



Sen. Mike Jacobs

Filed: 3/16/2007

09500SB0215sam001

LRB095 10780 MJR 33872 a

1 AMENDMENT TO SENATE BILL 215

2 AMENDMENT NO. _____. Amend Senate Bill 215 by replacing
3 everything after the enacting clause with the following:

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 on 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:

16 (1) a description of the program;

1 (2) a proposed implementation schedule and method;

2 (3) the number of eligible participants;

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

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

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

7 (7) the rate impacts and average bill impacts, by
8 customer class, resulting from the program.

9 The Commission shall approve each program demonstrated to
10 be cost-effective. Programs for low-income customers shall be
11 approved by the Commission even if they have not been
12 demonstrated to be cost-effective if they are demonstrated to
13 be reasonable. An order of the State agency that regulates the
14 rates of the utility in the adjacent state that finds a program
15 to be cost-effective or reasonable shall be sufficient to
16 demonstrate that the program is cost-effective or reasonable
17 for the utility's customers in Illinois. Approved programs may
18 be delivered by the utility or by a contractor or agent of the
19 utility.

20 (b) Notwithstanding the provisions of Section 9-201, a
21 public utility providing approved energy efficiency programs
22 in the State shall be permitted to recover the reasonable costs
23 of those programs through an automatic adjustment clause tariff
24 filed with and approved by the Commission. Each year the
25 Commission shall initiate a review to reconcile any amounts
26 collected with the actual costs and to determine the adjustment

1 to the annual tariff factor to match annual expenditures. The
2 determination shall be made within 90 days after the date of
3 initiation of the review.

4 (c) The utility may request a waiver of one or more
5 components of an approved energy efficiency program at any time
6 in order to improve the program's effectiveness. The Commission
7 may grant the waiver if good cause is shown by the utility.
8 Notwithstanding the cessation of the programs, a utility shall
9 file a final reconciliation of the amounts collected as
10 compared to the actual costs and shall continue the resulting
11 factor until any over-recovery or under-recovery approaches
12 zero.

13 (d) A public utility that offers approved energy efficiency
14 programs in the State may do so through at least December 31,
15 2012. The Commission shall monitor the performance of the
16 energy efficiency programs and, on or before October 31, 2012,
17 the Commission shall make a determination regarding whether the
18 programs should be continued beyond calendar year 2012. The
19 Commission shall also file a written report with the General
20 Assembly explaining the basis for that determination and
21 detailing the results of the energy efficiency programs,
22 including energy savings, participation numbers, and costs.

23 Section 99. Effective date. This Act takes effect January
24 1, 2008."