

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 265

Session of
1987

INTRODUCED BY CAPPABIANCA, MANDERINO, DORR, F. TAYLOR, GALLEN, DOMBROWSKI, HALUSKA, COWELL, COY, KOSINSKI, HERSHEY, LANGTRY, VEON, DeWEESE, FREEMAN, STABACK, CARLSON, MORRIS, JOHNSON, SWEET, BOYES, MAIALE, BLAUM, EVANS, MERRY, McHALE, WOGAN, STEIGHNER, McCALL, KENNEY, G. SNYDER, LIVENGOOD, TRELLO, BUSH, LASHINGER, CARN, PETRONE, VAN HORNE, McVERRY, CAWLEY, TIGUE, PUNT, PISTELLA, BELARDI, PRESSMANN, BALDWIN, ITKIN, GANNON, COLAFELLA, DUFFY, GRUPPO, WILSON, HERMAN, KUKOVICH, LaGROTTA, HARPER, DeLUCA, JOSEPHS, FARGO, BOWSER, BLACK, E. Z. TAYLOR, DISTLER, MARKOSEK, HECKLER, YANDRISEVITS, BURD, RITTER, HUGHES, BROUJOS AND PHILLIPS, FEBRUARY 9, 1987

AS REPORTED FROM COMMITTEE ON BUSINESS AND COMMERCE, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 10, 1987

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, providing for the representation of
3 small business ratepayers in proceedings involving general
4 rate increases; and making an appropriation.

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

7 Section 1. Title 66 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 308.1 306.1. Representation of small businesses. <—

10 (a) General rule.--When members of the staff of the <—

11 commission OFFICE OF TRIAL STAFF participate in the prosecution <—

12 of a proceeding involving a general rate increase under section

13 1308 (relating to voluntary changes in rates), at least one of

14 those staff members shall represent the interests of small

1 business ratepayers on issues involving rate structure unless
2 the members of the staff determine DIRECTOR OF TRIAL STAFF <—
3 DETERMINES that representing small business ratepayers in the
4 proceeding is not necessary because those ratepayers are
5 otherwise adequately represented or that the resources available
6 are not adequate.

7 (b) Petitions.--In determining if and in what way it will
8 represent the interests of small business ratepayers in
9 accordance with subsection (a), the members of the commission <—
10 staff involved in the prosecution of OFFICE OF TRIAL STAFF, IN a <—
11 proceeding involving a general rate increase, may consider <—
12 petitions presented in writing by small business ratepayers.
13 Within a reasonable time after receipt of a petition, the staff <—
14 OFFICE OF TRIAL STAFF shall notify the petitioners, or the <—
15 principal sponsors of the petition, of the action taken or
16 intended to be taken with respect to the matters presented in
17 the petition and the reasons for such action.

18 (c) Report.--The commission shall annually submit a report
19 to the General Assembly containing a review of the general rate
20 increase proceedings in which small business ratepayers were
21 represented by commission staff THE OFFICE OF TRIAL STAFF as <—
22 required by this section and of the general rate increase
23 proceedings in which small business ratepayers were not
24 represented by commission staff THE OFFICE OF TRIAL STAFF, <—
25 including the reasons for not providing representation in those
26 proceedings.

27 (d) Repayment of appropriation.--Any funds appropriated from
28 the General Fund for the purposes of this section shall be
29 repaid to the General Fund in the next fiscal year from the
30 funds assessed for the operation of the commission under section

1 510 (relating to assessment for regulatory expenses upon public
2 utilities).

3 (e) Definition.--As used in this section the term "small
4 business ratepayer" means a commercial or industrial customer
5 which is a sole proprietorship, partnership, corporation,
6 association or other business entity, and which has fewer than
7 250 employees or a net worth of not more than \$2,000,000.

8 Section 2. The sum of \$200,000, or as much thereof as may be
9 necessary, is hereby appropriated from the General Fund to the
10 Pennsylvania Public Utility Commission for the fiscal year July
11 1, 1987, to June 30, 1988, for providing ~~commission~~ staff and <—
12 outside experts to carry out the provisions of 66 Pa.C.S. §
13 ~~308.1~~ 306.1. <—

14 Section 3. This act shall take effect July 1, 1987, or
15 immediately, whichever is later.