
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 6

Session of
1989

INTRODUCED BY D. R. WRIGHT, LLOYD, COY AND FREEMAN, JANUARY 18,
1989

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 18, 1989

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, requiring the commission to release
3 certain reports.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. The section heading of section 335 of Title 66 of
7 the Pennsylvania Consolidated Statutes is amended and the
8 section is amended by adding a subsection to read:

9 § 335. Initial decisions and release of reports.

10 * * *

11 (d) Release of reports.--In addition to any other
12 requirements imposed by law, including the act of June 21, 1957
13 (P.L.390, No.212), referred to as the Right-to-Know Law, and the
14 act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act,
15 whenever the commission conducts an investigation of an act or
16 practice of a public utility and makes a decision, enters into a
17 settlement with a public utility or takes any other official
18 action, as defined in the Sunshine Act, with respect to its

1 investigation, it shall make part of the record and release
2 publicly any consultant report; provided, however, that if a
3 report required to be released under this section contains
4 identifying information which would operate to the prejudice or
5 impairment of a person's reputation or personal security, or
6 information that would lead to the disclosure of a confidential
7 source or subject a person to potential economic retaliation as
8 a result of their cooperation with a commission investigation,
9 or information which, if disclosed to the public, could be used
10 for criminal or terroristic purposes, or if the report contains
11 trade secrets or proprietary information and it has been
12 determined by the commission that harm to the person claiming
13 the privilege would be substantial, the identifying information
14 may be expurgated from the copy of the report made part of the
15 public record. For the purposes of this section, "a consultant
16 report" means a report, memorandum or other document prepared
17 for or used by the commission in the course of its investigation
18 and which is prepared by an adviser, consultant or other person
19 who is not an employee of the commission.

20 Section 2. This act shall apply to any action pending before
21 the commission or any action taken by the commission within 90
22 days prior to the effective date of this act.

23 Section 3. This act shall take effect immediately.