

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 251 be amended to read as follows:

- 1 Page 2, delete lines 27 through 30.
- 2 Page 2, line 31, delete "(7)" and insert "(6)".
- 3 Page 4, delete lines 33 through 42.
- 4 Delete page 5.
- 5 Page 6, line 18, delete "facility. or a nuclear" and insert "facility.".
- 6 Page 6, delete line 19.
- 7 Page 6, delete lines 23 through 25.
- 8 Page 6, line 28, delete "or energy".
- 9 Page 6, line 29, delete "facility or by a nuclear energy production or"
- 10 and insert "facility.".
- 11 Page 6, delete line 30.
- 12 Page 7, line 10, delete "or energy".
- 13 Page 7, line 11, delete "facility or by a nuclear energy production or
- 14 generating" and insert "facility.".
- 15 Page 7, delete line 12.
- 16 Page 7, delete lines 37 through 42.
- 17 Page 8, delete lines 1 through 28, begin a new paragraph and insert:
- 18 "SECTION 6. IC 8-1-8.8-9, AS AMENDED BY P.L.175-2007,
- 19 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2011]: Sec. 9. As used in this chapter, "qualified utility system
- 21 property" means any new energy **production or** generating ~~or coal~~
- 22 ~~gasification~~ facility used, or to be used, in whole or in part, by an
- 23 energy utility to provide retail energy service (as defined in
- 24 IC 8-1-2.5-3) regardless of whether that service is provided under

- 1 IC 8-1-2.5 or another provision of this article."
 2 Page 9, line 25, delete "and expenses".
 3 Page 9, line 31, delete "or energy".
 4 Page 9, line 32, delete "facility or by a nuclear energy" and insert
 5 "facility,".
 6 Page 9, line 33, delete "production or generating facility,".
 7 Page 10, delete lines 15 through 42, begin a new paragraph and
 8 insert:
 9 "SECTION 9. IC 8-1-8.8-12, AS AMENDED BY P.L.175-2007,
 10 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2011]: Sec. 12. (a) The commission shall provide financial
 12 incentives to eligible businesses for new energy ~~producing and~~
 13 **production or** generating facilities in the form of timely recovery of
 14 the costs incurred in connection with the **study, analysis,**
 15 **development, siting, design, licensing, permitting,** construction,
 16 repowering, expansion, operation, or maintenance of the facilities.
 17 (b) An eligible business seeking authority to timely recover the costs
 18 described in subsection (a) must apply to the commission for approval
 19 of a rate adjustment mechanism in the manner determined by the
 20 commission.
 21 (c) An application must include the following:
 22 (1) A schedule for the completion of construction, repowering, or
 23 expansion of the ~~new energy generating or coal gasification~~
 24 facility for which rate relief is sought.
 25 (2) Copies of the most recent integrated resource plan filed with
 26 the commission, if applicable.
 27 (3) The amount of capital investment by the eligible business in
 28 the ~~new energy generating or coal gasification~~ facility.
 29 (4) Other information the commission considers necessary.
 30 (d) The commission shall allow an eligible business to recover the
 31 costs associated with qualified utility system property if the eligible
 32 business provides substantial documentation that the expected costs
 33 associated with qualified utility system property and the schedule for
 34 incurring those costs are reasonable and necessary.
 35 (e) The commission shall allow an eligible business to recover the
 36 costs associated with the purchase of fuels produced by a coal
 37 gasification facility if the eligible business provides substantial
 38 documentation that the costs associated with the purchase are
 39 reasonable and necessary.
 40 (f) A retail rate adjustment mechanism proposed by an eligible
 41 business under this section may be based on actual or forecasted data.
 42 If forecast data is used, the retail rate adjustment mechanism must
 43 contain a reconciliation mechanism to correct for any variance between
 44 the forecasted costs and the actual costs.
 45 SECTION 10. IC 8-1-8.8-13, AS AMENDED BY P.L.175-2007,
 46 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

- 1 JULY 1, 2011]: Sec. 13. An eligible business shall file a monthly report
- 2 with the lieutenant governor stating the following information:
- 3 (1) The amount of Illinois Basin coal, if any, purchased during the
- 4 previous month for use in a new energy **production or** generating
- 5 ~~or coal gasification~~ facility.
- 6 (2) The amount of any fuel produced by a coal gasification facility
- 7 and
- 8 purchased by the eligible business during the previous month.
- 9 (3) Any other information the lieutenant governor may reasonably
- 10 require."
- 11 Page 11, delete lines 1 through 29.
- 12 Page 14, delete line 11.
- 13 Page 14, line 12, delete "(19)" and insert "**(18)**".
- 14 Page 14, line 21, delete "(20)" and insert "**(19)**".
- 15 Page 14, line 22, delete "(21)" and insert "**(20)**".
- 16 Page 18, line 26, delete "4(a)(21)" and insert "**4(a)(20)**".
- 17 Renumber all SECTIONS consecutively.
(Reference is to ESB 251 as printed April 15, 2011.)

Representative Pierce