

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1077 Session of 2023

INTRODUCED BY MATZIE, MARSHALL, BOROWSKI, PISCIOTTANO, MADDEN, HILL-EVANS, TAKAC, SANCHEZ, HADDOCK, FIEDLER, NEILSON, MALAGARI, GREEN, KINSEY, OTTEN, KRAJEWSKI, HOHENSTEIN, ISAACSON, SMITH-WADE-EL, WAXMAN, KHAN, YOUNG, FRANKEL, PIELLI, MADSEN AND HANBIDGE, MAY 2, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 1, 2024

AN ACT

1 ~~Amending Title 66 (Public Utilities) of the Pennsylvania~~ <--
2 ~~Consolidated Statutes, in responsible utility customer~~
3 ~~protection, further providing for declaration of policy and~~
4 ~~for definitions, repealing provisions relating to cash~~
5 ~~deposits and household information requirements, providing~~
6 ~~for security deposits, further providing for payment~~
7 ~~arrangements, for termination of utility service, for~~
8 ~~reconnection of service, for late payment charge waiver, for~~
9 ~~complaints filed with commission and for public utility~~
10 ~~duties, repealing provisions relating to reporting of~~
11 ~~delinquent customers, further providing for reporting of~~
12 ~~recipients of public assistance and for liens by city natural~~
13 ~~gas distribution operations, providing for reporting to~~
14 ~~commission and further providing for nonapplicability and for~~
15 ~~expiration.~~

16 AMENDING TITLE 66 (PUBLIC UTILITIES) OF THE PENNSYLVANIA <--
17 CONSOLIDATED STATUTES, IN RESPONSIBLE UTILITY CUSTOMER
18 PROTECTION, FURTHER PROVIDING FOR DECLARATION OF POLICY AND
19 FOR DEFINITIONS, PROVIDING FOR SECURITY DEPOSITS, FURTHER
20 PROVIDING FOR PAYMENT ARRANGEMENTS, FOR TERMINATION OF
21 UTILITY SERVICE, FOR RECONNECTION OF SERVICE, FOR COMPLAINTS
22 FILED WITH COMMISSION, FOR PUBLIC UTILITY DUTIES, FOR
23 REPORTING OF RECIPIENTS OF PUBLIC ASSISTANCE, FOR REPORTING
24 TO GENERAL ASSEMBLY AND GOVERNOR, FOR NONAPPLICABILITY AND
25 FOR EXPIRATION.

26 The General Assembly of the Commonwealth of Pennsylvania

27 hereby enacts as follows:

1 ~~Section 1. Section 1402(4) of Title 66 of the Pennsylvania~~ <--

2 ~~Consolidated Statutes is amended to read:~~

3 ~~§ 1402. Declaration of policy.~~

4 ~~The General Assembly finds and declares as follows:~~

5 ~~* * *~~

6 ~~{(4) The General Assembly believes that it is~~
7 ~~appropriate to provide additional collection tools to city~~
8 ~~natural gas distribution operations to recognize the~~
9 ~~financial circumstances of the operations and protect their~~
10 ~~ability to provide natural gas for the benefit of the~~
11 ~~residents of the city.}~~

12 ~~Section 2. The definitions of "change in income,"~~
13 ~~"creditworthiness," "customer assistance program," "household~~
14 ~~income," "medical certificate," "public utility" and~~
15 ~~"significant change in circumstance" in section 1403 of Title 66~~
16 ~~are amended to read:~~

17 ~~§ 1403. Definitions.~~

18 ~~The following words and phrases when used in this chapter~~
19 ~~shall have the meanings given to them in this section unless the~~
20 ~~context clearly indicates otherwise:~~

21 ~~* * *~~

22 ~~"Change in income." A decrease in household income of [20%]~~
23 ~~5% or more [if] of the customer's household income. [level~~
24 ~~exceeds 200% of the Federal poverty level or a decrease in~~
25 ~~household income of 10% or more if the customer's household~~
26 ~~income level is 200% or less of the Federal poverty level.]~~

27 ~~"Creditworthiness." An assessment of an applicant's [or~~
28 ~~customer's] ability to meet bill payment obligations for utility~~
29 ~~service.~~

30 ~~* * *~~

1 ~~"Customer assistance program." A plan or program sponsored~~
2 ~~by a public utility for the purpose of providing universal~~
3 ~~service and energy conservation, as defined by section 2202~~
4 ~~(relating to definitions) or 2803 (relating to definitions), or~~
5 ~~other assistance program offered by a public utility, including~~
6 ~~a water distribution utility or wastewater utility, in which~~
7 ~~customers make monthly payments based on household income and~~
8 ~~household size and under which customers must comply with~~
9 ~~certain responsibilities and restrictions in order to remain~~
10 ~~eligible for the program.~~

