**Section 460.350 Separate Metering**

a) Except as otherwise provided in subsection (c), a separate meter shall be used to measure the electricity that is consumed within, and controlled by the occupant of, each individual unit contained in any new building, newly remodeled portion of an existing building, or new mobile home park for which a building permit was obtained on or after November 1, 1981, or, if no permit was required, for which construction was commenced on or after November 1, 1981. Separately metered consumption shall be used as the basis for billing the occupant of the individual unit as a separate customer.

b) Definitions – For purposes of this Section, the following definitions shall apply:

1) "Individual unit" means each portion of a building that is separately leased, rented or owned.

2) "Control"' means the ability of the occupant of an individual unit to determine the timing and amount of electricity consumed. Electricity used for central space heating, central water heating, central ventilation or central air conditioning systems is not "controlled" by the occupant of the individual unit.

3) "Remodeled portion of a building" means each area in which interior alterations are made that are required by local code or ordinance.

4) "Mobile home park" means contiguous parcels of land used for the accommodation of occupied mobile homes.

5) "Multiple-unit building" means buildings with more than four individual units.

c) Exceptions – Separate metering and billing of electricity shall not be required for the following:

1) Units within buildings normally considered to be temporary domiciles, such as motels, dormitories, health care facilities and nursing homes.

2) Residential units that do not have kitchen and bathroom facilities separate from common use facilities.

3) Portions of buildings in which separate metering is impractical, such as concession stands in lobbies, and individual offices that share office service areas.

4) Buildings for which space heating is provided by electric lighting and that qualify for service under special rates.

5) Multiple-unit buildings that are designated as congregate, assisted-living care facilities for elderly or handicapped persons.

d) Waiver – Any applicant for electric service who is refused master metered service by an MSP, and who has exhausted his remedies in the informal complaint process set forth by the Commission (83 Ill. Adm. Code 200.160), may file a formal complaint (83 Ill. Adm. Code 200.170) with the Commission seeking a waiver from the requirements of this Section or the corresponding rules of the MSP. The complaint shall comply with the Commission's Rules of Practice (83 Ill. Adm. Code 200) and shall name the MSP as a Respondent. The complaint shall allege that the long-run benefits of separate metering are outweighed by the associated costs or that separate metering would otherwise be impractical or unreasonable.