

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1925 Session of
2005

INTRODUCED BY GEORGE, BEBKO-JONES, BELARDI, BLACKWELL,
CALTAGIRONE, COHEN, FREEMAN, GOOD, GRUCELA, JAMES, JOSEPHS,
LEDERER, MANDERINO, MCGEEHAN, MUNDY, MYERS, PISTELLA,
SIPTROTH, STABACK, SURRA, THOMAS, YOUNGBLOOD, YUDICHAK AND
BLAUM, AUGUST 18, 2005

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 18, 2005

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, further providing for termination of
3 utility service.

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

6 Section 1. Section 1406(b)(1)(i) and (2) of Title 66 of the
7 Pennsylvania Consolidated Statutes is amended and the section is
8 amended by adding a subsection to read:

9 § 1406. Termination of utility service.

10 * * *

11 (b) Notice of termination of service.--

12 (1) Prior to terminating service under subsection (a), a
13 public utility:

14 (i) Shall provide written notice of the termination
15 to the customer at least [ten] 30 days prior to the date
16 of the proposed termination. The termination notice shall
17 remain effective for 60 days. Written notice of

1 termination sent by a water distribution utility shall
2 include notice of the 60-day period of limited use
3 provided for in subsection (i).

4 * * *

5 [(2) The public utility shall not be required by the
6 commission to take any additional actions prior to
7 termination.]

8 * * *

9 (i) Limited use allowance prior to water shutoff.--

10 (1) Prior to terminating water service under subsection
11 (a), a water distribution utility shall allow the customer 60
12 days of limited use. The 60-day period shall begin 30 days
13 following the date written notice of termination is provided
14 to a customer under subsection (b)(1)(i).

15 (2) A water distribution utility may notify a customer
16 of termination and terminate the customer's service if any of
17 the following apply:

18 (i) At the conclusion of the 60-day period of
19 limited use the customer has failed to pay any undisputed
20 delinquent accounts or to enter into a payment agreement
21 pursuant to section 1405 (relating to payment
22 agreements).

23 (ii) In the event the customer's water use exceeds
24 the limited use allowance during the 60-day period of
25 limited use.

26 (3) Prior to terminating service following a period of
27 limited use, a water distribution utility shall abide by the
28 notification requirements of subsection (b) except that no
29 additional written notice 30 days prior to the date of
30 proposed termination shall be required.

1 (4) At least ten days prior to the date when limited use
2 will commence, a water distribution utility shall provide the
3 customer with the information necessary to operate within the
4 limited use restrictions, which shall include all of the
5 following:

6 (i) The customer's limited use allowance.

7 (ii) The procedure a water distribution utility will
8 use to monitor water use.

9 (iii) Recommendations for modifying water use in
10 order to comply with the limited use restrictions.

11 (iv) An explanation of the options available to
12 avoid complete termination of water service.

13 (5) As used in this subsection, the term "limited use"
14 shall mean:

15 (i) 50% of the aggregate monthly average of
16 household water use from the previous 12 months; or

17 (ii) if the individual has not had continuous water
18 service for the previous 12 months, 50% of the aggregate
19 monthly average of household water use during those
20 months when the individual did have service.

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