

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2178 Session of
1984

INTRODUCED BY MILLER AND WAMBACH, MAY 16, 1984

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 16, 1984

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, authorizing residential customers to
3 refuse certain access charges.

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

6 Section 1. Section 1502 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 1502. Discrimination in service.

9 (a) General rule.--No public utility shall, as to service,
10 make or grant any unreasonable preference or advantage to any
11 person, corporation, or municipal corporation, or subject any
12 person, corporation, or municipal corporation to any
13 unreasonable prejudice or disadvantage. No public utility shall
14 establish or maintain any unreasonable difference as to service,
15 either as between localities or as between classes of service,
16 but this section does not prohibit the establishment of
17 reasonable classifications of service. Residential customers
18 shall have the right to refuse access charges other than to the

1 utility's local exchange office or similar premises.

2 (b) Definitions.--As used in this section:

3 "Access charge." Any tariff provision of a public utility
4 conveying or transmitting messages or communications by
5 telephone or domestic public land mobile radio service
6 including, but not limited to, point-to-point microwave radio
7 service for the public for compensation, with the sole purpose
8 or effect of recovery of the nontraffic sensitive costs of local
9 exchange facilities.

10 "Intrastate access." The embedded plant and facilities needed
11 to establish a connection between a customer to a
12 telecommunications network beginning at the demarcation point
13 between the customer's facilities and the utility's facilities,
14 but not including inside wiring or customer premises equipment,
15 and ending at the point at which the connection terminates at
16 the utility's local exchange office or similar premises.

17 "Nontraffic sensitive costs of local exchange facilities."
18 Embedded costs which are determined by the commission to be
19 directly and solely related to the provision of intrastate
20 access to any public utility providing switched telephone,
21 telegraph, domestic land mobile radio service or other
22 telecommunications service.

23 Section 2. This act shall take effect immediately.