



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0215

Introduced 2/7/2007, by Sen. Mike Jacobs

SYNOPSIS AS INTRODUCED:

220 ILCS 5/8-408 new

Amends the Public Utilities Act. Provides that any electric or gas public utility with fewer than 200,000 customers in Illinois as of January 1, 2007 that offers energy efficiency programs to its customers in a state adjacent to Illinois may seek the approval of the Illinois Commerce Commission to offer the same or comparable energy efficiency programs to its customers in Illinois. Provides that if a utility shall submit certain information to the Commission for each program it offers. Specifies guidelines for the approval of each program. Provides that a public utility providing approved energy efficiency programs may recover the reasonable costs of such programs through an automatic adjustment clause tariff filed with and approved by the Commission. Provides that each year the Commission shall initiate a review to reconcile any amounts collected with the actual costs and to determine the adjustment to the annual tariff factor to match annual expenditures. Provides that a utility may request a waiver of one or more components of an approved energy efficiency program at any time in order to improve the program's effectiveness. Provides that the Commission may grant such waiver if good cause is shown by the utility. Effective immediately.

LRB095 10780 MJR 31023 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 adding
5 Section 8-408 as follows:

6 (220 ILCS 5/8-408 new)

7 Sec. 8-408. Energy efficiency plans for small
8 multi-jurisdictional utilities.

9 (a) Any electric or gas public utility with fewer than
10 200,000 customers in Illinois as of January 1, 2007 that offers
11 energy efficiency programs to its customers in a state adjacent
12 to Illinois may seek the approval of the Commission to offer
13 the same or comparable energy efficiency programs to its
14 customers in Illinois. For each program to be offered, the
15 utility shall submit to the Commission the following:

16 (1) a description of the program;

17 (2) a proposed implementation schedule and method;

18 (3) the number of eligible participants;

19 (4) the expected rate of participation per year;

20 (5) the estimated annual peak demand and energy
21 savings;

22 (6) the budget or level of spending; and

23 (7) the rate impacts and average bill impacts by

1 customer class resulting from the program.

2 The Commission shall approve each program demonstrated to
3 be cost effective if they are demonstrated to be
4 cost-effective; provided that programs for low-income
5 customers shall be approved by the Commission even if they have
6 not been demonstrated to be cost-effective if they are
7 demonstrated to be reasonable. An order of the state agency
8 that regulates the rates of the utility in the adjacent state
9 that finds a program to be cost effective or reasonable shall
10 be sufficient to demonstrate that the program is cost effective
11 or reasonable for the utility's customers in Illinois. Approved
12 programs may be delivered by the utility or by a contract or
13 agent of the utility.

14 (b) Notwithstanding the provisions of Section 9-201, a
15 public utility providing approved energy efficiency programs
16 in Illinois may recover the reasonable costs of such programs
17 through an automatic adjustment clause tariff filed with and
18 approved by the Commission. The Commission shall annually
19 initiate a review to reconcile any amounts collected with the
20 actual costs and to determine the adjustment to the annual
21 tariff factor to match annual expenditures. The determination
22 shall be made within 90 days after the initiation of the
23 review.

24 (c) The utility may request a waiver of one more components
25 of an approved energy efficiency program at any time in order
26 to improve the program's effectiveness. For good cause shown,

1 the Commission may grant such a waiver.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.