

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
5 changing Section 8-206 as follows:

6 (220 ILCS 5/8-206) (from Ch. 111 2/3, par. 8-206)
7 Sec. 8-206. Winter service disconnection.

8 (a) Notwithstanding any other provision of this Act, no
9 electric or gas public utility shall disconnect service to
10 any residential customer or mastermetersed apartment building
11 for nonpayment of a bill or deposit where gas or electricity
12 is used as the primary source of space heating or is used to
13 control or operate the primary source of space heating
14 equipment at the premises during the period of time from
15 December 1 through and including March 31 of the immediately
16 succeeding calendar year, unless all of the following
17 requirements are met:

18 (1) The utility ~~(i)~~ has offered the customer a
19 deferred payment arrangement allowing for payment of past
20 due amounts over a period of not less than 4 months not
21 to extend beyond the following November and the option to
22 enter into a levelized payment plan for the payment of
23 future bills. The maximum down payment requirements
24 shall not exceed 10% of the amount past due and owing at
25 the time of entering into the agreement. ~~and (ii)~~

26 (2) The utility has provided the customer with the
27 names, addresses, and telephone numbers of governmental
28 and private agencies which may provide assistance to
29 customers of public utilities in paying their utility
30 bills; the utility shall obtain the approval of an agency
31 before placing the name of that agency on any list which

1 will be used to provide such information to customers.†

2 (3) The utility's deferred payment plan provides
3 that the customer can earn credit to be applied to
4 past-due bills by working for a nonprofit community-based
5 organization or by attending school in order to pass the
6 General Educational Development test.

7 (4) †2† The customer has refused or failed to enter
8 into a deferred payment arrangement as described in
9 paragraphs paragraph (1) and (2) of this subsection (a)†
10 and

11 (5) †3† All notice requirements as provided by law
12 and rules or regulations of the Commission have been met.

13 (b) Prior to termination of service for any residential
14 customer or mastermeters apartment building during the
15 period from December 1 through and including March 31 of the
16 immediately succeeding calendar year, all electric and gas
17 public utilities shall, in addition to all other notices:

18 (1) Notify the customer or an adult residing at the
19 customer's premises by telephone, a personal visit to the
20 customer's premises or by first class mail, informing the
21 customer that:

22 (i) the customer's account is in arrears and
23 the customer's service is subject to termination for
24 nonpayment of a bill;

25 (ii) the customer can avoid disconnection of
26 service by entering into a deferred payment
27 agreement to pay past due amounts over a period not
28 to extend beyond the following November and the
29 customer has the option to enter into a levelized
30 payment plan for the payment of future bills;

31 (iii) the customer may apply for any available
32 assistance to aid in the payment of utility bills
33 from any governmental or private agencies from the
34 list of such agencies provided to the customer by

1 the utility; and-

2 (iv) the customer may earn credit to be
3 applied to past-due bills by working for a nonprofit
4 community-based organization or by attending school
5 in order to pass the General Educational Development
6 test.

7 Provided, However, that a public utility shall be
8 required to make only one such contact with the customer
9 during any such period from December 1 through and
10 including March 31 of the immediately succeeding calendar
11 year.

12 (2) Each public utility shall maintain records
13 which shall include, but not necessarily be limited to,
14 the manner by which the customer was notified and the
15 time, date and manner by which any prior but unsuccessful
16 attempts to contact were made. These records shall also
17 describe the terms of the deferred payment arrangements
18 offered to the customer and those entered into by the
19 utility and customers. These records shall indicate the
20 total amount past due, the down payment, the amount
21 remaining to be paid and the number of months allowed to
22 pay the outstanding balance. No public utility shall be
23 required to retain records pertaining to unsuccessful
24 attempts to contact or deferred payment arrangements
25 rejected by the customer after such customer has entered
26 into a deferred payment arrangement with such utility.

27 (c) No public utility shall disconnect service for
28 nonpayment of a bill until the lapse of 6 business days after
29 making the notification required by paragraph (1) of
30 subsection (b) so as to allow the customer an opportunity to:

31 (1) Enter into a deferred payment arrangement and
32 the option to enter into a levelized payment plan for the
33 payment of future bills.

34 (2) Contact a governmental or private agency that

1 may provide assistance to customers for the payment of
2 public utility bills.

3 (d) Any residential customer who enters into a deferred
4 payment arrangement pursuant to this Act, and subsequently
5 during that period of time set forth in subsection (a)
6 becomes subject to termination, shall be given notice as
7 required by law and any rule or regulation of the Commission
8 prior to termination of service.

9 (e) During that time period set forth in subsection (a),
10 a utility shall not require a down payment for a deposit from
11 a residential customer in excess of 20% of the total deposit
12 requested. An additional 4 months shall be allowed to pay
13 the remainder of the deposit. This provision shall not apply
14 to mastermeters apartment buildings or other nonresidential
15 customers.

16 (f) During that period of time set forth in subsection
17 (a), no utility may refuse to offer a deferred payment
18 agreement to a residential customer who has defaulted on such
19 an agreement within the past 12 months. However, no utility
20 shall be required to enter into more than one deferred
21 payment arrangement under this Section with any residential
22 customer or mastermeters apartment building during the
23 period from December 1 through and including March 31 of the
24 immediately succeeding calendar year.

25 (g) In order to enable customers to take advantage of
26 energy assistance programs, customers who can demonstrate
27 that their applications for a local, state or federal energy
28 assistance program have been approved may request that the
29 amount they will be entitled to receive as a regular energy
30 assistance payment be deducted and set aside from the amount
31 past due on which they make deferred payment arrangements.
32 Payment on the set-aside amount shall be credited when the
33 energy assistance voucher or check is received, according to
34 the utility's common business practice.

1 (h) In no event shall any utility send a final notice to
2 any customer who has entered into a current deferred payment
3 agreement and has not defaulted on that deferred payment
4 agreement, unless the final notice pertains to a deposit
5 request.

6 (i) Each utility shall include with each disconnection
7 notice sent during the period for December 1 through and
8 including March 31 of the immediately succeeding calendar
9 year to a residential customer an insert explaining the above
10 provisions and providing a telephone number of the utility
11 company which the consumer may call to receive further
12 information.

13 (j) Each utility shall file with the Commission prior to
14 December 1 of each year a plan detailing the implementation
15 of this Section. This plan shall contain, but not be limited
16 to:

17 (1) a description of the methods to be used to
18 notify residential customers as required in this Section,
19 including the forms of written and oral notices which
20 shall be required to include all the information
21 contained in subsection (b) of this Section.

22 (2) a listing of the names, addresses and telephone
23 numbers of governmental and private agencies which may
24 provide assistance to residential customers in paying
25 their utility bills;

26 (3) the program of employee education and
27 information which shall be used by the company in the
28 implementation of this Section.

29 (4) a description of methods to be utilized to
30 inform residential customers of those governmental and
31 private agencies and current and planned methods of
32 cooperation with those agencies to identify the customers
33 who qualify for assistance in paying their utility bills.
34 A utility which has a plan on file with the Commission

1 need not resubmit a new plan each year. However, any
2 alteration of the plan on file must be submitted and approved
3 prior to December 1 of any year.

4 All plans are subject to review and approval by the
5 Commission. The Commission may direct a utility to alter its
6 plan to comply with the requirements of this Section.

7 (Source: P.A. 84-617.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.