
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1787 Session of
1979

INTRODUCED BY MESSRS. McCLATCHY AND PIEVSKY, OCTOBER 2, 1979

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, MARCH 24, 1980

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, FURTHER PROVIDING FOR THE ASSESSMENT <—
3 OF REGULATORY EXPENSES UPON PUBLIC UTILITIES ~~AND~~, providing <—
4 for the use of certain Federal funds AND PROVIDING FOR A <—
5 BUDGET FOR THE PUBLIC UTILITY COMMISSION FOR THE FISCAL YEAR
6 COMMENCING JULY 1, 1980.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 SECTION 1. SECTION 510(A) OF TITLE 66, ACT OF NOVEMBER 25, <—
10 1970 (P.L.707, NO.230), KNOWN AS THE PENNSYLVANIA CONSOLIDATED
11 STATUTES, IS AMENDED TO READ:

12 § 510. ASSESSMENT FOR REGULATORY EXPENSES UPON PUBLIC
13 UTILITIES.

14 (A) DETERMINATION OF ASSESSMENT.--BEFORE [MARCH 1] JANUARY
15 15 OF EACH YEAR, THE COMMISSION SHALL ESTIMATE ITS TOTAL
16 EXPENDITURES IN THE ADMINISTRATION OF THIS PART FOR THE FISCAL
17 YEAR BEGINNING JULY OF THAT YEAR AND AFTER THE BEGINNING OF THE <—
18 FISCAL YEAR, THE COMMISSION MAY REQUEST A SUPPLEMENTAL ESTIMATE,

1 WHICH ESTIMATE AND ANY REQUESTED SUPPLEMENTAL ESTIMATES SHALL <—
2 NOT EXCEED THREE-TENTHS OF 1% OF THE TOTAL GROSS INTRASTATE
3 OPERATING REVENUES OF THE PUBLIC UTILITIES UNDER ITS
4 JURISDICTION FOR THE PRECEDING CALENDAR YEAR. [SUCH ESTIMATE
5 SHALL BE SUBMITTED TO THE GOVERNOR, AND TO THE APPROPRIATION
6 COMMITTEES OF THE HOUSE AND SENATE THROUGH THEIR RESPECTIVE
7 CHAIRMEN, FOR THEIR RESPECTIVE APPROVALS OF SUCH ESTIMATE IN THE
8 AMOUNT SUBMITTED OR SUCH LESSER AMOUNT AS EACH OF THEM MAY
9 DETERMINE. UNLESS THE GOVERNOR, OR EITHER COMMITTEE THROUGH ITS
10 CHAIRMAN, SHALL NOTIFY THE COMMISSION IN WRITING OF HIS OR ITS
11 ACTION WITHIN 30 DAYS AFTER SUCH SUBMISSION, THE ESTIMATE AS
12 SUBMITTED SHALL BE DEEMED APPROVED BY HIM OR BY THE COMMITTEE.
13 THE LEAST OF THE AMOUNTS SO APPROVED BY THE THREE APPROVING
14 AUTHORITIES SHALL BE THE FINAL ESTIMATE; AND APPROVAL OF SUCH
15 LEAST AMOUNT SHALL CONSTITUTE COMPLIANCE WITH SECTION 604 OF THE
16 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE
17 ADMINISTRATIVE CODE OF 1929."] THE COMMISSION OR ITS DESIGNATED <—
18 REPRESENTATIVES SHALL BE AFFORDED AN OPPORTUNITY TO APPEAR
19 BEFORE THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES REGARDING
20 THEIR ESTIMATES+ OR BUDGET OR SUPPLEMENTAL ESTIMATES OR BUDGETS. <—
21 THE COMMISSION SHALL SUBTRACT FROM THE FINAL ESTIMATE:

22 (1) [THE] THE ESTIMATED FEES TO BE COLLECTED PURSUANT TO
23 SECTION 317 (RELATING TO FEES FOR SERVICES RENDERED BY
24 COMMISSION)[; AND] DURING SUCH FISCAL YEAR.

