



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2851

Introduced 2/16/2023, by Rep. Dave Severin

#### SYNOPSIS AS INTRODUCED:

New Act  
20 ILCS 3855/1-129 new  
30 ILCS 105/5.990 new

Creates the Illinois Regional Generation Reliability Task Force Act. Sets forth findings of the General Assembly Creates the Illinois Regional Generation Reliability Task Force. Provides that the Task Force shall monitor the reliability of the Illinois power grid. Contains provisions concerning: the membership of the Task Force; duties of the Task Force; administrative support; and an annual report. Amends the Illinois Power Agency Act. Provides that the Carbon Capture Infrastructure Fund is created as a special fund in the State treasury and shall be administered by the Illinois Power Agency. Provides that \$10,000,000 shall be transferred from the Illinois Power Agency Renewable Energy Resources Fund to the Carbon Capture Infrastructure Fund. Provides that the Agency shall award grants from the fund to carbon producing power plants for the construction of new carbon capture storage systems. Amends the State Finance Act to create the Carbon Capture Infrastructure Fund. Effective immediately.

LRB103 28362 AMQ 54742 b

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act may be cited as the  
5 Illinois Regional Generation Reliability Task Force Act.

6 Section 5. Findings. The General Assembly hereby finds,  
7 determines, and declares the following:

8 (1) The reliability of the electricity grid of the  
9 State is critically important to the consumers,  
10 businesses, and all residents of this State and should not  
11 be compromised.

12 (2) The State has taken definitive steps toward  
13 redefining the generation mix in Illinois.

14 (3) The Midcontinent Independent System Operator, Inc.  
15 ("MISO") is an independent, not-for-profit, member-based  
16 organization responsible for operating the power grid  
17 across 15 states and the Canadian province of Manitoba,  
18 serving 42 million people.

19 (4) The PJM Interconnection LLC ("PJM"), is an  
20 independent not-for-profit, member-based Regional  
21 Transmission Organization ("RTO") that manages the  
22 operations, supply, and movement of power across 13 states  
23 and the District of Columbia, serving 65 million people.

1           (5) The State is served by both PJM and MISO, which  
2           collectively ensure that sufficient electric power  
3           generation supply and transmission are available to meet  
4           electric demand every minute of every day for over 107  
5           million people across 28 states and 2 countries. Wholesale  
6           electric power generation is regulated by the Federal  
7           Energy Regulatory Commission due to the interstate and  
8           international nature of the transmission grid operated by  
9           PJM and MISO. As such, policy changes at the State level  
10          can affect the reliability, availability, and cost of  
11          power for seniors, families, businesses, municipalities,  
12          universities, and hospitals across the region.

13          (6) When natural disasters occur, such as ice storms,  
14          blizzards, tornadoes, and hurricanes, states participating  
15          in PJM and MISO have provided support to each other  
16          through power generation restoration missions. The  
17          inability to deliver power generation in critical times  
18          can have a huge economic impact and can also result in  
19          death across the PJM and MISO regional transmission  
20          organizations.

21          (7) PJM and MISO have multiple markets in which power  
22          suppliers participate. The capacity market, day-ahead  
23          energy market, and frequency market are markets that power  
24          generators participate in to ensure over 107,000,000  
25          people across 28 states and 2 countries receive the right  
26          amount of electricity every minute of every day.

1           (A) Capacity markets are used in wholesale  
2 electricity markets to pay resources for being  
3 available to meet peak electricity demand. Capacity is  
4 not actual electricity, but rather the ability to  
5 produce electricity when called upon. Capacity is  
6 procured, sometimes multiple years in advance of when  
7 it is needed, based on projections of future energy  
8 needs using historical demand requirements.

9           (B) The day-ahead energy market lets market  
10 participants commit to buy or sell wholesale  
11 electricity one day before the power is needed, to  
12 help avoid price volatility. The real-time energy  
13 market balances the differences between day-ahead  
14 commitments and the actual real-time demand for and  
15 production of electricity.

