

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1073

Session of
1977

INTRODUCED BY O'CONNELL, DeVERTER, GALLEN, GIAMMARCO, ARMSTRONG, TADDONIO, KNEPPER, GEESEY, STAIRS, PYLES, HOPKINS, McCALL, BRANDT, HARPER, REED, MEBUS, CIMINI, MANMILLER, LEVI, LEHR, SHUMAN, PETRARCA, NOYE, COLE, HALVERSON, THOMAS, J. L. WRIGHT JR., FISCHER, W. D. HUTCHINSON, ZORD, SIRIANNI, SALVATORE, WILT, MILLER, LETTERMAN, ZITTERMAN, KLINGAMAN, HELFRICK, W. W. FOSTER, KERNICK, ITKIN, A. C. FOSTER JR., L. E. SMITH, GRIECO AND DAVIES, MAY 2, 1977

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 2, 1977

AN ACT

1 Amending the act of May 28, 1937 (P.L.1053, No.286), entitled
2 "An act relating to the regulation of public utilities;
3 defining as public utilities certain corporations, companies,
4 associations, and persons; providing for the regulation of
5 public utilities, including, to a limited extent,
6 municipalities engaging in public utility business, by
7 prescribing, defining, and limiting their duties, powers, and
8 liabilities, and regulating the exercise, surrender or
9 abandonment of their powers, privileges, and franchises;
10 defining and regulating contract carriers by motor vehicle
11 and brokers in order to regulate effectively common carriers
12 by motor vehicle; conferring upon the Pennsylvania Public
13 Utility Commission the power and duty of supervising and
14 regulating persons, associations, companies, and
15 corporations, including, to a limited extent, municipal
16 corporations subject to this act, and administering the
17 provisions of this act; authorizing the commission to fix
18 temporary rates; placing the burden of proof on public
19 utilities to sustain their rates and certain other matters;
20 authorizing a permissive or mandatory sliding scale method of
21 regulating rates; providing for the supervision of financial
22 and contractual relations between public utilities and
23 affiliated interests, and supervision and regulation of
24 accounts and securities or obligations issued, assumed, or
25 kept by persons, associations, companies, corporations or
26 municipal corporations subject to this act; conferring upon
27 the commission power to vary, reform, or revise certain
28 contracts; conferring upon the commission the exclusive power

1 to regulate or order the construction, alteration,
2 relocation, protection, or abolition of crossings of
3 facilities of public utilities, and of such facilities by or
4 over public highways, to appropriate property for the
5 construction or improvement of such crossings, and to award
6 or apportion resultant costs and damages; authorizing owners
7 of such property to sue the Commonwealth for such damages;
8 providing for ejectment proceedings in connection with the
9 appropriation of property for crossings; conferring upon the
10 commission power to control and regulate budgets of public
11 utilities; imposing upon persons, associations, companies,
12 and corporations (except municipal corporations) subject to
13 regulation, the cost of administering this act; prescribing
14 and regulating practice and procedure before the commission
15 and procedure for review by the courts of commission action;
16 giving the court of common pleas of Dauphin County exclusive
17 original jurisdiction over certain proceedings; prescribing
18 penalties, fines, and imprisonment for violations of the
19 provisions of this act and regulations and orders of the
20 commission, and the procedure for enforcing such fines and
21 penalties; and repealing legislation supplied and superseded
22 by or inconsistent with this act," further regulating billing
23 procedures.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 314, act of March 28, 1937 (P.L.1053,
27 No.286), known as the "Public Utility Law," added October 7,
28 1976 (No.215), is amended to read:

29 Section 314. Billing Procedures.--All bills rendered by a
30 public utility described in section 2(17)(a), (b), (f) or (g) to
31 its service customers, except bills for installation charges,
32 shall allow at least [fifteen days for non-residential customers
33 and twenty days for residential customers] thirty days from the
34 date of transmittal of the bill for payment without incurring
35 any late payment penalty charges [therefor] or interest charges.
36 The interest rate charged on bills more than thirty days overdue
37 shall not exceed one and one-half per centum per month on any
38 unpaid balance which is more than thirty days overdue. All
39 customers shall be permitted to receive bills monthly and shall
40 be notified of their right thereto. All bills shall be itemized
41 to separately show amounts for basic service, Federal excise

1 taxes, applicable State sales and gross receipts to the extent
2 practicable taxes, fuel adjustment charge, if any, State tax
3 adjustment charge, or such other similar components of the total
4 bill as the commission may order. Any electric or gas public
5 utility billing customers on a bi-monthly or quarterly basis and
6 rendering interim statements or bills each month shall include
7 in such interim statement or bill an amount for the fuel
8 adjustment charge based upon one-half of the total expected bi-
9 monthly kilowatt-hour or cubic foot billing or one-third of the
10 total expected quarterly billing and using the fuel adjustment
11 charge rate applicable in the month of the interim statement or
12 bill. At the time of preparing the bi-monthly or quarterly bill,
13 an appropriate adjustment shall be made in the total fuel
14 adjustment charge billing for the period. Any public utility
15 rendering bills on a bi-monthly basis or quarterly basis shall
16 calculate the fuel adjustment charge per kilowatt-hour or cubic
17 foot for the entire period as the weighted average of the two
18 monthly rates or the three monthly rates whichever is
19 applicable.

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