

1 AN ACT concerning regulation.

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 changing
5 Section 16-111.3 as follows:

6 (220 ILCS 5/16-111.3)

7 Sec. 16-111.3. Transition period earnings calculations. At
8 such time as the Board of Governors of the Federal Reserve
9 System ceases to include the monthly average yields of 30-year
10 U.S. Treasury bonds in its weekly H.15 Statistical Release or
11 successor publication, the Monthly Treasury Long-Term Average
12 Rates (25 years and above) published by the Board of Governors
13 of the Federal Reserve System in its weekly H.15 Statistical
14 Release or successor publication shall instead be used to
15 establish a rate for the purpose of calculating the Index
16 defined in subsection (e) of Section 16-111 of this Act, and at
17 such time, such Monthly Treasury Long-Term Average Rates (25
18 years and above) shall also be used in place of the monthly
19 average yields of 30-year U.S. Treasury bonds in the rate of
20 return calculation required by subsection (d) of Section
21 16-111. At such time as the Board of Governors of the Federal
22 Reserve System includes neither the nominal yields of 30-year
23 U.S. Treasury bonds nor the Treasury Long-Term Average Rate (25
24 years and above) in its weekly H.15 Statistical Release or
25 successor publication, the nominal yields of 20-year U.S.
26 Treasury bonds published by the Board of Governors of the
27 Federal Reserve System in its weekly H.15 Statistical Release
28 or successor publication shall instead be used to establish a
29 rate for the purpose of calculating the Index defined in
30 subsection (e) of Section 16-111 of this Act, and at such time,
31 such yields of 20-year U.S. Treasury bonds shall also be used
32 in place of the yields of 30-year U.S. Treasury bonds in the

1 rate of return calculation required by subsection (d) of
2 Section 16-111. An electric utility shall also remove the
3 effects, if any, of any impairment due to the application of
4 Statement of Financial Accounting Standards No. 142, which was
5 issued in June 2001, when making the calculations required by
6 this Section or by subsections (d) and (e) of Section 16-111.
7 (Source: P.A. 92-537, eff. 6-6-02.)

8 Section 99. Effective date. This Act takes effect January
9 1, 2006.