
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 538 Session of
2001

INTRODUCED BY GEORGE, McCALL, HANNA, PETRARCA, SOLOBAY, SURRA,
LaGROTTA, EACHUS, LAUGHLIN, WATERS, YUDICHAK, WALKO, WANSACZ,
STEELMAN, THOMAS, HARHAI, TIGUE, MANDERINO, LEVDANSKY,
MICHLOVIC, WOJNAROSKI, TRAVAGLIO, CORRIGAN, CAPPELLI,
STABACK, GRUCELA, FEESE, LESCOVITZ, DeWEESE, STERN, CRUZ,
CAWLEY, HERMAN, BELARDI, CALTAGIRONE, BELFANTI, FAIRCHILD,
SAINATO, COSTA AND JOSEPHS, FEBRUARY 7, 2001

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 7, 2001

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, adding definitions; and providing for
3 water line services to municipal corporations.

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

6 Section 1. Section 102 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding definitions to read:

8 § 102. Definitions.

9 Subject to additional definitions contained in subsequent
10 provisions of this part which are applicable to specific
11 provisions of this part, the following words and phrases when
12 used in this part shall have, unless the context clearly
13 indicates otherwise, the meanings given to them in this section:

14 "Annual line extension costs." The sum of a water utility's
15 additional annual operating and maintenance costs, debt costs
16 and depreciation charges associated with the construction,

1 operation and maintenance of a line extension.

2 "Annual revenue." A water utility's expected additional
3 annual revenue from a line extension based on the utility's
4 currently effective tariff rates and on the average annual usage
5 of customers similar in nature and size to a bona fide service
6 applicant.

7 "Bona fide service applicant." A person or entity applying
8 for water service to an existing or proposed structure within a
9 water utility's certificated service territory for which a valid
10 occupancy or building permit has been issued if the structure is
11 either a primary residence of the applicant or place of
12 business. An applicant shall not be deemed a bona fide service
13 applicant if any of the following applies:

14 (1) The applicant requests water service to a building
15 lot, subdivision or a secondary residence.

16 (2) The request for service is part of a plan for the
17 development of a residential dwelling or subdivision.

18 (3) The applicant requests special utility service.

19 * * *

20 "Line extension." An addition to a public utility's water
21 main which is necessary to serve the premises of a customer.

22 * * *

23 "Water main." The pipe of a public utility system, excluding
24 service connections, located in a public highway, street, alley
25 or private right-of-way which pipe is used in transporting
26 water.

27 Section 2. Title 66 is amended by adding sections to read:

28 § 531. Water utility line extensions.

29 (a) General rule.--A water utility from which a bona fide
30 service applicant requests a line extension that will not

1 generate annual revenue equal to or exceeding the utility's
2 annual line extension costs shall apportion the applicant's
3 customer advance for the extension and any other required
4 facilities to the current number of applicants and the
5 foreseeable number of future applicants to attach service lines
6 to the water main. The Office of Consumer Advocate shall have
7 the authority to resolve disputes about the foreseeable number
8 of future applicants.

9 (b) Proportional advances limited.--Subject to the oversight
10 of the commission and the Office of Consumer Advocate, no
11 applicant shall be required to make a proportional advance any
12 greater than is necessary to serve the current number of
13 applicants.

14 § 1502.1. Service to certain municipal corporations.

15 If a municipal corporation pays 90% or more of total costs
16 for installing water lines or water line extensions, then the
17 appropriate public utility shall supply water to those lines,
18 unless the public utility can prove that:

19 (1) the municipal corporation has not complied with
20 Commonwealth and municipal regulations governing water
21 service and the approved rules and regulations of the
22 utility;

23 (2) the municipal corporation does not have adequate
24 facilities to render the service desired; or

25 (3) the service desired by the municipal corporation is
26 of a character that is likely to have a detrimental effect
27 upon service to other customers.

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