

Chapter 38
EMERGENCY ENERGY PLANS¹

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38.01 DEFINITIONS

In addition to those terms defined in Appendix A, words, whether capitalized or not, as used in this Chapter, unless the context otherwise requires, shall have the following meanings:

Control Area: An electrical system bounded by interconnection (tie-line) metering and telemetry. It controls generation directly to maintain its interchange schedule with other control areas and contributes to frequency regulation of interconnection.

Control Area Emergency: The Control Area is at risk of having to shed firm load, having taken or committed to take all feasible mitigating action short of shedding firm load and firm sales.

Controlled rotating interruptions of electrical service: The implementation of a plan to curtail electric service to firm load customers for a short period of time and rotating this curtailment of electric service through different areas within the electric utility's service territory in a situation where the demand has exceeded or is at significant risk of exceeding the supply of electricity available to the electric utility. The action of an electric utility to interrupt or curtail electric service to a customer participating in or taking service under an interruptible or curtail able rate is not included in this definition.

Electric utility company (or electric utility) ("Utility"): Any person or entity engaged in the business of distributing, transmitting or otherwise delivering electricity, regardless of its source, for use or consumption within the Village. This definition shall not include any person or entity that delivers electricity to fewer than 50 customers within the Village.

Emergency Energy Plan ("Plan"): The portions of the emergency load conservation procedures which immediately precede and include the controlled rotating interruption of electrical service to firm load customers within the Village. The Plan shall include the following steps:

1. A request for emergency help for neighboring utilities;
2. A declaration of a control area plan;
3. A public appeal for voluntary curtailment of electricity use; and
4. Implementation of the Plan for controlled rotating interruptions of electrical service.

¹ Established by Ordinance 99-O-39, 10/5/99.

Emergency load conservation procedures: A planned course of action developed by the utility to be implemented in emergency situations when the demand for electricity exceeds, or is at significant risk of exceeding, the supply of electricity available to the electric utility.

38.02 SUBMITTAL of EMERGENCY ENERGY PLAN

A. Every utility must have adopted a Plan no later than 30 days after the effective date of this Chapter (insert date), or within 30 days after becoming an electric utility company, whichever is later, and submit said Plan to the Chief of Police no later than 30 days after the effective date of this Chapter, or within 24 hours of the time the plan is adopted, whichever is later. The utility shall be required to examine and update its Plan as needed but not less than annually. The utility shall notify the Chief of Police in writing of any material revisions to its Plan and the rationale for said revisions within 5 business days of the time said revisions are made.

B. The Plan shall include, at a minimum, information detailing:

1. Circumstances that would require the implementation of the Plan;
2. The levels or stages of the Plan;
3. The approximate geographic limits of each outage area provided for in the Plan;
4. The approximate number of customers within each outage area provided for in the Plan;
5. The police facilities, fire stations, and persons on life-support systems that are known to the company, and that could be affected by controlled rotating interruptions of electric service under the Plan; and
6. The anticipated sequence and duration of intentional interruptions of electric service to each outage area under the Plan.

38.03 REVIEW of PLAN

A. Upon submittal of the Plan to the Village, the Village shall review the Plan in order to determine if the Plan is complete and to assure appropriate coordination with public health and safety agencies. The Village may reject the Plan if it does not contain all the information required under Section 38.02-B, in which case the Village shall notify the utility in writing of said rejection and the reasons therefore. The utility shall thereafter submit a complete Plan to the Village no later than 30 days after such notice is sent by the Village.

B. The Village and the utility shall work cooperatively to:

1. Identify customers and facilities for which a controlled rotating interruption of electric service would require heightened response by Village public health and safety agencies;
2. Mitigate the potential impact of the Plan on public health and safety; and

3. Mitigate the potential impact of the Plan on the duties of the Village's public health and safety agencies.

38.04 IMPLEMENTATION of EMERGENCY ENERGY PLAN

A. Whenever a utility determines it may be necessary to implement a controlled rotating interruption of electrical service due to the demand for electricity exceeding, or being at significant risk of exceeding, the supply of electricity available to the utility, the utility shall do the following:

1. Take appropriate action in preparation for implementing a controlled rotating interruption of electric service and notifying the appropriate utility personnel, and
2. Notify the Chief of Police that the utility will be implementing its Plan. The notification shall be made pursuant to a notification procedure approved by the Chief of Police after consultation with the Chief of Police. The Chief of Police may waive the notice requirement to accommodate exigent circumstances.

B. Subsequent to providing the notice as required in Section 38.04-A, a utility shall reasonably and separately advise the Chief of Police or his designee before it implements each step of the Plan. Such steps shall include the following:

1. A request for emergency help from neighboring utilities;
2. A declaration of a control area emergency; and
3. A public appeal for voluntary curtailment of electricity use.

C. The utility shall give a separate notice to the Chief of Police or his designee immediately after it determines there will be a controlled rotating interruption of electric service pursuant to the Plan. The notification shall include:

1. The areas in which service will be interrupted;
2. The sequence and estimated duration of the service outage for each area; and
3. The affected feeders and number of affected customers in each area.

Whenever practical, the notification shall be made at least 2 hours prior to the time of the outages. If the utility is aware that controlled rotating interruptions may be required, the notification may not be made less than 30 minutes prior to the outages.

38.05 VIOLATIONS; ENFORCEMENT *Amended, 11-0-6*

Any utility that knowingly violates this Chapter or any rules promulgated thereunder shall be

subject to a fine found in Appendix B of this Code for each offense, and be responsible for the Village's cost of prosecution, including reasonable attorney fees. Each day that a violation continues shall constitute a separate and distinct offense.

The Village may apply to a court of competent jurisdiction for an injunction or order to compel the other party to comply with the provisions of this Chapter.

38.06 CONSTRUCTION

Nothing in this Chapter shall be construed to preclude or interfere with the implementation of an electric utility company of measures necessary to assure the provisions of adequate, efficient, reliable and environmentally safe service, as required by the Illinois Public Utilities Act (220 ILCS 5/1-101 *et seq.*). Nothing set forth in this Chapter shall be deemed to modify the terms of any existing franchise agreement or franchise ordinance otherwise applicable to any electric utility company, or to excuse any performance required by such agreement or ordinance, or to limit any remedy that may be available under such agreement or ordinance.