

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 459

Session of
1975

INTRODUCED BY GILLETTE, SCHMITT, MORRIS, GREENFIELD, TOLL,
COWELL, ABRAHAM AND MISCEVICH, FEBRUARY 18, 1975

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, FEBRUARY 18, 1975

AN ACT

1 Amending the act of March 31, 1937 (P.L.160, No.43), entitled
2 "An act creating a commission to be known as the Pennsylvania
3 Public Utility Commission; defining in part the powers and
4 duties of such commission; abolishing The Public Service
5 Commission of the Commonwealth of Pennsylvania, terminating
6 the terms of the members thereof, and transferring to the
7 Pennsylvania Public Utility Commission the records, employes,
8 property, and equipment of The Public Service Commission of
9 the Commonwealth of Pennsylvania; authorizing the
10 Pennsylvania Public Utility Commission to appear in and
11 complete all pending proceedings, legal or otherwise,
12 instituted before, by or against The Public Service
13 Commission of the Commonwealth of Pennsylvania; providing
14 that all certificates of public convenience, contracts,
15 orders, and rules and regulations of the latter commission
16 shall remain effective until repealed, changed or modified by
17 the Pennsylvania Public Utility Commission, and transferring
18 and appropriating to the Pennsylvania Public Utility
19 Commission any unexpended balance of any existing
20 appropriation to The Public Service Commission of the
21 Commonwealth of Pennsylvania," changing members necessary for
22 a quorum under certain circumstances.

23 The General Assembly of the Commonwealth of Pennsylvania

24 hereby enacts as follows:

25 Section 1. Subsection (d) of section 1, act of March 31,
26 1937 (P.L.160, No.43), entitled "An act creating a commission to
27 be known as the Pennsylvania Public Utility Commission; defining
28 in part the powers and duties of such commission; abolishing The

1 Public Service Commission of the Commonwealth of Pennsylvania,
2 terminating the terms of the members thereof, and transferring
3 to the Pennsylvania Public Utility Commission the records,
4 employes, property, and equipment of The Public Service
5 Commission of the Commonwealth of Pennsylvania; authorizing the
6 Pennsylvania Public Utility Commission to appear in and complete
7 all pending proceedings, legal or otherwise, instituted before,
8 by or against The Public Service Commission of the Commonwealth
9 of Pennsylvania; providing that all certificates of public
10 convenience, contracts, orders, and rules and regulations of the
11 latter commission shall remain effective until repealed, changed
12 or modified by the Pennsylvania Public Utility Commission, and
13 transferring and appropriating to the Pennsylvania Public
14 Utility Commission any unexpended balance of any existing
15 appropriation to The Public Service Commission of the
16 Commonwealth of Pennsylvania," is amended to read:

17 Section 1. * * *

18 (d) Three members of the commission shall constitute a
19 quorum who, for all purposes, including the making of any order
20 or the ratification of any act done or order made by one or more
21 of the commissioners, must act unanimously: Provided, however,
22 That when there are less than five members sitting on the
23 commission, an affirmative vote by two members shall be
24 sufficient to suspend any rate increase.

25 Section 2. This act shall take effect immediately.