

**Illinois Department of Revenue  
Regulations**

**Title 86 Part 510 Section 510.155 Transactions in Interstate Commerce**

**TITLE 86: REVENUE**

**PART 510  
THE PUBLIC UTILITIES REVENUE ACT**

**Section 510.155 Transactions in Interstate Commerce**

- a) The tax is not imposed upon any taxpayer with respect to any transaction in interstate commerce to the extent that such transactions may not, under the Constitution and statutes of the United States, be made the subject of taxation by this State.
- b) Insofar as the tax is imposed upon persons distributing, supplying, furnishing or selling electricity for use or consumption and not for resale, the following general principles will apply in determining whether or not transactions are in interstate commerce:
  - 1) Where a taxpayer delivers electricity through continuous lines from a point in Illinois to a point outside of Illinois, such transactions are in interstate commerce, and the taxpayer is not liable for tax with respect to gross receipts therefrom.
  - 2) Where a taxpayer not engaged in business in this State delivers electricity through continuous lines from a point outside of Illinois to a point within Illinois, the transaction is in interstate commerce, and the taxpayer is not liable for tax with respect to his receipts therefrom. However, if such company is engaged in the business in Illinois of distributing, supplying, furnishing or selling electricity brought within this State for use or consumption and not for resale, such transactions do not constitute interstate commerce, and the tax will apply.
  - 3) Where a taxpayer delivers electricity through continuous lines from one point in Illinois to a second point within Illinois, the transaction is not in interstate commerce, and the taxpayer will be liable for tax with respect to his receipts therefrom. This rule applies irrespective of the fact that a portion of the continuous lines of the taxpayer through which electricity passes are situated outside Illinois.
- c) Where a taxpayer distributes, supplies, furnishes or sells electricity to a single customer under a contract calling for the delivery of electricity partly within Illinois and partly outside of Illinois, the taxpayer is liable for tax with respect to that portion of gross receipts from the contract accruing from service furnished within this State.