

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 265

Session of  
1987

INTRODUCED BY CAPPABIANCA, MANDERINO, DORR, F. TAYLOR, GALLEN, DOMBROWSKI, HALUSKA, COWELL, COY, KOSINSKI, HERSHEY, LANGTRY, VEON, DeWEESE, FREEMAN, STABACK, CARLSON, MORRIS, JOHNSON, SWEET, BOYES, MAIALE, BLAUM, EVANS, MERRY, McHALE, WOGAN, STEIGHNER, McCALL, KENNEY, G. SNYDER, LIVENGOOD, TRELLO, BUSH, LASHINGER, CARN, PETRONE, VAN HORNE, McVERRY, CAWLEY, TIGUE, PUNT, PISTELLA, BELARDI, PRESSMANN, BALDWIN, ITKIN, GANNON, COLAFELLA, DUFFY, GRUPPO, WILSON, HERMAN, KUKOVICH, LaGROTTA, HARPER, DeLUCA, JOSEPHS, FARGO, BOWSER, BLACK, E. Z. TAYLOR, DISTLER, MARKOSEK, HECKLER, YANDRISEVITS, BURD AND RITTER, FEBRUARY 10, 1987

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE,  
FEBRUARY 10, 1987

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, providing for the representation of  
3 small business ratepayers in proceedings involving general  
4 rate increases; and making an appropriation.

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

7 Section 1. Title 66 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 308.1. Representation of small businesses.

10 (a) General rule.--When members of the staff of the  
11 commission participate in the prosecution of a proceeding  
12 involving a general rate increase under section 1308 (relating  
13 to voluntary changes in rates), at least one of those staff  
14 members shall represent the interests of small business

1 ratepayers on issues involving rate structure unless the members  
2 of the staff determine that representing small business  
3 ratepayers in the proceeding is not necessary because those  
4 ratepayers are otherwise adequately represented or that the  
5 resources available are not adequate.

6 (b) Petitions.--In determining if and in what way it will  
7 represent the interests of small business ratepayers in  
8 accordance with subsection (a), the members of the commission  
9 staff involved in the prosecution of a proceeding involving a  
10 general rate increase may consider petitions presented in  
11 writing by small business ratepayers. Within a reasonable time  
12 after receipt of a petition, the staff shall notify the  
13 petitioners, or the principal sponsors of the petition, of the  
14 action taken or intended to be taken with respect to the matters  
15 presented in the petition and the reasons for such action.

16 (c) Report.--The commission shall annually submit a report  
17 to the General Assembly containing a review of the general rate  
18 increase proceedings in which small business ratepayers were  
19 represented by commission staff as required by this section and  
20 of the general rate increase proceedings in which small business  
21 ratepayers were not represented by commission staff, including  
22 the reasons for not providing representation in those  
23 proceedings.

24 (d) Repayment of appropriation.--Any funds appropriated from  
25 the General Fund for the purposes of this section shall be  
26 repaid to the General Fund in the next fiscal year from the  
27 funds assessed for the operation of the commission under section  
28 510 (relating to assessment for regulatory expenses upon public  
29 utilities).

30 (e) Definition.--As used in this section the term "small

1 business ratepayer" means a commercial or industrial customer  
2 which is a sole proprietorship, partnership, corporation,  
3 association or other business entity, and which has fewer than  
4 250 employees or a net worth of not more than \$2,000,000.

5       Section 2. The sum of \$200,000, or as much thereof as may be  
6 necessary, is hereby appropriated from the General Fund to the  
7 Pennsylvania Public Utility Commission for the fiscal year July  
8 1, 1987, to June 30, 1988, for providing commission staff and  
9 outside experts to carry out the provisions of 66 Pa.C.S. §  
10 308.1.

11       Section 3. This act shall take effect July 1, 1987, or  
12 immediately, whichever is later.