11 ~~* * *~~

12 ~~"Household income." The combined gross income of all adults~~
13 ~~in a residential household who benefit from the public utility~~
14 ~~service. The term shall include a verbal attestation of~~
15 ~~household income provided by a customer or applicant to a public~~
16 ~~utility for the purpose of an income based or other requirement~~
17 ~~under this chapter.~~

18 ~~* * *~~

19 ~~"Medical certificate." A written document, in a form~~
20 ~~approved by the commission:~~

21 ~~(1) certifying that a customer or member of the~~
22 ~~customer's household is seriously ill or has been diagnosed~~
23 ~~with a medical condition which requires the continuation of~~
24 ~~service to treat the medical condition; and~~

25 ~~(2) signed by a licensed physician, nurse practitioner~~
26 ~~[or], physician's assistant, registered nurse or licensed~~
27 ~~social worker.~~

28 ~~* * *~~

29 ~~"Public utility." Any electric distribution utility, natural~~
30 ~~gas distribution utility, small natural gas distribution~~

1 ~~utility, steam heat utility, wastewater utility or water~~
2 ~~distribution utility in this Commonwealth that is within the~~
3 ~~jurisdiction of the Pennsylvania Public Utility Commission. The~~
4 ~~term includes a municipal corporation furnishing public utility~~
5 ~~service to a public utility consumer beyond the municipal~~
6 ~~corporation's corporate limits in accordance with section 1501~~
7 ~~(relating to character of service and facilities).~~

8 "Significant change in circumstance." ~~Any of the following~~
9 ~~criteria [when verified by the public utility and] experienced~~
10 ~~by customers with household income less than 300% of the Federal~~
11 ~~poverty level:~~

12 ~~(1) The onset of a chronic or acute illness [resulting~~
13 ~~in a significant loss in the customer's household income].~~

14 ~~(2) [Catastrophic damage] Damage to the customer's~~
15 ~~residence resulting in a significant net cost to the~~
16 ~~customer's household.~~

17 ~~(3) Loss of the customer's residence.~~

18 ~~(4) Increase in the customer's number of dependents in~~
19 ~~the household.~~

20 ~~(5) Any other circumstance to be considered in the~~
21 ~~commission's discretion, including a change in employment~~
22 ~~status, death, injury, divorce, separation or other~~
23 ~~substantial hardship.~~

24 * * *

25 Section 3. ~~Section 1404 of Title 66 is repealed:~~

26 ~~§ 1404. Cash deposits and household information requirements.~~

27 ~~(a) General rule. In addition to the right to collect a~~
28 ~~deposit under any commission regulation or order, the commission~~
29 ~~shall not prohibit a public utility from requiring a cash~~
30 ~~deposit, payable during a 90 day period in accordance with~~

1 ~~commission regulations, in an amount that is equal to one sixth~~
2 ~~of the applicant's estimated annual bill, at the time the public~~
3 ~~utility determines a deposit is required, from the following:~~

4 ~~(1) An applicant who previously received utility~~
5 ~~distribution services and was a customer of the public~~
6 ~~utility and whose service was terminated for any of the~~
7 ~~following reasons:~~

8 ~~(i) Nonpayment of an undisputed delinquent account.~~

9 ~~(ii) Failure to complete payment of a deposit,~~
10 ~~provide a guarantee or establish credit.~~

11 ~~(iii) Failure to permit access to meters, service~~
12 ~~connections or other property of the public utility for~~
13 ~~the purpose of replacement, maintenance, repair or meter~~
14 ~~reading.~~

15 ~~(iv) Unauthorized use of the utility service~~
16 ~~delivered on or about the affected dwelling.~~

17 ~~(v) Failure to comply with the material terms of a~~
18 ~~settlement or payment arrangement.~~

19 ~~(vi) Fraud or material misrepresentation of identity~~
20 ~~for the purpose of obtaining utility service.~~

21 ~~(vii) Tampering with meters, including, but not~~
22 ~~limited to, bypassing a meter or removal of an automatic~~
23 ~~meter reading device or other public utility equipment.~~

24 ~~(viii) Violating tariff provisions on file with the~~
25 ~~commission so as to endanger the safety of a person or~~
26 ~~the integrity of the delivery system of the public~~
27 ~~utility.~~

28 ~~(2) Any applicant or customer who is unable to establish~~
29 ~~creditworthiness to the satisfaction of the public utility~~
30 ~~through the use of a generally accepted credit scoring~~

1 ~~methodology, as provided in a commission approved tariff, and~~
2 ~~which employs standards for using the methodology that fall~~
3 ~~within the range of general industry practice.~~

4 ~~(3) A customer who fails to comply with a material term~~
5 ~~or condition of a settlement or payment arrangement.~~

6 ~~(a.1) Cash deposit prohibition. Notwithstanding subsection~~
7 ~~(a), no public utility may require a customer or applicant that~~
8 ~~is confirmed to be eligible for a customer assistance program to~~
9 ~~provide a cash deposit.~~

