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**Staff Draft Rule
Public Utility Electronic Tariff Filing
October 17, 2016**

**TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE THAN ONE KIND OF
UTILITY**

PART xxx

**STANDARD INFORMATION REQUIREMENTS FOR PUBLIC UTILITIES FILING
ELECTRONIC TARIFFS**

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Section XXX.10 Overview of Electronic Tariff Filing

One of the stated purposes of the Electronic Commerce Security Act is *to facilitate electronic filing of documents with State and local government agencies, and promote efficient delivery of government services by means of reliable electronic records.* [5 ILCS 175/1-105(3)] The Electronic Commerce Security Act authorizes State agencies to send and receive electronic records and electronic signatures. In addition, the Commission has the authority over its process and proceedings pursuant to Section 10-101 of the Public Utilities Act [220 ILCS 5/10-101]. To that end, the Commission is committed to facilitating the filing, distributing, and accessing of tariffs electronically through its Electronic Tariff Filing System. Any public utility, subject to the provisions of this rule, may elect to ~~file-submit~~ a tariff and all associated documents ~~for filing~~ in an electronic format instead of ~~filing~~ in hard copy ~~format~~. However, nothing in this Part should be construed to require any public utility to ~~file-submit~~ any tariff ~~for filing~~ in an electronic format.

Section XXX.20 Definitions

“Act” means the Public Utilities Act [220 ILCS 5].

“Commission” or “ICC” means the Illinois Commerce Commission.

“Electronic Tariff Filing System,” “e-Tariff System” or “e-Tariff” means the ICC’s system used by public utilities to submit tariffs electronically.

“ICC External User” or “Authorized User” means a person who is not an ICC employee and who has been authorized to use the Commission's electronic tariff filing system.

“ICC External User Account” or “Authorized User Account” means the unique user name and password that are assigned to a person who is authorized to use the Commission's electronic tariff filing system.

“ICC External User Account Application” means the form used to request the creation of an ICC external user account.

“Personally Identifiable Information” includes but is not limited to social security numbers, driver’s license numbers, credit card numbers, debit card numbers, and medical records.

"Public Utility" has the same meaning as in Sections 3-105(a)(1) and (2) of the Act.

“Staff” means ICC employees.

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“Tariff” has the same meaning as the definition of “Schedule” in 83 Ill. Adm. Code 255.10, excluding standard information requirement materials submitted pursuant to 83 Ill. Adm. Code 285.

Section XXX.30 Applicability

This Part applies to all public utilities.

Section XXX.40 Acceptable Format

- a) All tariffs submitted electronically to the Commission shall be in Adobe Acrobat Portable Document Format (PDF).
- b) All electronic tariff records will be stored by the Commission in Adobe Acrobat PDF.

Section XXX.50 Electronic Tariff Filing System Accounts

- a) Each person seeking to submit tariffs electronically must have an active ICC external user account. The ICC external user account application is available on the ICC website or by contacting the Chief Clerk’s Office.
- b) A completed ICC external user account application must be delivered to the Chief Clerk’s Office in accordance with the instructions provided on the form.
- c) A public utility is responsible for authorizing the persons who may submit tariffs electronically on its behalf. Any user authorized to submit tariffs electronically on behalf of a public utility can see a list of the public utility’s authorized users for the electronic tariff filing system.
- d) The public utility shall timely contact the Chief Clerk’s Office to request the revocation of an authorized user account if a person is no longer authorized to submit tariffs electronically on behalf of the public utility, or if the public utility becomes aware of a security breach associated with the person or the account.
- e) A person whose ICC external user account application is accepted by the ICC will be assigned a unique user name and password.
- f) An authorized user is responsible for keeping his or her user name and password confidential. The unique user name and password assigned to a person are used to authenticate authorized users and establish authority to submit tariffs electronically on behalf of a public utility. Therefore, safeguarding this information is important to prevent unauthorized electronic submission of tariffs.

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- g) The unique user name and password of an authorized user enable the e-Tariff system to trace an electronically submitted tariff to a specific person as if the submission were signed. This shall serve as an electronic signature of the authorized user on those submissions.

