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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 286 Session of  
2007

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INTRODUCED BY FERLO, FONTANA, WASHINGTON, EARLL, C. WILLIAMS,  
LOGAN, RHOADES, BROWNE AND STACK, MARCH 9, 2007

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MARCH 9, 2007

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AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, further providing for cash deposits  
3 and household information requirements.

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

6 Section 1. Section 1404(a) of Title 66 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 1404. Cash deposits and household information requirements.

9 (a) General rule.--In addition to the right to collect a  
10 deposit under any commission regulation or order, the commission  
11 shall not prohibit a public utility, prior to or as a condition  
12 of providing utility service, from requiring a cash deposit in  
13 an amount that is equal to [one-sixth] one-twelfth of the  
14 applicant's estimated annual bill, at the time the public  
15 utility determines a deposit is required, from the following:

16 (1) An applicant who previously received utility  
17 distribution services and was a customer of the public

1 utility and whose service was terminated for any of the  
2 following reasons:

3 (i) Nonpayment of an undisputed delinquent account.

4 (ii) Failure to complete payment of a deposit,  
5 provide a guarantee or establish credit.

6 (iii) Failure to permit access to meters, service  
7 connections or other property of the public utility for  
8 the purpose of replacement, maintenance, repair or meter  
9 reading.

10 (iv) Unauthorized use of the utility service  
11 delivered on or about the affected dwelling.

12 (v) Failure to comply with the material terms of a  
13 settlement or payment agreement.

14 (vi) Fraud or material misrepresentation of identity  
15 for the purpose of obtaining utility service.

16 (vii) Tampering with meters, including, but not  
17 limited to, bypassing a meter or removal of an automatic  
18 meter reading device or other public utility equipment.

19 (viii) Violating tariff provisions on file with the  
20 commission so as to endanger the safety of a person or  
21 the integrity of the delivery system of the public  
22 utility.

23 (2) Any applicant or customer who is unable to establish  
24 creditworthiness to the satisfaction of the public utility  
25 through the use of a generally accepted credit scoring  
26 methodology which employs standards for using the methodology  
27 that fall within the range of general industry practice.

28 (3) A customer who fails to comply with a material term  
29 or condition of a settlement or payment agreement.

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