16           (C) The power grid operates, and shall be  
17 maintained, at a constant frequency of 60 hertz.  
18 Significant deviation from this level can result in  
19 catastrophic damage to the power grid as well as  
20 household appliances. Frequency is maintained when  
21 electric generators automatically add or remove power  
22 from the grid. For example, a large power plant  
23 suddenly tripping offline reduces the total amount of  
24 available kinetic energy, leading the rotating  
25 generators on the system to start rotating less  
26 rapidly and thereby decreasing the alternating current

1 frequency across the grid system. Since a generator  
2 turbine's rotational velocity is directly coupled to  
3 the grid frequency, the generator's control systems  
4 can sense this frequency decline as an indicator of  
5 insufficient energy provision. The control system  
6 within each power plant, which usually has been in the  
7 form of a governor, can then automatically increase  
8 the plant's power output. This process is autonomous  
9 because the governor does not have to wait for a  
10 central dispatcher to send a signal, thus bypassing  
11 communications system delays.

12 (8) The shifting generation mix in PJM and MISO will  
13 require optimum performance and an increased focus on the  
14 need to retain reliability as certain existing generators  
15 shut down operations and new, intermittent generators are  
16 added. Additionally, increased power generation  
17 consumption due to increased electric vehicles and  
18 charging stations, along with increased electrification of  
19 building heating needs, will undoubtedly place greater  
20 demand on the power system.

21 (9) The State has a responsibility to ensure the  
22 performance of State and regional power grids are safe,  
23 reliable, and maintain the necessary capacity to meet the  
24 power demands of residents of this State. Additionally,  
25 the State has an obligation to do its part to ensure the  
26 regional power grid is safe and reliable for its

1           partnering states. As part of the regional power grid,  
2           this State should be concerned that shuttered facilities  
3           in this State will be replaced by higher cost, higher  
4           emissions resources from other states.

5           Section 10. Illinois Regional Generation Reliability Task  
6           Force.

7           (a) The Illinois Regional Generation Reliability Task  
8           Force is created. The Task Force shall monitor the reliability  
9           of the power grid of this State. The Task Force should consider  
10          the present and future needs of consumers of this State while  
11          simultaneously addressing any issues related to the  
12          performance and reliability of power generation and  
13          transmission and being mindful of the ultimate cost to  
14          consumers.

15          (b) The duties and responsibilities of the Task Force  
16          include the following:

17               (1) identifying and assessing policies, rules, and  
18               laws that have the potential to significantly affect the  
19               reliability of the State and regional power grids;

20               (2) developing a set of standards and conditions that  
21               will ensure optimal performance of the State and regional  
22               power grids based on new and emerging technologies;

23               (3) identifying opportunities to improve the power  
24               supply mix in this State through existing and new laws to  
25               ensure continued power reliability at affordable rates for

1 consumers of this State;

2 (4) compiling research and best practices from other  
3 states and countries on how to deploy technology to  
4 benefit the performance and reliability of the power grid;

5 (5) developing tools to assess the impact of proposed  
6 policies and evaluate their costs and benefits on  
7 families, employers, the public, this State, and other  
8 states as part of the Illinois and regional power grids;

9 (6) identifying data, reports, and relevant  
10 information on the performance of the power grid to ensure  
11 reliability and that pricing of power generation is in the  
12 best interest of families, businesses, and communities in  
13 this State;

14 (7) providing its findings and recommendations for  
15 policy changes and any revisions to policies, rules, and  
16 laws that will facilitate the stability and reliability of  
17 the State and regional power grids on an annual basis to  
18 the General Assembly; and

19 (8) developing and proposing legislative concepts to  
20 ensure the future stability and reliability of the power  
21 grid.

22 Section 15. Membership; meetings.

23 (a) The members of the Illinois Regional Generation  
24 Reliability Task Force shall be composed of the following:

25 (1) three Senators appointed by the President of the

1 Senate, one of whom shall be designated by the President  
2 as the co-chair of the Task Force;

3 (2) three Representatives appointed by the Speaker of  
4 the House of Representatives, one of whom shall be  
5 designated by the Speaker as the co-chair of the Task  
6 Force;

7 (3) three Senators appointed by the Minority Leader of  
8 the Senate;

9 (4) three Representatives appointed by the Minority  
10 Leader of the House of Representatives;

11 (5) one member appointed by the Governor whose sole  
12 role is dedicated to energy policy for the State;

13 (6) one member of a State or local labor organization  
14 appointed by the President of the Senate;

