

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission :
On its own Motion :
 : **17-0857**
Initiating proposed rulemaking for :
the obligations of Alternative Gas Suppliers :

ORDER

By the Commission:

It is Illinois policy that customers have access to a competitive retail natural gas market. Competition requires choice. Consumer education and protection are crucial in any program implementing customer choice, particularly for small commercial and residential customers. The Commission is committed to ensuring Illinois consumers have the necessary information to make an informed decision about whether to choose an Alternative Gas Supplier.

The Commission recently amended 83 Ill. Adm. Code 412 and 83 Ill. Adm. Code 453, incorporating best practices in the sales and marketing in the electric retail market, to protect consumers and assist with customer disputes. The Commission's recent successful undertaking in amending the rules governing Alternative Retail Electric Suppliers to incorporate additional consumer protections supports a similar undertaking with respect to Alternative Gas Suppliers.

The Commission, is of the opinion and finds that:

- (1) The Commission has jurisdiction over the subject matter in this proceeding;
- (2) the recitals of fact set forth in the prefatory portion of this Order are supported by the record and should be adopted as findings of fact;
- (3) a proceeding should be initiated to consider the making of rules to address the service obligations, sales and marketing practices of Alternative Gas Suppliers;
- (4) workshops be held with the goal of having all interested parties reach a consensus on proposed rules, or parts thereof, that will be proposed to the Commission; and
- (5) this proceeding is a rulemaking and should be conducted as such.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that a proceeding be initiated for the development of proposed rules regarding the service obligations, sales, and marketing practices of alternative retail gas suppliers; and

IT IS FURTHER ORDERED that workshops be held with the goal of having all interested parties reach a consensus on the proposed rules, or parts thereof, that will be proposed to the Commission; and

IT IS FURTHER ORDERED that Staff, within 30 days, present a draft proposal for discussion at the workshops. Workshops should not extend beyond 75 days of the distribution of the draft proposal, unless at the end of this period the hearing examiner believes that additional workshops will result in a full stipulation on the proposed rules by the parties; and

IT IS FURTHER ORDERED that if a consensus can be reached, Staff shall file the proposed rules, with supportive testimony, and indicate such consensus immediately following the workshop period. All other parties should file statements affirming their agreement to the proposed rules. Any party, may, of course, file testimony in support of the proposed rules if they so desire; and

IT IS FURTHER ORDERED that if a consensus cannot be reached, Staff shall file its proposed rules with supportive testimony as soon as reasonably possible after the workshop period; and

IT IS FURTHER ORDERED that a copy of this Order be sent to all gas utilities and alternative retail gas suppliers under the jurisdiction of the Commission; and

IT IS FURTHER ORDERED that this proceeding is a rulemaking and shall be conducted as such and not as a contested case; and

IT IS FURTHER ORDERED that this Order is not a final order; it is not subject to the Administrative Review Law.

By Order of the Commission this 6th day of December, 2017.

(SIGNED) BRIEN SHEAHAN

Chairman