



Sen. Don Harmon

Filed: 3/23/2012

09700SB3811sam001

LRB097 19963 CEL 67818 a

1 AMENDMENT TO SENATE BILL 3811

2 AMENDMENT NO. _____. Amend Senate Bill 3811 as follows:

3 on page 1, by replacing line 5 with "Sections 16-107.5 and
4 16-111.5B as follows:"; and

5 on page 12, immediately below line 22, by inserting the
6 following:

7 "(220 ILCS 5/16-111.5B)

8 Sec. 16-111.5B. Provisions relating to energy efficiency
9 procurement.

10 (a) Beginning in 2012, procurement plans prepared pursuant
11 to Section 16-111.5 of this Act shall be subject to the
12 following additional requirements:

13 (1) The analysis included pursuant to paragraph (2) of
14 subsection (b) of Section 16-111.5 shall also include the
15 impact of energy efficiency building codes or appliance

1 standards, both current and projected.

2 (2) The procurement plan components described in
3 subsection (b) of Section 16-111.5 shall also include an
4 assessment of opportunities to expand the programs
5 promoting energy efficiency measures that have been
6 offered under plans approved pursuant to Section 8-103 of
7 this Act or to implement additional cost-effective energy
8 efficiency programs or measures.

9 (3) In addition to the information provided pursuant to
10 paragraph (1) of subsection (d) of Section 16-111.5 of this
11 Act, each Illinois utility procuring power pursuant to that
12 Section shall annually provide to the Illinois Power Agency
13 by July 15 of each year, or such other date as may be
14 required by the Commission or Agency, an assessment of
15 cost-effective energy efficiency programs or measures that
16 could be included in the procurement plan. The assessment
17 shall include the following:

18 (A) A comprehensive energy efficiency potential
19 study for the utility's service territory that was
20 completed within the past 3 years.

21 (B) Beginning in 2014, the most recent analysis
22 submitted pursuant to Section 8-103A of this Act and
23 approved by the Commission under subsection (f) of
24 Section 8-103 of this Act.

25 (C) Identification of new or expanded
26 cost-effective energy efficiency programs or measures

1 that are incremental to those included in energy
2 efficiency and demand-response plans approved by the
3 Commission pursuant to Section 8-103 of this Act and
4 that would be offered to all retail customers whose
5 electric service has not been declared competitive
6 under Section 16-113 of this Act and who are eligible
7 to purchase power and energy from the utility under
8 fixed-price bundled service tariffs, regardless of
9 whether such customers actually do purchase such power
10 and energy from the utility ~~eligible retail customers.~~

11 (D) Analysis showing that the new or expanded
12 cost-effective energy efficiency programs or measures
13 would lead to a reduction in the overall cost of
14 electric service.

15 (E) Analysis of how the cost of procuring
16 additional cost-effective energy efficiency measures
17 compares over the life of the measures to the
18 prevailing cost of comparable supply.

19 (F) An energy savings goal, expressed in
20 megawatt-hours, for the year in which the measures will
21 be implemented.

22 (G) For each expanded or new program, the estimated
23 amount that the program may reduce the agency's need to
24 procure supply.

25 In preparing such assessments, a utility shall conduct
26 an annual solicitation process for purposes of requesting

1 proposals from third-party vendors, the results of which
2 shall be provided to the Agency as part of the assessment,
3 including documentation of all bids received. The utility
4 shall develop requests for proposals consistent with the
5 manner in which it develops requests for proposals under
6 plans approved pursuant to Section 8-103 of this Act, which
7 considers input from the Agency and interested
8 stakeholders.

9 (4) The Illinois Power Agency shall include in the
10 procurement plan prepared pursuant to paragraph (2) of
11 subsection (d) of Section 16-111.5 of this Act energy
12 efficiency programs and measures it determines are
13 cost-effective and the associated annual energy savings
14 goal included in the annual solicitation process and
15 assessment submitted pursuant to paragraph (3) of this
16 subsection (a).

17 (5) Pursuant to paragraph (4) of subsection (d) of
18 Section 16-111.5 of this Act, the Commission shall also
19 approve the energy efficiency programs and measures
20 included in the procurement plan, including the annual
21 energy savings goal, if the Commission determines they
22 fully capture the potential for all achievable
23 cost-effective savings, to the extent practicable, and
24 otherwise satisfy the requirements of Section 8-103 of this
25 Act.

26 In the event the Commission approves the procurement of

1 additional energy efficiency, it shall reduce the amount of
2 power to be procured under the procurement plan to reflect
3 the additional energy efficiency and shall direct the
4 utility to undertake the procurement of such energy
5 efficiency, which shall not be subject to the requirements
6 of subsection (e) of Section 16-111.5 of this Act. The
7 utility shall consider input from the Agency and interested
8 stakeholders on the procurement and administration
9 process.

10 (6) An electric utility shall recover its costs
11 incurred under this Section related to the implementation
12 of energy efficiency programs and measures approved by the
13 Commission in its order approving the procurement plan
14 under Section 16-111.5 of this Act, including, but not
15 limited to, all costs associated with complying with this
16 Section and all start-up and administrative costs and the
17 costs for any evaluation, measurement, and verification of
18 the measures, from all retail customers whose electric
19 service has not been declared competitive under Section
20 16-113 of this Act and who are eligible to purchase power
21 and energy from the utility under fixed-price bundled
22 service tariffs, regardless of whether such customers
23 actually do purchase such power and energy from the utility
24 ~~eligible retail customers~~ through the automatic adjustment
25 clause tariff established pursuant to Section 8-103 of this
26 Act, provided, however, that the limitations described in

1 subsection (d) of that Section shall not apply to the costs
2 incurred pursuant to this Section or Section 16-111.7 of
3 this Act.

4 (b) For purposes of this Section, the term "energy
5 efficiency" shall have the meaning set forth in Section 1-10 of
6 the Illinois Power Agency Act, and the term "cost-effective"
7 shall have the meaning set forth in subsection (a) of Section
8 8-103 of this Act. ~~In addition, the estimated costs to acquire
9 an additional energy efficiency measure, when divided by the
10 number of kilowatt-hours expected to be saved over the life of
11 the measure, shall be less than or equal to the electricity
12 costs that would be avoided as a result of the energy
13 efficiency measure.~~

14 (Source: P.A. 97-616, eff. 10-26-11.)".