25 (2) [THE] THE ESTIMATED BALANCE OF THE APPROPRIATION,
26 SPECIFIED IN SECTION 511 (RELATING TO DISPOSITION,
27 APPROPRIATION AND DISBURSEMENT OF ASSESSMENTS AND FEES), TO
28 BE CARRIED OVER INTO SUCH FISCAL YEAR FROM THE PRECEDING ONE.
29 THE REMAINDER SO DETERMINED, HEREIN CALLED THE TOTAL ASSESSMENT,
30 SHALL BE ALLOCATED TO, AND PAID BY, SUCH PUBLIC UTILITIES IN THE

1 MANNER PRESCRIBED [IN THIS PART]. A PROPOSED BUDGET AND ANY <—
2 PROPOSED SUPPLEMENTAL BUDGET SHALL BE SUBMITTED TO THE GENERAL
3 ASSEMBLY AND THE GOVERNOR'S BUDGET OFFICE. IF THE GENERAL
4 ASSEMBLY FAILS TO APPROVE THE COMMISSION'S BUDGET FOR THE
5 PURPOSES OF THIS PART, BY ~~APRIL 30,~~ MARCH 15, THE COMMISSION <—
6 SHALL ASSESS PUBLIC UTILITIES ON THE BASIS OF THE LAST APPROVED
7 OPERATING BUDGET. NO SUPPLEMENTAL BUDGET REQUEST SHALL BE <—
8 UTILIZED UNTIL IT IS APPROVED BY THE GENERAL ASSEMBLY. AT SUCH
9 TIME AS THE GENERAL ASSEMBLY APPROVES THE PROPOSED BUDGET OR ANY <—
10 SUPPLEMENTAL BUDGET THE COMMISSION SHALL HAVE THE AUTHORITY TO
11 MAKE AN ADJUSTMENT IN THE ASSESSMENTS TO REFLECT THE APPROVED
12 BUDGET.

13 * * *

14 Section ~~±~~ 2. Title 66, ~~act of November 25, 1970 (P.L. 707,~~ <—
15 ~~No. 230), known as the Pennsylvania Consolidated Statutes,~~ is
16 amended by adding a section to read:

17 § 511.1. Use of Federal funds under energy program.

18 (a) General rule.--The commission is authorized to apply for
19 and, subject to appropriation by the General Assembly, use
20 Federal funds pursuant to the National Energy Act which is
21 composed of:

22 (1) The "National Energy Conservation Policy Act,"
23 Public Law 95-619.

24 (2) The "Powerplant and Industrial Fuel Use Act of
25 1978," Public Law 95-620.

26 (3) The "Public Utility Regulatory Policies Act of
27 1978," Public Law 95-617.

28 (4) The "Natural Gas Policy Act of 1978," Public Law 95-
29 621.

30 (5) The "Energy Tax Act of 1978," Public Law 95-618.

1 (6) The "Energy Conservation and Production Act of
2 1976," Public Law 94-385.

3 (7) Any future Federal legislation or amendments to the
4 statutes listed in this subsection providing special funds
5 for:

6 (i) Rate making research and development.

7 (ii) Energy conservation research and development.

8 (iii) Motor carrier and rail transportation safety
9 programs.

10 (iv) Gas safety programs.

11 (b) Funds not subject to lapse.--Funds received by the
12 commission pursuant to subsection (a) shall not be subject to
13 lapsing at the end of any fiscal period.

14 (c) Reimbursement to utilities prohibited.--Funds received
15 by the commission pursuant to subsection (a) shall not be
16 reimbursed to any public utility.

17 SECTION 3. NOTWITHSTANDING ANY ACTION TAKEN HERETOFORE, THE <—
18 GENERAL ASSEMBLY HEREBY APPROVES A BUDGET OF \$18,580,000 FOR
19 OPERATIONS OF THE PUBLIC UTILITY COMMISSION FOR THE FISCAL YEAR
20 COMMENCING ON JULY 1, 1980. THIS AUTHORIZATION DOES NOT INCLUDE
21 ANY FEDERAL FUNDS WHICH MAY BECOME AVAILABLE TO THE COMMISSION.
22 IF THE COMMISSION SHALL HAVE ALREADY MADE ASSESSMENTS FOR THE
23 FISCAL YEAR BEGINNING JULY 1, 1980, IT SHALL MAKE SUCH
24 ADJUSTMENT IN THE ASSESSMENTS AS MAY BE NECESSARY TO REFLECT THE
25 BUDGET APPROVED BY THIS SECTION.

26 Section ~~2-3~~ 4. This act shall take effect immediately. <—