

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 392 Session of
2007

INTRODUCED BY WASHINGTON, COSTA, GREENLEAF, FONTANA, MUSTO,
KITCHEN, TARTAGLIONE, ORIE, STACK, STOUT AND M. WHITE,
MARCH 13, 2007

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MARCH 13, 2007

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, providing for customer energy
3 assistance notification.

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

6 Section 1. Chapter 15 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER C

9 CUSTOMER ENERGY ASSISTANCE NOTIFICATION ACT

10 Sec.

11 1551. Short title of subchapter.

12 1552. Definitions.

13 1553. Notification to consumer for energy assistance programs.

14 1554. Failure to provide consumer notice.

15 1555. Regulations.

16 § 1551. Short title of subchapter.

17 This subchapter shall be known and may be cited as the

1 Customer Energy Assistance Notification Act.

2 § 1552. Definitions.

3 The following words and phrases when used in this subchapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Customer." A retail electric customer or retail natural gas
7 customer.

8 "Customer assistance program" or "CAP." Programs established
9 by utility companies under Chapters 22 (relating to natural gas
10 competition) and 28 (relating to restructuring of electric
11 utility industry) which provide an alternative to traditional
12 collection methods for low-income, payment-troubled utility
13 customers. The term includes any commission-approved programs to
14 provide discounted rates to senior citizens.

15 "Hardship fund." The term refers to the Dollar Energy Fund,
16 \$1 Energy Fund, Fuel Fund and Neighbor for Neighbor Fund.

17 "LIHEAP." The Low Income Home Energy Assistance Program, a
18 Federal program that provides financial assistance to needy
19 households for home energy bills.

20 "LIURP." The Low Income Usage Reduction Program.

21 § 1553. Notification to consumer for energy assistance
22 programs.

23 (a) General rule.--A public utility that provides electric
24 or natural gas service shall be required to provide notification
25 to new and existing low-income customers of programs provided by
26 the utility or the Federal Government that will assist them in
27 paying their energy bills. Such programs shall include, but are
28 not limited to, utility-established CAP, a hardship fund,
29 LIHEAP, LIURP and any other program established to provide
30 assistance to low-income customers to pay their energy bills.

1 (b) Notice.--Notification shall be provided in the following
2 manner:

3 (1) At the time customers apply for new service, the
4 public utility shall inform them of customer assistance
5 programs that are available for low-income customers. This
6 information shall also be provided to them in subsequent
7 bills mailed to the residence.

8 (2) For existing customers in arrears, the public
9 utility shall identify those persons who are income-eligible
10 for any customer assistance program in their service
11 territory. The public utility shall identify such persons in
12 a responsible period of time to avoid a notice of termination
13 of service. With the customer's consent, the public utility
14 shall enroll CAP program-eligible customers into the
15 utility's CAP program. Whenever practicable, the public
16 utility shall provide assistance to aid customers with
17 enrollment into other low-income programs.

18 § 1554. Failure to provide customer notice.

19 (a) General rule.--If any public utility fails to provide
20 adequate notice and information to new or existing customers who
21 have provided their financial information confirming that they
22 are low income and would be financially eligible to apply for
23 energy assistance, such public utility violates provisions of
24 Chapter 22 (relating to natural gas competition) or 28 (relating
25 to restructuring of electric utility industry) and its
26 corresponding regulations.

27 (b) Penalty.--A person or corporation violating any
28 provisions of Chapter 22 or 28 shall be subject to civil and
29 criminal penalties under this title.

30 § 1555. Regulations.

- 1 The commission shall promulgate regulations as needed to
- 2 carry out the provisions of this subchapter.
- 3 Section 2. This act shall take effect immediately.