



Rep. Kimberly Du Buclet

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10400HB4313ham001

LRB104 17063 AAS 35095 a

1 AMENDMENT TO HOUSE BILL 4313

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4313 as follows:

3 on page 2, line 4, by replacing "and" with "~~and~~"; and

4 on page 2, line 10, by replacing "." with "; ~~and-~~"; and

5 on page 2, immediately below line 10, by inserting the  
6 following:

7 "(v) shall reflect seasonal pricing in the variable  
8 rates the alternative retail electric supplier charges to  
9 customers if the customers being served are located within  
10 the service area of a regional transmission organization  
11 or independent system operator that administers a market  
12 that results in supply prices with seasonal variations  
13 being passed on to customers who receive supply from an  
14 electric utility."; and

1 on page 8, line 19, by replacing "25%" with "10%"; and  
2 by replacing line 20 on page 9 through line 17 on page 17 with  
3 the following:

4 "(220 ILCS 5/16-118)

5 Sec. 16-118. Services provided by electric utilities to  
6 alternative retail electric suppliers.

7 (a) It is in the best interest of Illinois energy  
8 consumers to promote fair and open competition in the  
9 provision of electric power and energy and to prevent  
10 anticompetitive practices in the provision of electric power  
11 and energy. Therefore, to the extent an electric utility  
12 provides electric power and energy or delivery services to  
13 alternative retail electric suppliers and such services are  
14 not subject to the jurisdiction of the Federal Energy  
15 Regulatory Commission, and are not competitive services, they  
16 shall be provided through tariffs that are filed with the  
17 Commission, pursuant to Article IX of this Act. Each electric  
18 utility shall permit alternative retail electric suppliers to  
19 interconnect facilities to those owned by the utility provided  
20 they meet established standards for such interconnection, and  
21 may provide standby or other services to alternative retail  
22 electric suppliers. The alternative retail electric supplier  
23 shall sign a contract setting forth the prices, terms and  
24 conditions for interconnection with the electric utility and

1 the prices, terms and conditions for services provided by the  
2 electric utility to the alternative retail electric supplier  
3 in connection with the delivery by the electric utility of  
4 electric power and energy supplied by the alternative retail  
5 electric supplier.

6 (b) An electric utility shall file a tariff pursuant to  
7 Article IX of the Act that would allow alternative retail  
8 electric suppliers or electric utilities other than the  
9 electric utility in whose service area retail customers are  
10 located to issue single bills to the retail customers for both  
11 the services provided by such alternative retail electric  
12 supplier or other electric utility and the delivery services  
13 provided by the electric utility to such customers. The tariff  
14 filed pursuant to this subsection shall (i) require partial  
15 payments made by retail customers to be credited first to the  
16 electric utility's tariffed services, (ii) impose commercially  
17 reasonable terms with respect to credit and collection,  
18 including requests for deposits, (iii) retain the electric  
19 utility's right to disconnect the retail customers, if it does  
20 not receive payment for its tariffed services, in the same  
21 manner that it would be permitted to if it had billed for the  
22 services itself, and (iv) require the alternative retail  
23 electric supplier or other electric utility that elects the  
24 billing option provided by this tariff to include on each bill  
25 to retail customers an identification of the electric utility  
26 providing the delivery services and a listing of the charges

1 applicable to such services. The tariff filed pursuant to this  
2 subsection may also include other just and reasonable terms  
3 and conditions. In addition, an electric utility, an  
4 alternative retail electric supplier or electric utility other  
5 than the electric utility in whose service area the customer  
6 is located, and a customer served by such alternative retail  
7 electric supplier or other electric utility, may enter into an  
8 agreement pursuant to which the alternative retail electric  
9 supplier or other electric utility pays the charges specified  
10 in Section 16-108, or other customer-related charges,  
11 including taxes and fees, in lieu of such charges being  
12 recovered by the electric utility directly from the customer.

13 (c) An electric utility with more than 100,000 customers  
14 shall file a tariff pursuant to Article IX of this Act that  
15 provides alternative retail electric suppliers, and electric  
16 utilities other than the electric utility in whose service  
17 area the retail customers are located, with the option to have  
18 the electric utility purchase their receivables for power and  
19 energy service provided to residential retail customers and  
20 non-residential retail customers with a non-coincident peak  
21 demand of less than 400 kilowatts. Receivables for power and  
22 energy service of alternative retail electric suppliers or  
23 electric utilities other than the electric utility in whose  
24 service area the retail customers are located shall be  
25 purchased by the electric utility at a just and reasonable  
26 discount rate to be reviewed and approved by the Commission

1 after notice and hearing. The discount rate shall be based on  
2 the electric utility's historical bad debt and any reasonable  
3 start-up costs and administrative costs associated with the  
4 electric utility's purchase of receivables. The discounted  
5 rate for purchase of receivables shall be included in the  
6 tariff filed pursuant to this subsection (c). The discount  
7 rate filed pursuant to this subsection (c) shall be subject to  
8 periodic Commission review. The electric utility retains the  
9 right to impose the same terms on retail customers with  
10 respect to credit and collection, including requests for  
11 deposits, and retain the electric utility's right to  
12 disconnect the retail customers, if it does not receive  
13 payment for its tariffed services or purchased receivables, in  
14 the same manner that it would be permitted to if the retail  
15 customers purchased power and energy from the electric  
16 utility. The tariff filed pursuant to this subsection (c)  
17 shall permit the electric utility to recover from retail  
18 customers any uncollected receivables that may arise as a  
19 result of the purchase of receivables under this subsection  
20 (c), may also include other just and reasonable terms and  
21 conditions, and shall provide for the prudently incurred costs  
22 associated with the provision of this service pursuant to this  
23 subsection (c). Nothing in this subsection (c) permits the  
24 double recovery of bad debt expenses from customers.

