
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 3048 Session of
1992

INTRODUCED BY VEON, NOVEMBER 17, 1992

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, NOVEMBER 17, 1992

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An
2 act concerning townships of the second class; and amending,
3 revising, consolidating, and changing the law relating
4 thereto," further providing for the manufacture and sale of
5 electricity.

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

8 Section 1. Section 1601-A of the act of May 1, 1933
9 (P.L.103, No.69), known as The Second Class Township Code,
10 reenacted and amended July 10, 1947 (P.L.1481, No.567), and
11 added March 3, 1982 (P.L.124, No.40), is amended to read:

12 Section 1601-A. Manufacture and Sale of Electricity.--(a)
13 Any township may manufacture electricity by means of a
14 hydroelectric generating facility owned or operated by the
15 township for the use of the inhabitants of such township. [Any
16 township owning or operating a hydroelectric generating facility
17 may make contracts for the sale of electricity to persons
18 engaged in the business of the manufacture or sale of
19 electricity.]

1 (b) Any township owning or operating a hydroelectric
2 generating facility shall have open access to public utility
3 transmission lines throughout the Commonwealth for the purpose
4 of selling, distributing or transmitting its electricity to any
5 cooperative, public utility, municipality, commercial,
6 industrial or retail user within or without the Commonwealth.

7 (c) (1) Municipalities that are declared distressed by the
8 Commonwealth or have within its boundaries areas designated as
9 enterprise zones may create a Municipal Power Authority in the
10 manner provided in the act of May 2, 1945 (P.L.382, No.164),
11 known as the "Municipality Authorities Act of 1945," that shall
12 have the right to open access to public utility transmission
13 lines and appurtenances thereto, located within its boundaries
14 for the purpose of purchasing, selling, distributing or
15 transmitting the purchased electricity to any commercial,
16 industrial or retail user within the municipality.

17 (2) Public utility wheeling fees for said access shall not
18 exceed prevailing wheeling fees currently being charged, with
19 the exception of distressed municipalities or municipalities
20 having areas designated as enterprise zones, in which case such
21 municipality shall not be obligated to pay fees, costs or
22 expenses or other compensation to the public utility for the
23 open access use of the transmission lines and appurtenances
24 thereto.

25 Section 2. This act shall take effect in 60 days.