
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 480 Session of
2021

INTRODUCED BY HOWARD, HILL-EVANS, SANCHEZ, CIRESI, SCHLOSSBERG,
ISAACSON, McCLINTON, PISCIOTTANO AND ROZZI, FEBRUARY 9, 2021

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 9, 2021

AN ACT

1 Providing for public utility credit reporting; and imposing
2 duties on public utilities.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Public
7 Utility Credit Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Public utility." Any of the following:

13 (1) A person or corporation owning or operating in this
14 Commonwealth equipment or facilities for:

15 (i) Producing, generating, transmitting,
16 distributing or furnishing natural or artificial gas,
17 electricity or steam for the production of light, heat or
18 power to or for the public for compensation.

1 (ii) Diverting, developing, pumping, impounding,
2 distributing or furnishing water to or for the public for
3 compensation.

4 (iii) Transporting passengers or property as a
5 common carrier.

6 (iv) Use as a canal, turnpike, tunnel, bridge, wharf
7 and the like for the public for compensation.

8 (v) Transporting or conveying natural or artificial
9 gas, crude oil, gasoline or petroleum products, materials
10 for refrigeration or oxygen or nitrogen, or other fluid
11 substance, by pipeline or conduit, for the public for
12 compensation.

13 (vi) Conveying or transmitting messages or
14 communications, except as stated in paragraph (2)(iv), by
15 telephone or telegraph or domestic public land mobile
16 radio service, including, but not limited to, point-to-
17 point microwave radio service for the public for
18 compensation.

19 (vii) Wastewater collection, treatment or disposal
20 for the public for compensation.

21 (viii) Providing limousine service in a county of
22 the second class under 66 Pa.C.S. Ch. 11 Subch. B
23 (relating to limousine service in counties of the second
24 class).

25 (2) The term does not include:

26 (i) An individual or corporation, not otherwise a
27 public utility, who or which furnishes service only to
28 the individual or itself.

29 (ii) A bona fide cooperative association which
30 furnishes service only to its stockholders or members on

1 a nonprofit basis.

2 (iii) A producer of natural gas not engaged in
3 distributing the gas directly to the public for
4 compensation.

5 (iv) A person or corporation, not otherwise a public
6 utility, who or which furnishes mobile domestic cellular
7 radio telecommunications service.

8 (v) A building or facility owner/operator who holds
9 ownership over and manages the internal distribution
10 system serving the building or facility and who supplies
11 electric power and other related electric power services
12 to occupants of the building or facility.

13 (vi) An electric generation supplier company, except
14 for the limited purposes as described in 66 Pa.C.S. §§
15 2809 (relating to requirements for electric generation
16 suppliers) and 2810 (relating to revenue-neutral
17 reconciliation).

18 (vii) Service as follows:

19 (A) A water or sewer service provided to
20 independently owned user premises by an individual or
21 corporation that owns and operates as a primary
22 business a resort where:

23 (I) the service provided is from a point
24 within the boundaries of the resort's property
25 and is provided to no more than 100 independently
26 owned user premises for each type of service;

27 (II) the service is verified by the resort,
28 in a form and manner prescribed by the
29 Pennsylvania Public Utility Commission, to be
30 incidental to the supplier's primary resort

1 business as evidenced by the gross annual
2 revenues derived from each type of service
3 provided to independently owned user premises
4 being less than 1% of the annual gross revenues
5 of the primary resort business;

6 (III) rates to independently owned user
7 premises do not exceed the average of the rates
8 for comparable service provided by two municipal
9 corporations or municipal authorities or any
10 combination of the two that are reasonably
11 proximate to the resort or within the same county
12 if rural;

13 (IV) service will not be terminated to any
14 independently owned user premises in the resort,
15 unless termination is requested by the user, is
16 necessary due to nonpayment or to prevent misuse
17 of the system by a user which impairs or
18 jeopardizes service to other users and the
19 resort, or if termination is directed by law,
20 regulation or by a Federal or State agency or
21 governmental body;

22 (V) the water and sewer service provided to
23 the independently owned user premises is the same
24 service that the resort owner provides to
25 themselves or their affiliates;

26 (VI) the resort adopts a resolution
27 providing that it will not serve any additional
28 independently owned user premises except if
29 lawfully directed by any Federal or State agency
30 or governmental body to protect public health and

1 safety due to an emergency such as contamination
2 or failure of existing supply, and does not
3 revoke or amend such resolution without first
4 notifying the secretary of the Pennsylvania
5 Public Utility Commission in writing 30 days in
6 advance of such proposed revocation or amendment;
7 and

8 (VII) disputes between an independently
9 owned user premises and the resort are resolved
10 by the applicable court system.

11 (B) For purposes of this subparagraph:

12 (I) The term "resort" means a place or
13 business visited primarily for leisure or
14 vacation that offers or provides lodging,
15 entertainment, hospitality, dining, recreational
16 facilities or activities for guests, business
17 conferees, members or residents.

18 (II) The term "independently owned user
19 premises" means a structure not owned by the
20 resort or its affiliates, including a structure
21 intended to be used as a seasonal residence,
22 served from a point within the boundaries of a
23 resort and to which a resort owner or their
24 affiliates provides water or sewer service.

25 (3) For the purposes of 66 Pa.C.S. §§ 2702 (relating to
26 construction, relocation, suspension and abolition of
27 crossings), 2703 (relating to ejectment in crossing cases)
28 and 2704 (relating to compensation for damages occasioned by
29 construction, relocation or abolition of crossings), and
30 those portions of 66 Pa.C.S. §§ 1501 (relating to character

1 of service and facilities), 1505 (relating to proper service
2 and facilities established on complaint; authority to order
3 conservation and load management programs) and 1508 (relating
4 to reports of accidents), as those sections or portions
5 relate to safety only, a municipal authority or
6 transportation authority organized under the laws of this
7 Commonwealth is considered a public utility when it owns or
8 operates, for the carriage of passengers or goods by rail, a
9 line of railroad composed of lines formerly owned or operated
10 by the Pennsylvania Railroad, the Penn-Central Transportation
11 Company, the Reading Company or the Consolidated Rail
12 Corporation.

13 Section 3. Public utility payments reported to credit agencies.

14 (a) General rule.--Public utilities shall provide customers
15 the opportunity to opt-in to having the public utility payments
16 of the customers reported to credit agencies, including, but not
17 limited to, Experian, Equifax and TransUnion.

18 (b) New customers.--Persons who become customers of a public
19 utility after the effective date of this section shall be
20 notified by the public utility of the opportunity to opt-in to
21 having their payments reported to credit reporting agencies when
22 establishing their public utility account with the public
23 utility.

24 (c) Existing customers.--Persons who are customers of a
25 public utility on the effective date of this section shall be
26 notified in writing by the public utility of the opportunity to
27 opt-in to having their payments reported to credit reporting
28 agencies within 45 days of the effective date of this section.

29 (d) Time limit to opt-in.--

30 (1) New and existing public utility customers may

1 register to opt-in to public utility payment credit reporting
2 at any time after notification of the availability of this
3 option.

4 (2) A public utility may not set a time limit or
5 expiration date on the credit reporting option nor may this
6 option be rescinded at any time in the future.

7 (e) Costs and fees.--A public utility may not pass on the
8 cost or charge a fee to a consumer who chooses to opt-in to the
9 credit reporting under this section.

10 Section 4. Effective date.

11 This act shall take effect in 60 days.