



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/06/04, by Patrick Verschoore

SYNOPSIS AS INTRODUCED:

220 ILCS 5/7-210 new

Amends the Public Utilities Act. Provides that a gas utility offering unregulated sales of natural gas to an end-use customer within or outside its service area shall be subject to specified provisions of the Act with respect to such sales. Provides that a gas utility offering unregulated sales of natural gas to an end-use customer within or outside its service area shall not subsidize such sales through the utility's regulated business. Provides that a gas utility offering unregulated sales of natural gas to an end-use customer within or outside its service area shall not discriminate in the provision of regulated gas service based upon the existence or terms of an unregulated sale of natural gas. Provides that the Commission may require a gas utility to file reports regarding its unregulated sales of natural gas in the State and shall have access to, for the purpose of review, a gas utility's contracts for unregulated sales of natural gas.

LRB093 21072 AMC 47105 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning public utilities.

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

4 Section 5. The Public Utilities Act is amended by adding
5 Section 7-210 as follows:

6 (220 ILCS 5/7-210 new)

7 Sec. 7-210. Commission oversight of nonpublic, unregulated
8 sales at retail of natural gas by public utilities.

9 (a) For the purposes of this Section, terms shall have the
10 same meaning as defined in Section 7-108 and Article XIX.

11 (b) After the effective date of this amendatory Act of the
12 93rd General Assembly, unregulated sales of natural gas by a
13 gas utility within or outside its service area shall be subject
14 to the provisions of this Section. This Section shall not be
15 interpreted to invalidate any contract for unregulated sales of
16 natural gas executed by a gas utility prior to the effective
17 date of this amendatory Act of the 93rd General Assembly, but
18 unregulated sales of natural gas pursuant to such contract
19 after the effective date of this amendatory Act of the 93rd
20 General Assembly shall be subject to the provisions of this
21 Section.

22 (c) A gas utility offering unregulated sales of natural gas
23 to an end-use customer within or outside its service area shall
24 be subject to Sections 7-102(g), 7-205, and 7-206 with respect
25 to such sales.

26 (d) Notwithstanding any language of Article XIX to the
27 contrary, a gas utility offering unregulated sales of natural
28 gas to a residential customer or a small commercial customer
29 within or outside its service area shall be subject to Sections
30 19-110(e) (2), 19-110(e) (3), 19-110(e) (5), and 19-115.

31 (e) A gas utility offering unregulated sales of natural gas
32 to an end-use customer within or outside its service area shall

1 not subsidize such sales through the utility's regulated
2 business.

3 (f) A gas utility offering unregulated sales of natural gas
4 to an end-use customer within or outside its service area shall
5 not discriminate in the provision of regulated gas service
6 based upon the existence or terms of an unregulated sale of
7 natural gas.

8 (g) To the extent the Commission determines it to be
9 necessary and in the public interest, the Commission may
10 require a gas utility to file reports regarding its unregulated
11 sales of natural gas in the State. The reports shall be treated
12 as confidential documents.

13 (h) The Commission shall have access to, for the purpose of
14 review, a gas utility's contracts for unregulated sales of
15 natural gas. The contracts shall be treated as confidential
16 documents.

17 (i) This Section shall not be applicable to unregulated
18 sales of natural gas by an affiliate of a gas utility. Nothing
19 in this Section shall be construed as impacting the
20 applicability of other Sections of this Act to the unregulated
21 sales of natural gas by an affiliate.