
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 164 Session of

INTRODUCED BY LLOYD, KUKOVICH, CIMINI, BELFANTI, PRATT, MORRIS,
HALUSKA, BLAUM, KOSINSKI, ZWIKL, D. R. WRIGHT, CARN AND
STEIGHNER, FEBRUARY 8, 1983

SENATOR BELL, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
IN SENATE, AS AMENDED, SEPTEMBER 24, 1984

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, ~~providing for a tariff calculated to~~ <—
3 ~~increase gross annual operating expenses; prohibiting~~
4 ~~multiple filings; and further providing for the metering of~~
5 electricity supplied to ~~churches and other places of worship~~ <—
6 ~~and~~ volunteer fire companies.

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

9 ~~Section 1. Section 1308(d) of Title 66 of the Pennsylvania~~ <—
10 ~~Consolidated Statutes is amended and a subsection is added to~~
11 ~~read:~~

12 ~~§ 1308. Voluntary changes in rates.~~

13 * * *

14 ~~(d) General rate increases. Whenever there is filed with~~
15 ~~the commission by any public utility described in paragraph~~
16 ~~(1)(i), (ii), (vi) or (vii) of the definition of "public~~
17 ~~utility" in section 102 (relating to definitions), and such~~
18 ~~other public utility as the commission may by rule or regulation~~

1 ~~direct, any tariff stating a new rate which constitutes a~~
2 ~~general rate increase, the commission shall promptly enter into~~
3 ~~an investigation and analysis of said tariff filing [and]. If~~
4 ~~the tariff is calculated to increase the public utility's gross~~
5 ~~annual intrastate operating revenues by less than \$10,000,000,~~
6 ~~the commission may by order setting forth its reasons therefor,~~
7 ~~upon complaint or upon its own motion, upon reasonable notice,~~
8 ~~enter upon a hearing concerning the lawfulness of such rate, and~~
9 ~~the commission may, at any time by vote of a majority of the~~
10 ~~members of the commission serving in accordance with law, permit~~
11 ~~such tariff to become effective, except that absent such order~~
12 ~~such tariff shall be suspended for a period not to exceed seven~~
13 ~~months from the time such rate would otherwise become effective.~~
14 ~~[Before the expiration of such seven month period,] If the~~
15 ~~tariff is calculated to increase the public utility's gross~~
16 ~~annual operating revenues by at least \$10,000,000, the~~
17 ~~commission shall, upon reasonable notice, enter upon a hearing~~
18 ~~concerning the lawfulness of the rate and the tariff shall be~~
19 ~~suspended for a period not to exceed nine months from the date~~
20 ~~on which the public utility filed the tariff with the~~
21 ~~commission. Before the expiration of the maximum period of~~
22 ~~suspension of any tariff which constitutes a general rate~~
23 ~~increase, a majority of the members of the commission serving in~~
24 ~~accordance with law, acting unanimously, shall make a final~~
25 ~~decision and order, setting forth its reasons therefor, granting~~
26 ~~or denying, in whole or in part, the general rate increase~~
27 ~~requested. If, however, such an order has not been made at the~~
28 ~~expiration of [such seven month period,] the maximum period of~~
29 ~~suspension, the proposed general rate increase shall go into~~
30 ~~effect at the end of such period, but the commission may by~~

1 ~~order require the interested public utility to refund, in~~
2 ~~accordance with section 1312 (relating to refunds), to the~~
3 ~~persons in whose behalf such amounts were paid, such portion of~~
4 ~~such increased rates as by its decision shall be found not~~
5 ~~justified, plus interest, which shall be the average rate of~~
6 ~~interest specified for residential mortgage lending by the~~
7 ~~Secretary of Banking in accordance with the act of January 30,~~
8 ~~1974 (P.L.13, No.6), referred to as the Loan Interest and~~
9 ~~Protection Law, during the period or periods for which the~~
10 ~~commission orders refunds. The rate in force when the tariff~~
11 ~~stating such new rate was filed shall continue in force during~~
12 ~~the period of suspension unless the commission shall grant~~
13 ~~extraordinary rate relief as prescribed in subsection (c). The~~
14 ~~commission shall consider the effect of such suspension in~~
15 ~~finally determining and prescribing the rates to be thereafter~~
16 ~~charged and collected by such public utility, except that the~~
17 ~~commission shall have no authority to prescribe, determine or~~
18 ~~fix, at any time during the pendency of a general rate increase~~
19 ~~proceeding or prior to a final determination of a general rate~~
20 ~~increase request, temporary rates as provided in section 1310,~~
21 ~~which rates may provide retroactive increases through~~
22 ~~recoupment. As used in this part general rate increase means a~~
23 ~~tariff filing which affects more than 5% of the customers and~~
24 ~~amounts to in excess of 3% of the total gross annual intrastate~~
25 ~~operating revenues of the public utility. If the public utility~~
26 ~~furnishes two or more types of service, the foregoing~~
27 ~~percentages shall be determined only on the basis of the~~
28 ~~customers receiving, and the revenues derived from, the type of~~
29 ~~service to which the tariff filing pertains.~~

30 ~~(d.1) Multiple filings prohibited. Except as required to~~

1 ~~implement an order granting extraordinary rate relief, no public~~
2 ~~utility which has filed one tariff, or one supplement to a~~
3 ~~proposed or existing tariff, which constitutes a general rate~~
4 ~~increase shall file an additional tariff, or supplement, which~~
5 ~~constitutes a general rate increase for the same type of service~~
6 ~~until the commission has made a final decision and order on the~~
7 ~~first tariff or supplement or, if earlier, until the expiration~~
8 ~~of the maximum period of suspension of the first tariff or~~
9 ~~supplement. Except as required to implement an order granting~~
10 ~~extraordinary rate relief no public utility shall simultaneously~~
11 ~~file multiple tariffs, multiple supplements to an existing or a~~
12 ~~proposed tariff or tariffs, or a tariff and a supplement to a~~
13 ~~proposed or existing tariff which constitutes a general rate~~
14 ~~increase for the same type of service.~~

15 * * *

16 Section 2. Title 66 is amended by adding a section to read:
17 ~~§ 1510. Metering of electricity supplied to places of worship~~
18 ~~and volunteer fire companies.~~

19 ~~A public utility supplying electricity to a church or other~~
20 ~~actual place of worship and volunteer fire companies shall~~
21 ~~measure the consumption of electricity supplied thereto by the~~
22 ~~same method that electricity to residential customers is~~
23 ~~measured.~~

24 Section 3. This act shall take effect in 60 days.

25 SECTION 1. TITLE 66 OF THE PENNSYLVANIA CONSOLIDATED

<—

26 STATUTES IS AMENDED BY ADDING A SECTION TO READ:

27 ~~§ 1511. METERING OF ELECTRICITY SUPPLIED TO VOLUNTEER FIRE~~
28 ~~COMPANIES.~~

29 ~~A PUBLIC UTILITY SUPPLYING ELECTRICITY TO VOLUNTEER FIRE~~
30 ~~COMPANIES SHALL MEASURE THE CONSUMPTION OF ELECTRICITY SUPPLIED~~

1 BY THE SAME METHOD THAT ELECTRICITY TO RESIDENTIAL CUSTOMERS IS
2 MEASURED.

3 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.