STAFF REPORT TO THE COMMISSION
CONSUMER SERVICES DIVISION
October 25, 2006

SUBJECT: 83 Ill. Adm. Code 280 (Part 280) Commission rules for gas, electric, water and sanitary sewer utilities governing eligibility for service, deposits, payment practices, discontinuance of service and dispute resolution.

CAPSULE SUMMARY:

Staff recommends that the Commission enter an Order initiating a rulemaking to rewrite Part 280. Currently, four docketed cases are pending before the Commission in which the petitioners propose extensive revisions to Part 280. The nature and extent of the changes proposed by all parties argues for a rewrite of the existing rule.

BACKGROUND:

Few changes have been made to Part 280 since it was adopted in 1979. Currently, there is widespread interest in updating the rules.

In Docket 05-0237, certain utilities petitioned the Commission to adopt changes to five of the twenty-six sections in Part 280. Representatives of low-income advocates, Citizens Utility Board (CUB), and the People of the State of Illinois (AG) were permitted to present their proposed changes; however, petitioners and others did not anticipate that the proposed changes would be so extensive as to amend 20 sections and add several new sections. In July 2005 Petitioners filed a motion to limit the scope of the proceeding. Petitioners and interveners met to discuss issues and determine if consensus could be reached. Staff was not included in those discussions. The meetings did not produce agreement and the motion to limit the scope of the proceeding was granted. On March 17, 2006, low income advocates filed a petition to amend sections of Part 280 (Docket 06-