25 (d) An electric utility with more than 100,000 customers  
26 shall file a tariff pursuant to Article IX of this Act that

1 would provide alternative retail electric suppliers or  
2 electric utilities other than the electric utility in whose  
3 service area retail customers are located with the option to  
4 have the electric utility produce and provide single bills to  
5 the retail customers for both the electric power and energy  
6 service provided by the alternative retail electric supplier  
7 or other electric utility and the delivery services provided  
8 by the electric utility to the customers. The tariffs filed  
9 pursuant to this subsection shall require the electric utility  
10 to collect and remit customer payments for electric power and  
11 energy service provided by alternative retail electric  
12 suppliers or electric utilities other than the electric  
13 utility in whose service area retail customers are located.  
14 The tariff filed pursuant to this subsection shall require the  
15 electric utility to include on each bill to retail customers  
16 an identification of the alternative retail electric supplier  
17 or other electric utility that elects the billing option. The  
18 tariff filed pursuant to this subsection (d) may also include  
19 other just and reasonable terms and conditions and shall  
20 provide for the recovery of prudently incurred costs  
21 associated with the provision of service pursuant to this  
22 subsection (d). The costs associated with the provision of  
23 service pursuant to this Section shall be subject to periodic  
24 Commission review.

25 (e) An electric utility with more than 100,000 customers  
26 in this State shall file a tariff pursuant to Article IX of

1 this Act that provides alternative retail electric suppliers,  
2 and electric utilities other than the electric utility in  
3 whose service area the retail customers are located, with the  
4 option to have the electric utility purchase 2 billing cycles  
5 worth of uncollectible receivables for power and energy  
6 service provided to residential retail customers and to  
7 non-residential retail customers with a non-coincident peak  
8 demand of less than 400 kilowatts upon returning that customer  
9 to that electric utility for delivery and energy service after  
10 that alternative retail electric supplier, or an electric  
11 utility other than the electric utility in whose service area  
12 the retail customer is located, has made reasonable collection  
13 efforts on that account. Uncollectible receivables for power  
14 and energy service of alternative retail electric suppliers,  
15 or electric utilities other than the electric utility in whose  
16 service area the retail customers are located, shall be  
17 purchased by the electric utility at a just and reasonable  
18 discount rate to be reviewed and approved by the Commission,  
19 after notice and hearing. The discount rate shall be based on  
20 the electric utility's historical bad debt for receivables  
21 that are outstanding for a similar length of time and any  
22 reasonable start-up costs and administrative costs associated  
23 with the electric utility's purchase of receivables. The  
24 discounted rate for purchase of uncollectible receivables  
25 shall be included in the tariff filed pursuant to this  
26 subsection (e). The electric utility retains the right to

1 impose the same terms on these retail customers with respect  
2 to credit and collection, including requests for deposits, and  
3 retains the right to disconnect these retail customers, if it  
4 does not receive payment for its tariffed services or  
5 purchased receivables, in the same manner that it would be  
6 permitted to if the retail customers had purchased power and  
7 energy from the electric utility. The tariff filed pursuant to  
8 this subsection (e) shall permit the electric utility to  
9 recover from retail customers any uncollectable receivables  
10 that may arise as a result of the purchase of uncollectible  
11 receivables under this subsection (e), may also include other  
12 just and reasonable terms and conditions, and shall provide  
13 for the prudently incurred costs associated with the provision  
14 of this service pursuant to this subsection (e). Nothing in  
15 this subsection (e) permits the double recovery of utility bad  
16 debt expenses from customers. The electric utility may file a  
17 joint tariff for this subsection (e) and subsection (c) of  
18 this Section.

19 (f) Every alternative retail electric supplier or electric  
20 utility other than the electric utility in whose service area  
21 retail customers are located that issues single bills to the  
22 retail customers for the services provided by the alternative  
23 retail electric supplier or other electric utility to the  
24 customers shall include on the single bills issued to  
25 residential customers the current utility electric supply  
26 price to compare that would apply to the customer for the

1 billing period if the customer obtained supply from the  
2 utility, including the difference between the supply price of  
3 the utility and the supply price of the alternative retail  
4 electric supplier or other electric utility and whether that  
5 difference would result in savings or costs for the customer.  
6 The current utility electric supply price shall be the sum of  
7 the electric supply charge and the transmission services  
8 charge and shall disclose that the price does not include the  
9 monthly purchased electricity adjustment.

10 (g) Every electric utility that provides delivery and  
11 supply services shall include on each bill issued to  
12 residential customers who obtain supply from an alternative  
13 retail electric supplier the current utility electric supply  
14 price to compare that would apply to the customer for the  
15 billing period if the customer obtained supply from the  
16 utility, including the difference between the supply price of  
17 the utility and the supply price of the alternative retail  
18 electric supplier and whether that difference would result in  
19 savings or costs for the customer. The current utility  
20 electric supply price to compare shall be the sum of the  
21 electric supply charge and the transmission services charge  
22 and shall disclose that the price does not include the monthly  
23 purchased electricity adjustment.

24 (Source: P.A. 101-590, eff. 1-1-20.)"; and

25 on page 37, line 8, by replacing "25%" with "10%"; and

- 1 on page 56, line 21, by replacing "25%" with "10%"; and
- 2 on page 64, line 18, by replacing "25%" with "10%".