

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 906

Session of  
1983

INTRODUCED BY BELL AND BODACK, JUNE 29, 1983

SENATOR BELL, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
AS AMENDED, DECEMBER 5, 1983

## AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, PROHIBITING ACCESS CHARGES FOR  
3 RESIDENTIAL CUSTOMERS; AND prohibiting telephone companies  
4 from restricting telephones to outgoing calls only. <—

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

7 Section 1. SECTION 102 OF Title 66 of the Pennsylvania <—  
8 Consolidated Statutes is amended by adding ~~a section~~ DEFINITIONS <—  
9 to read:

10 § 102. DEFINITIONS. <—

11 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT  
12 PROVISIONS OF THIS PART WHICH ARE APPLICABLE TO SPECIFIC  
13 PROVISIONS OF THIS PART, THE FOLLOWING WORDS AND PHRASES WHEN  
14 USED IN THIS PART SHALL HAVE, UNLESS THE CONTEXT CLEARLY  
15 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

16 "ACCESS CHARGE." ANY TARIFF PROVISION OF A PUBLIC UTILITY  
17 CONVEYING OR TRANSMITTING MESSAGES OR COMMUNICATIONS BY  
18 TELEPHONE OR DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

1 INCLUDING, BUT NOT LIMITED TO, POINT-TO-POINT MICROWAVE RADIO  
2 SERVICE FOR THE PUBLIC FOR COMPENSATION, WITH THE SOLE PURPOSE  
3 OR EFFECT OF RECOVERY OF THE NONTRAFFIC SENSITIVE COST OF LOCAL  
4 EXCHANGE FACILITIES AS HEREAFTER DEFINED.

5 \* \* \*

6 "NONTRAFFIC SENSITIVE COSTS OF LOCAL EXCHANGE FACILITIES."  
7 EMBEDDED COSTS WHICH ARE DETERMINED BY THE COMMISSION TO BE  
8 DIRECTLY AND SOLELY RELATED TO THE PROVISION OF INTRASTATE  
9 ACCESS TO ANY PUBLIC UTILITY PROVIDING SWITCHED TELEPHONE,  
10 TELEGRAPH, DOMESTIC LAND MOBILE RADIO SERVICE OR OTHER  
11 TELECOMMUNICATIONS SERVICE. "INTRASTATE ACCESS" MEANS THE  
12 EMBEDDED PLANT AND FACILITIES NEEDED TO ESTABLISH A CONNECTION  
13 BETWEEN A CUSTOMER TO A TELECOMMUNICATIONS NETWORK BEGINNING AT  
14 THE DEMARKATION POINT BETWEEN THE CUSTOMER'S FACILITIES AND THE  
15 UTILITY'S FACILITIES, BUT NOT INCLUDING INSIDE WIRING OR  
16 CUSTOMER PREMISES EQUIPMENT, AND ENDING AT THE POINT AT WHICH  
17 THE CONNECTION TERMINATES AT THE UTILITY'S LOCAL EXCHANGE OFFICE  
18 OR SIMILAR PREMISES.

19 \* \* \*

20 SECTION 2. SECTION 1502 OF TITLE 66 IS AMENDED TO READ:

21 § 1502. DISCRIMINATION IN SERVICE.

22 NO PUBLIC UTILITY SHALL, AS TO SERVICE, MAKE OR GRANT ANY  
23 UNREASONABLE PREFERENCE OR ADVANTAGE TO ANY PERSON, CORPORATION,  
24 OR MUNICIPAL CORPORATION, OR SUBJECT ANY PERSON, CORPORATION, OR  
25 MUNICIPAL CORPORATION TO ANY UNREASONABLE PREJUDICE OR  
26 DISADVANTAGE. NO PUBLIC UTILITY SHALL ESTABLISH OR MAINTAIN ANY  
27 UNREASONABLE DIFFERENCE AS TO SERVICE, EITHER AS BETWEEN  
28 LOCALITIES OR AS BETWEEN CLASSES OF SERVICE, BUT THIS SECTION  
29 DOES NOT PROHIBIT THE ESTABLISHMENT OF REASONABLE  
30 CLASSIFICATIONS OF SERVICE. NO PUBLIC UTILITY SHALL ESTABLISH OR

1 MAINTAIN AN ACCESS CHARGE TO RESIDENTIAL CUSTOMERS.

2 SECTION 3. TITLE 66 IS AMENDED BY ADDING A SECTION TO READ:

3 § 1510. Restricting telephones to outgoing calls only

4 prohibited.

5 The commission shall not grant authority to any telephone

6 company to restrict PUBLIC COIN telephones to outgoing calls <—

7 only, EXCEPT WHERE THE PUBLIC COIN TELEPHONE IS LOCATED ON <—

8 PRIVATE PROPERTY AND AT THE REQUEST OF THE PERSON IN LEGAL

9 POSSESSION OF THE PROPERTY.

10 Section 2 4. This act shall take effect immediately. <—