

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1174 Session of
2024

INTRODUCED BY STEFANO, LAUGHLIN, ROTHMAN AND VOGEL,
APRIL 22, 2024

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
APRIL 22, 2024

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in rates and distribution systems,
3 providing for waiver of laws, regulations and policies under
4 commission's jurisdiction.

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 § 1331. Waiver of laws, regulations and policies under
10 commission's jurisdiction.

11 (a) Authorization.--Notwithstanding any other provision of
12 law, a public utility may petition to the commission for a
13 waiver to any provision of this title, other laws of this
14 Commonwealth under the commission's jurisdiction or regulations
15 or policy statements of the commission if the waiver enables the
16 public utility to reduce its ratepayer impact and operate in a
17 more effective, efficient or economical manner.

18 (b) Petition.--In order to receive a waiver under this

1 section, a public utility shall petition the commission in a
2 form and manner determined by the commission. The public utility
3 shall include all of the following information in the petition:

4 (1) The specific provisions to waive, the need for the
5 waiver and the length of time the waiver will be in place.

6 (2) Supporting data to explain the benefit of obtaining
7 the waiver and the estimated cost savings to the public
8 utility and avoided costs to the ratepayers. If the petition
9 for a waiver is part of an approved rate case, an explanation
10 for how the estimated cost savings will be utilized to reduce
11 future costs incurred by ratepayers.

12 (3) An evaluation procedure to determine the
13 effectiveness of the waiver or the program that will be
14 instituted due to the waiver.

15 (4) A statement indicating how safety and reliability
16 standards will be maintained or exceeded by the public
17 utility if the petition is approved by the commission.

18 (5) Other information related to the petition as
19 requested by the commission.

20 (c) Review and order.--

21 (1) The commission, after notice and hearing, shall
22 enter an order granting or denying the petition within 60
23 days of the filing date or within 150 days of the filing date
24 if a protest is timely filed. If the commission fails to
25 enter an order within the time period specified under this
26 paragraph, the petition shall be deemed granted.

27 (2) In making its determination, the commission shall
28 limit its consideration to the financial impact of the
29 particular rate class indicated in the petition.

30 (d) Annual report.--The commission shall prepare an annual

1 report listing each request for a waiver and the commission's
2 determination to grant or deny each petition for a waiver under
3 this section. The commission shall submit the annual report to
4 the chair and minority chair of the Consumer Protection and
5 Professional Licensure Committee of the Senate and the chair and
6 minority chair of the Consumer Protection, Technology and
7 Utilities Committee of the House of Representatives and post the
8 annual report on the commission's publicly accessible Internet
9 website.

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