**Section 340.10 Applicability**

a) This Part shall apply to public utilities as defined in Section 3-105 of the Public Utilities Act (Act) [220 ILCS 5/3-105], incumbent local exchange carriers that provide noncompetitive services as defined in Section 13-202.5 of the Act [220 ILCS 5/13-202.5], and electing providers as defined in Section 13-506.2 of the Act [220 ILCS 5/13-506.2], but shall exclude local exchange telecommunications carriers with no more than 35,000 subscriber access lines pursuant to Section 13-504(d) of the Act [220 ILCS 5/13-504(d)] that are not electing providers as defined in Section 13-506.2 of the Act.

b) This Part shall apply to any agreement that provides a mechanism for borrowing or lending monies among affiliates, except:

1) Routine bank transactions as defined in 83 Ill. Adm. Code 105.10;

2) Cash management and treasury services whereby funds are not transferred, loaned or advanced; and

3) Loans between affiliates and utilities that have original terms to maturity greater than one year.

c) All affiliated interest agreements that are subject to the requirements of this Part must be filed with the Illinois Commerce Commission (Commission) for approval pursuant to Section 7-101 or 7-102 of the Act [220 ILCS 5/7-101 or 7-102]. This Part shall not limit the Commission from imposing conditions on its approval of a money pool agreement as it may deem necessary to safeguard the public interest. These conditions include, but are not limited to, imposing higher eligibility requirements for affiliates to borrow from utilities, further restricting the amount of utility funds available for lending, or requiring repayment of utility funds under specific circumstances.

(Source: Amended at 36 Ill. Reg. 3884, effective March 1, 2012)