Section XXX.60 Control Processes

- a) The electronic tariff filing system allows only users with an authorized user account to submit tariffs electronically.
- b) If an electronic tariff submission is found to contain malware, the submission will be rejected and the user shall be notified of the rejection.
- c) If an electronic tariff submission is found to contain personally identifiable information, the submission will be rejected and the user shall be notified of the rejection.
- d) A user's web browser must be set to accept cookies in order for authorized users to submit tariffs electronically. Cookies - [small, often encrypted text files, located in browser directories](#) - identify authorized users and enable the server to send customized data to the user. Cookies also submit account information for the authorized user. A privacy statement is available on the ICC website.
- e) The electronic tariff filing system logs every electronic tariff submission with the ICC external user account, public utility name, filing description, tracking number, date and time.
- f) Any problems or errors experienced during an electronic tariff submission should be reported to the ICC Chief Clerk's Office.

Section XXX.70 Required Information

- a) Tariffs submitted electronically shall consist of a letter of transmittal, tariff pages, and work papers (if applicable). Letters of transmittal and tariff pages will be publicly viewable. Work papers will be viewable only by the public utility representatives that submitted the work papers and Staff. The work papers represent information the public utility believes is necessary to facilitate the understanding of the tariff submission.
- b) The letter of transmittal shall contain the following information:
 - 1) The name of the public utility on record with the ICC.
 - 2) The tariff pages that are being changed.

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- 3) A signature of a representative of the public utility.
- c) The [letter of transmittal and](#) tariff pages shall contain the information required by, and (excepting page size [and hard copy form](#)) shall be in the format prescribed by 83 Ill. Adm. Code 255.30(a) through (1)(3).
- d) The work papers (if applicable) shall:
 - 1) Be submitted in a separate file from the [letter of transmittal and](#) tariff pages.
 - 2) Use the following naming convention for the work paper file: Company Name – Tariff –WP.
 - 3) For each page heading of the work paper file, provide the following minimum information:
 - A). Public utility name;
 - B) Tariff name;
 - C) Sheet No.; and
 - D). WP (or Work Paper) page x of x.
 - 4) Be retained by the ICC as confidential and proprietary in accordance with Section 4-404 of the Act [220 ILCS 5/4-404].

Section XXX.80 Submission of Tariffs Electronically

- a) An authorized user must verify that the tariff documents submitted electronically do not contain personally identifiable information.
- b) Upon submission of an electronic tariff, the electronic tariff filing system will provide the authorized user with a tracking number for the submission. The tracking number should be retained for any inquiries related to the submission.
- c) An authorized user can locate and view electronic tariff submissions made by the account in the electronic tariff filing system by tracking number or date range. The entry for the tariff submission will indicate whether the submission is publicly viewable, the status of the submission (pending, accepted or rejected) and a description of the submission. An authorized user may also view all electronic tariff documents submitted on behalf of his or her public utility.

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- d) Submission of a tariff electronically does not constitute acceptance of the tariff. An electronically ~~filed-submitted~~ tariff is deemed accepted when the Chief Clerk's Office designates the tariff as accepted on the electronic tariff filing system.
- e) ~~Tariffs accepted by the ICC Chief Clerk's Office before five o'clock p.m. Illinois local time shall be deemed accepted as of that date. Tariffs accepted by the Chief Clerk's Office at or after five o'clock p.m. Illinois local time shall be deemed accepted as of the next scheduled business day.~~ In Order for an electronically submitted tariff to be considered filed on a particular date, it must be accepted by the ICC Chief Clerk's Office before five o'clock p.m. (5:00 p.m. local Illinois time) on such date. It is the responsibility of the public utility to ensure that its submission is made in such a manner that acceptance of the submission by the ICC Chief Clerk's Office for filing occurs on the date that is shown on the applicable tariff documents the public utility submitted for filing.

Section XXX.90 Notification of Acceptance or Rejection of Tariff Submission

- a) An authorized user will be able to create an e-mail notification list for each electronic tariff submitted. The user and any associated e-mail notification list will be notified automatically by email for each electronic tariff submission.
- b) When an electronic tariff submission is accepted or rejected by the Chief Clerk's Office, an e-mail is sent to the user and the notification list for the tariff submission.
- c) It is the responsibility of the public utility to monitor electronic tariff submissions and verify acceptance or rejection of the tariff.