



1 providers of any 2 services described in subsection (b) to  
2 prevent undue discrimination and promote efficient  
3 competition. Provided, however, that a proposed rule shall  
4 not be published prior to May 15, 1999.

5 (b) The Commission shall also have the authority to  
6 investigate the need for, and adopt rules requiring,  
7 functional separation between the generation services and the  
8 delivery services of those electric utilities whose principal  
9 service area is in Illinois as necessary to meet the  
10 objective of creating efficient competition between suppliers  
11 of generating services and sellers of such services at retail  
12 and wholesale. After January 1, 2003, the Commission shall  
13 also have the authority to investigate the need for, and  
14 adopt rules requiring, functional separation between an  
15 electric utility's competitive and non-competitive services.

16 (b-5) If there is a change in ownership of a majority of  
17 the voting capital stock of an electric utility or the  
18 ownership or control of any entity that owns or controls a  
19 majority of the voting capital stock of an electric utility,  
20 the electric utility shall have the right to file with the  
21 Commission a new plan to supersede any plan previously  
22 approved by the Commission pursuant to this Section for that  
23 electric utility. This subsection only applies to the extent  
24 that the Commission rules for the functional separation of  
25 delivery services and generation services provide an electric  
26 utility with the ability to select from 2 or more options to  
27 comply with this Section. The electric utility may file its  
28 revised plan with the Commission up to one calendar year  
29 after the conclusion of the sale, purchase, or any other  
30 transfer of ownership described in this subsection. The  
31 Commission may promulgate rules to implement this subsection.

32 (c) In establishing or considering the need for rules  
33 under subsections (a) and (b), the Commission shall take into  
34 account the effects on the cost and reliability of service

1 and the obligation of the utility to provide bundled service  
2 under this Act. The Commission shall adopt rules that are a  
3 cost effective means to ensure compliance with this Section.

4 (d) Nothing in this Section shall be construed as  
5 imposing any requirements or obligations that are in conflict  
6 with federal law.

7 (Source: P.A. 90-561, eff. 12-16-97.)

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