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**Staff Draft Rule
Public Utility Electronic Tariff Filing
June 2, 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.XX 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 file a tariff in an electronic format. However, nothing in this Part should be construed to require any public utility to file any tariff in an electronic format.

Section XXX.XX 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 for filing 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.

“Schedule” has the same meaning as in 83 Ill. Adm. Code 255.10.

“Staff” means ICC employees.

Section XXX.XX Applicability

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This Part applies to all public utilities.

Section XXX.XX Acceptable Format

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

Section XXX.XX Electronic Tariff Filing Accounts

- a) Each person seeking to file tariffs electronically must have an active external user account. The ICC external user account request form is available on the ICC website or by contacting the Chief Clerk's Office.
- b) A notarized and completed ICC external user account application must be hand-delivered or mailed 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 file on behalf of a public utility can see a list of all user accounts authorized by the public utility for the electronic tariff filing system.
- d) The public utility shall immediately 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 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 filings on behalf of a public utility. Therefore, safeguarding this information is important to prevent unauthorized electronic filings.
- g) The unique user name and password of an authorized user enable the e-Tariff system to trace an electronically filed tariff to a specific person as if the tariff were signed. This shall serve as an electronic signature on those filings.

Section XXX.XX Control Processes

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- a) The electronic tariff filing system allows only users with an authorized ICC external user account, user name, and password to file tariffs electronically.
- b) If a tariff filing is found to contain malware, the filing will be rejected and the user shall be notified of the rejection.
- c) If a tariff filing is found to contain personally identifiable information, the filing 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 file tariffs electronically. Cookies 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 tariff filing 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 filing should be reported to the ICC Chief Clerk's Office.

Section XXX.XX Required Information

- a) Tariffs filed electronically shall consist of a cover letter, **tariff pages**, and work papers (if applicable). Cover letters and **tariff pages** will be publicly viewable. Work papers will be viewable only by the public utility representatives that filed the work papers and Staff. The work papers represent information the public utility believes is necessary to facilitate the understanding of the **affected tariff pages filed**.
- b) The cover letter or 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.
 - 3) A **signature** of a representative of the public utility.
- c) The **tariff pages** shall contain the information required by, and (excepting page size) **shall be** in the format prescribed by, 83 Ill. Adm. Code 255.30(a) through (1)(1).
- d) The work papers (if applicable) shall:
 - 1) Be submitted in a separate file from the **tariff sheets-pages** file.

Commented [A1]: I think "affected tariff" is a little ambiguous

Commented [A2]: Need more clarity on "signature"

Commented [A3]: These are called tariff pages several times above, but called tariff sheets here, should be consistent.

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- 2) Use the following naming convention for the ~~Work-work~~ Paper file:
Company Name – Tariff –WP.
- 3) For each page heading of the ~~Work-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) ~~Remain the~~ Be kept confidential ~~property of~~ by the ICC.

Section XXX.XX Submission of Tariffs Electronically

- a) An authorized user must verify that the documents submitted as part of an electronic tariff filing do not contain personally identifiable information.
- b) Upon submission of an electronic tariff filing, the electronic tariff filing system will provide the authorized user with a tracking number for the filing. The tracking number should be retained for any inquiries related to the filing.
- c) An authorized user can locate and view filings the account made in the electronic tariff filing system by tracking number or date range. The entry for the tariff filing will indicate whether the filing is publicly viewable, the status of the filing (pending, accepted or rejected) and a description of the filing. An authorized user may also view all electronic tariff filing documents submitted on behalf of his or her public utility.
- d) Submission of an electronic tariff filing does not constitute acceptance of the tariff. An electronically filed tariff **is not accepted** until the Chief Clerk's Office **accepts** the ~~tariff~~.
- e) Electronically filed tariffs accepted by the ICC Chief Clerk's Office before five o'clock p.m. (5:00 p.m. CST) shall be deemed accepted as of that date. Electronically filed tariffs accepted by the Chief Clerk's Office at or after five o'clock p.m. (5:00 p.m. CST) shall be deemed accepted as of the next scheduled business day.

Commented [A4]: Still a little ambiguous about what constitutes "accepted" since the word is used to define itself. Maybe say something like: "An electronically filed tariff is deemed accepted at such time as the Chief Clerk's Office designates the tariff as "accepted" on the electronic tariff filing system."

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Section XXX.XX Notification of Acceptance or Rejection of Filing

- a) An authorized user will be able to create an e-mail notification list for each electronic tariff filing. The user will be notified automatically by email for each electronic tariff filing. The user may also include additional email addresses for notifications to be sent to for each electronic tariff filing.
- b) When an electronic tariff filing is accepted or rejected by the Chief Clerk's Office, an e-mail is sent to the notification list for the filing.
- c) It is the responsibility of the public utility to monitor electronic tariff filings and verify acceptance or rejection of an electronically filed tariff.