

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1542 Session of
1975

INTRODUCED BY O'BRIEN, GOODMAN, BRADLEY, McCALL, DAVIS, LEHR,
ZORD, BURNS, CESSAR, MISCEVICH, ABRAHAM, TURNER, MUSTO AND
TAYLOR, JUNE 25, 1975

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, JUNE 25, 1975

AN ACT

1 Amending the act of May 28, 1937 (P.L.1053, No.286), entitled
2 "An act relating to the regulation of public utilities;
3 defining as public utilities certain corporations, companies,
4 associations, and persons; providing for the regulation of
5 public utilities, including, to a limited extent,
6 municipalities engaging in public utility business, by
7 prescribing, defining, and limiting their duties, powers, and
8 liabilities, and regulating the exercise, surrender or
9 abandonment of their powers, privileges, and franchises;
10 defining and regulating contract carriers by motor vehicle
11 and brokers in order to regulate effectively common carriers
12 by motor vehicle; conferring upon the Pennsylvania Public
13 Utility Commission the power and duty of supervising and
14 regulating persons, associations, companies, and
15 corporations, including, to a limited extent, municipal
16 corporations subject to this act, and administering the
17 provisions of this act; authorizing the commission to fix
18 temporary rates; placing the burden of proof on public
19 utilities to sustain their rates and certain other matters;
20 authorizing a permissive or mandatory sliding scale method of
21 regulating rates; providing for the supervision of financial
22 and contractual relations between public utilities and
23 affiliated interests, and supervision and regulation of
24 accounts and securities or obligations issued, assumed, or
25 kept by persons, associations, companies, corporations or
26 municipal corporations subject to this act; conferring upon
27 the commission power to vary, reform, or revise certain
28 contracts; conferring upon the commission the exclusive power
29 to regulate or order the construction, alteration,
30 relocation, protection, or abolition of crossings of
31 facilities of public utilities, and of such facilities by or
32 over public highways, to appropriate property for the
33 construction or improvement of such crossings, and to award

1 or apportion resultant costs and damages; authorizing owners
2 of such property to sue the Commonwealth for such damages;
3 providing for ejectment proceedings in connection with the
4 appropriation of property for crossings; conferring upon the
5 commission power to control and regulate budgets of public
6 utilities; imposing upon persons, associations, companies,
7 and corporations (except municipal corporations) subject to
8 regulation, the cost of administering this act; prescribing
9 and regulating practice and procedure before the commission
10 and procedure for review by the courts of commission action;
11 giving the court of common pleas of Dauphin County exclusive
12 original jurisdiction over certain proceedings; prescribing
13 penalties, fines, and imprisonment for violations of the
14 provisions of this act and regulations and orders of the
15 commission, and the procedure for enforcing such fines and
16 penalties; and repealing legislation supplied and superseded
17 by or inconsistent with this act," providing for audits of
18 public utilities using sliding scale of rates based on full
19 costs by public accounting firms.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 307, act of May 28, 1937 (P.L.1053,
23 No.286), known as the "Public Utility Law," is amended by adding
24 a subsection to read:

25 Section 307. Sliding Scale of Rates.--* * *

26 (c) The commission shall retain a public accounting firm to
27 conduct annual audits of public utilities using a sliding scale
28 of rates based on fuel costs to determine if the utilities are
29 charging rates consistent with the purpose of this section and
30 if the utility is using the least expensive source of fuel.

31 Section 2. This act shall take effect immediately.