

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1049 Session of  
1975

INTRODUCED BY DOMBROWSKI AND TAYLOR, APRIL 16, 1975

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, APRIL 21, 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  
34 or apportion resultant costs and damages; authorizing owners  
35 of such property to sue the Commonwealth for such damages;

1 providing for ejectment proceedings in connection with the  
2 appropriation of property for crossings; conferring upon the  
3 commission power to control and regulate budgets of public  
4 utilities; imposing upon persons, associations, companies,  
5 and corporations (except municipal corporations) subject to  
6 regulation, the cost of administering this act; prescribing  
7 and regulating practice and procedure before the commission  
8 and procedure for review by the courts of commission action;  
9 giving the court of common pleas of Dauphin County exclusive  
10 original jurisdiction over certain proceedings; prescribing  
11 penalties, fines, and imprisonment for violations of the  
12 provisions of this act and regulations and orders of the  
13 commission, and the procedure for enforcing such fines and  
14 penalties; and repealing legislation supplied and superseded  
15 by or inconsistent with this act," requiring electric and gas  
16 companies to obtain a court order before electricity or gas  
17 service to residences is unilaterally discontinued by the  
18 company.

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

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

24 Section 421. Court Order Required for Discontinuance of  
25 Service.--(a) No electric or gas company shall unilaterally  
26 discontinue service to any residence without an order from the  
27 court of common pleas of the judicial district in which the  
28 residence is located authorizing termination of service.

29 (b) Notice of the order and an opportunity for a hearing  
30 thereon shall be given, as directed by the court, to the person  
31 responsible for paying for the service and the notice shall also  
32 be posted at a place on the premises where it is most likely to  
33 be seen by the residents of the premises.

34 Section 2. This act shall take effect immediately.