shall issue recommendations to the Commission on how such education program can be implemented through a variety of communication methods, including specifically mass media, distribution of printed material, public service announcements, and posting on the Internet.~~

(e) At a minimum, the ~~materials constituting the~~ consumer education information program submitted to the Commission by the Office of Retail Market Development ~~working group~~ shall include concise explanations or descriptions of the following:

(1) the structure of the electric utility industry following this amendatory Act of 1997 and a glossary of basic terms;

(2) the choices available to consumers to take electric service from an alternative retail electric supplier or remain as a retail customer of an electric utility;

(3) a customer's rights, risks and responsibilities in receiving service from an alternative retail electric supplier or remaining as a retail customer of an electric utility;

(4) the legal obligations of alternative retail electric suppliers;

(5) those services that may be offered on a competitive basis in a deregulated electric services market, including services that could be packaged with the delivery of electric power and energy;

(6) services that an electric utility is required to provide pursuant to tariffed rates;

(7) the components of a bill that could be received by a customer taking delivery services;

(8) the complaint procedures set forth in Section 10-108 of this Act by which consumers may seek a redress of grievances against an electric utility or an alternative retail electric supplier and a list of phone numbers of the Commission, the Attorney General or other entities that can provide information and assistance to customers; and

(9) additional information available from the Commission upon request.

(f) Within 45 days following the submission required of the Office of Retail Market Development ~~working group~~ by subsection (c) ~~(d)~~ of this Section, the Commission shall approve or disapprove the consumer education information ~~educational materials and recommendations for program implementation~~. ~~The Commission shall be deemed to have approved the educational program materials and recommendations unless the Commission disapproves of any such material or recommendation within 45 days following the date of receipt.~~

(g) Once approved by the Commission, ~~materials comprising~~

the consumer education information ~~program contemplated by this Section~~ shall be provided ~~distributed~~ as follows:

(1) If the electric utility bills residential or small commercial retail customers directly, then the bill shall include the Commission's electric education internet address in the space reserved for alternative retail electric supplier messages. ~~Electric utilities shall mail printed educational materials specified by the working group and approved by the Commission (a) to all residential and small commercial retail customers within a reasonable period prior to the date that such customers become eligible to purchase power from alternative retail electric suppliers, such "reasonable period" to be determined by the Commission; and (b) once the applicable customer class becomes eligible to receive delivery services, to all new residential and small commercial retail customers at the time that such customers begin taking services from the electric utility.~~

(2) Alternative retail electric suppliers shall provide the Commission's electric education internet address ~~include such materials with all initial mailings to all ~~potential~~ residential and small commercial retail customers but in all circumstances prior to the time by which an alternative retail electric supplier executes any agreements or contracts with such customers for the supply of electric services.~~

(3) (Blank). ~~Both electric utilities and alternative retail electric suppliers shall provide such materials at no charge to residential and small commercial retail customers upon request.~~

(4) The Commission shall make the following information available on its web site and printed information from the web site available to the public upon request and at no charge, ~~and shall make available to the public on the Internet through the State of Illinois World Wide Web Site:~~

(A) all consumer education information developed by the Office of Retail Market Development ~~printed educational materials developed by the working group~~ and approved by the Commission;

(B) a list of all certified alternative retail electric suppliers serving residential and small commercial retail customers within the service territory of each electric utility;

(C) a list of alternative retail electric suppliers serving residential or small commercial retail customers which have been found in the last 3 years by the Commission pursuant to Section 10-108 to have failed to provide service in accordance with the terms of their contracts with such retail customers; and

(D) guidelines to assist customers in determining

which energy supplier is most appropriate for each customer.

(h) The Commission may also adopt a uniform disclosure form which alternative retail electric suppliers would be required to complete enabling consumers to compare prices, terms and conditions offered by such suppliers.

(i) The Commission shall make available to the public staff with the ability and knowledge to respond to consumer inquiries.

(j) (Blank). ~~The costs of printing educational materials approved by the Commission pursuant to this Section shall be payable solely from funding as provided in this subsection.~~

~~Each year the General Assembly shall appropriate money to the Commission from the General Revenue Fund for the expenses of the Commission associated with this Section. The cost of the consumer education program contemplated by this Section shall not exceed the amount of such appropriation. In no event shall any electric utility, alternative retail electric supplier or customer be liable for the costs of printing consumer education program material in accordance with this Section. The obligations associated with this consumer education program shall not exceed the amounts appropriated for this program pursuant to this Section.~~

(k) (Blank). ~~The Commission shall study the effectiveness of the consumer education program. Such study shall include a notice and an opportunity for participation and comment by all~~

Public Act 097-0222

SB1396 Enrolled

LRB097 09365 ASK 49500 b

~~interested and potentially affected parties. Such study shall be completed by January 31st of each year during the mandatory transition period and a summary thereof, together with any legislative recommendations, shall be included in the Commission's Annual Report due in accordance with Section 4-304 of this Act.~~

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

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