



**For Immediate Release**  
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## **ICC Strengthens Rules Governing the Recoverability of Charitable Contributions**

CHICAGO, IL– The Illinois Commerce Commission today issued a First Notice Order in which it strengthened the rules governing the recoverability of charitable contributions made by Illinois public utilities.

Illinois law, through the legislature’s enactment of Section 9-227 of the Public Utilities Act, allows public utilities to recover the cost of charitable contributions as an operating expense. Recoverability of the amount, ultimately collected through customers’ rates, requires that the donation be (1) for the public welfare or for charitable scientific, religious or educational purposes, and (2) reasonable in amount.

Chapter 83, Part 325 of the Illinois Administrative Code provides supplemental information that a utility must report to assist the Commission in evaluating whether a charitable contribution is made for purposes consistent with Section 9-227, as well as determining whether the donation is reasonable in amount. The reporting requirements include information like the date and amount of each contribution, the name of the entity or organization receiving the contribution, and a description of the purpose of each charitable contribution. Today’s Commission action additionally requires that a utility provide a description of why the donation is reasonable in amount.

“The intent of this Section 9-227 rulemaking is to ensure the Commission is provided with sufficient information to evaluate the propriety of utility charitable contributions as permitted under Illinois law,” said Commissioner Sherina Maye Edwards. “The rule is now stronger in that it provides the Commission with more of the reporting details it needs to determine the two elements delegated by law – the purpose and reasonableness of the amount of the contribution.”

Pursuant to the guidelines of the Illinois rulemaking process set out by the Joint Committee on Administrative Rules, the First Notice period lasts 45 days. During this time, the public may comment on the proposed rule by visiting the Commission’s public comments section [here](#) (Docket No. 12-0457).

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### ***About the Illinois Commerce Commission***

The Illinois Commerce Commission’s mission is to pursue an appropriate balance between the interests of

consumers and existing and emerging service providers to ensure the provision of adequate, efficient, reliable, safe and least-cost public utility services. The Commission pursues this mission through three bureaus: the Bureau of External Affairs, which provides educational information on utility issues for consumers, governmental entities and communities and through its Consumer Services Division, resolves customer/utility disputes and develops rules on utility service and consumer protection; the Public Utilities Bureau, which focuses on financial and operational analysis, policy development, public safety and enforcement activities related to electric, natural gas, water, sewer and telecommunications companies; and the Transportation Bureau, which includes trucking insurance and registration, railroad safety, relocation towing, safety towing and household goods moving company enforcement activities. The ICC's five commissioners are appointed by the Governor and approved by the Illinois State Senate for five-year terms.