
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2612 Session of
1978

INTRODUCED BY J. L. WRIGHT JR., B. F. O'BRIEN AND BURNS,
JUNE 21, 1978

REFERRED TO COMMITTEE ON MINES AND ENERGY MANAGEMENT,
JUNE 21, 1978

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
29 to regulate or order the construction, alteration,
30 relocation, protection, or abolition of crossings of
31 facilities of public utilities, and of such facilities by or
32 over public highways, to appropriate property for the

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17 penalties; and repealing legislation supplied and superseded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

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Subsection (a) of section 308, act of May 28,
23 1937 (P.L.1053, No.286), known as the "Public Utility Law," is
24 amended to read:

25 Section 308. Voluntary Changes in Rates.--(a) Unless the
26 commission otherwise orders, no public utility shall make any
27 change in any existing and duly established rate, except after
28 sixty days' notice to the commission, which notice shall plainly
29 state the changes proposed to be made in the rates then in
30 force, and the time when the changed rates will go into effect.
31 The public utility shall also give such notice of the proposed
32 changes to [other interested persons as the commission in its
33 discretion may direct] each of its customers by including with
34 each billing written notice of such changes. Such notice shall
35 be made at least sixty days prior to the date such proposed
36 changes are to be in force. All proposed changes shall be shown
37 by filing new tariffs, or supplements to existing tariffs filed
38 and in force at the time. The commission, for good cause shown,
39 may allow changes in rates, without requiring the sixty days'

1 notice, under such conditions as it may prescribe.

2 * * *

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