15 (7) one member of a State or local labor organization  
16 appointed by the Speaker of the House of Representatives;

17 (8) one representative from PJM RTO designated by PJM;

18 (9) one representative from the PJM Independent Market  
19 Monitor organization designated by the PJM Independent  
20 Market Monitor organization;

21 (10) one representative from MISO RTO designated by  
22 MISO;

23 (11) one representative from the MISO Independent  
24 Market Monitor organization designated by the MISO  
25 Independent Market Monitor organization;

26 (12) six representatives from 6 different power



1 generation companies that operate in the PJM or MISO  
2 regional transmission organization, 2 appointed by the  
3 President of the Senate, 2 appointed by the Speaker of the  
4 House of Representatives, one appointed by the Minority  
5 Leader in the Senate, and one appointed by the Minority  
6 Leader in the House of Representatives;

7 (13) one representative from a statewide organization  
8 representing retail merchants appointed by the President  
9 of the Senate;

10 (14) one representative from a statewide organization  
11 representing manufacturers appointed by the Speaker of the  
12 House of Representatives;

13 (15) one representative from a statewide organization  
14 representing retired people appointed by the Speaker of  
15 the House of Representatives;

16 (16) one representative from a minority-owned  
17 geothermal group appointed by the President of the Senate;

18 (17) one representative from a statewide organization  
19 representing business appointed by the Speaker of the  
20 House of Representatives;

21 (18) two representatives from environmental law  
22 groups, one appointed by the President of the Senate and  
23 one appointed by the Speaker of the House of  
24 Representatives;

25 (19) the Director of the Illinois Power Agency, or the  
26 Director's designee;

1           (20) the Director of the Environmental Protection  
2           Agency, or the Director's designee; and

3           (21) the Chair of the Illinois Commerce Commission, or  
4           the Chair's designee.

5           (b) Appointments for the Task Force shall be made by  
6           November 1, 2023. The Task Force shall hold 7 meetings  
7           annually, either remotely or in person, and the first meeting  
8           shall be held within 30 days after appointments are made.

9           (c) Members of the Task Force shall serve without  
10          compensation.

11          (d) The Illinois Commerce Commission shall provide  
12          administrative support to the Task Force in conjunction with  
13          the independent market monitors for the MISO and PJM regional  
14          transmission organizations.

15          Section 20. Annual report.

16          (a) The Illinois Regional Generation Reliability Task  
17          Force shall issue an annual report based upon its findings in  
18          the course of performing its duties and responsibilities. The  
19          report shall be written by the administrative staff of the  
20          Task Force and with staff assistance from the independent  
21          market monitors from the MISO and PJM regional transmission  
22          organizations.

23          (b) The Illinois Regional Generation Reliability Task  
24          Force shall submit its first report on April 1, 2024, and each  
25          April 1 thereafter to the General Assembly upon the completion

1 of its meeting schedule and shall continue to issue annual  
2 reports each year.

3 Section 900. The Illinois Power Agency Act is amended by  
4 adding Section 1-129 as follows:

5 (20 ILCS 3855/1-129 new)

6 Sec. 1-129. Carbon Capture Infrastructure Fund.

7 (a) The Carbon Capture Infrastructure Fund is created as a  
8 special fund in the State treasury.

9 (b) The Carbon Capture Infrastructure Fund shall be  
10 administered by the Agency to award grants for the  
11 construction of new carbon capture storage systems.

12 (c) As soon as practicable after the effective date of  
13 this amendatory Act of the 103rd General Assembly, \$10,000,000  
14 shall be transferred from the Illinois Power Agency Renewable  
15 Energy Resources Fund to the Carbon Capture Infrastructure  
16 Fund.

17 (d) The Agency shall award grants from the Carbon Capture  
18 Infrastructure Fund to carbon producing power plants in this  
19 State for the construction of new carbon capture storage  
20 systems.

21 (e) The Agency shall adopt rules to implement this  
22 Section.

23 Section 905. The State Finance Act is amended by adding

1 Section 5.990 as follows:

2 (30 ILCS 105/5.990 new)

3 Sec. 5.990. The Carbon Capture Infrastructure Fund.

4 Section 999. Effective date. This Act takes effect upon  
5 becoming law.