10 ~~(b) Third party guarantor. Nothing in this section shall be~~
11 ~~construed to preclude an applicant from furnishing a third party~~
12 ~~guarantor in lieu of a cash deposit. The guaranty shall be in~~
13 ~~writing and shall state the terms of the guaranty. The guarantor~~
14 ~~shall be responsible for all missed payments owed to the public~~
15 ~~utility.~~

16 ~~(c) Deposit hold period.~~

17 ~~(1) A public utility may hold a deposit until a timely~~
18 ~~payment history is established.~~

19 ~~(2) A timely payment history is established when a~~
20 ~~customer has paid in full and on time for twelve consecutive~~
21 ~~months.~~

22 ~~(3) At the end of the deposit holding period as~~
23 ~~established in paragraph (1), the public utility shall deduct~~
24 ~~the outstanding balance from the deposit and return or credit~~
25 ~~any positive difference to the customer.~~

26 ~~(4) If service is terminated before the end of the~~
27 ~~deposit holding period as established in paragraph (1), the~~
28 ~~public utility shall deduct the outstanding balance from the~~
29 ~~deposit and return any positive difference to the customer~~
30 ~~within 60 days of the termination.~~

1 ~~(5) If a customer becomes delinquent before the end of~~
2 ~~the deposit holding period as established in paragraph (1),~~
3 ~~the public utility may deduct the outstanding balance from~~
4 ~~the deposit.~~

5 ~~(6) The public utility shall accrue interest on the~~
6 ~~deposit until it is returned or credited.~~

7 ~~(i) Interest shall be computed at the simple annual~~
8 ~~interest rate determined by the Secretary of Revenue for~~
9 ~~interest on the underpayment of tax under section 806 of~~
10 ~~the act of April 9, 1929 (P.L.343, No.176), known as The~~
11 ~~Fiscal Code.~~

12 ~~(ii) The interest rate in effect when deposit is~~
13 ~~required to be paid shall remain in effect until the~~
14 ~~later of:~~

15 ~~(A) the date the deposit is refunded or~~
16 ~~credited; or~~

17 ~~(B) December 31.~~

18 ~~(iii) On January 1 of each year, the new interest~~
19 ~~rate for that year will apply to the deposit.~~

20 ~~(d) Adult occupants. Prior to providing utility service, a~~
21 ~~public utility may require the applicant to provide the names of~~
22 ~~each adult occupant residing at the location and proof of their~~
23 ~~identity.~~

24 ~~(e) Failure to pay full amount of cash deposit. A public~~
25 ~~utility shall not be required to provide service if the~~
26 ~~applicant or customer fails to pay the full amount of the cash~~
27 ~~deposit within the time period under subsection (a).~~

28 ~~(f) City natural gas distribution operation; additional~~
29 ~~deposit rules for city natural gas distribution operations.~~
30 ~~Except for applicants who are subject to a deposit under~~

1 subsection (a), a city natural gas distribution operation may
2 require a deposit from the applicant as follows:

3 ~~(1) If an applicant has household income above 300% of~~
4 ~~the Federal poverty level, one sixth of the applicant's~~
5 ~~estimated annual bill paid in full at the time the city~~
6 ~~natural gas distribution operation determines a deposit is~~
7 ~~required; or~~

8 ~~(2) If an applicant has household income no greater than~~
9 ~~300% of the Federal poverty level, one twelfth of the~~
10 ~~applicant's estimated annual bill paid in full at the time~~
11 ~~the city natural gas distribution operation determines a~~
12 ~~deposit is required. Applicants who enroll into the Customer~~
13 ~~Assistance Program made available by the city natural gas~~
14 ~~distribution operation are not subject to this paragraph.~~

15 ~~(g) Estimated annual bill. When used in this section, an~~
16 ~~estimated annual bill shall be calculated on the basis of the~~
17 ~~annual bill to the dwelling at which service is being requested~~
18 ~~for the prior 12 months or, if unavailable, a similar dwelling~~
19 ~~in close proximity.~~

20 ~~(h) Time for paying deposits upon reconnection. Applicants~~
21 ~~and customers required to pay a deposit upon reconnection under~~
22 ~~subsection (a) (1) shall have up to 90 days to pay the deposit in~~
23 ~~accordance with commission regulations.]~~

24 Section 4. Title 66 is amended by adding a section to read:
25 § 1404.1. Security deposits.

26 Notwithstanding any other provision of law or commission
27 regulation, a public utility may not require a cash deposit as a
28 condition for applicants or customers to obtain or continue
29 public utility service.

30 Section 5. Sections 1405(b) introductory paragraph, (c), (d)

1 ~~and (e), 1406(b)(1)(i) and (ii) and (2), (d), (e), (f) and (g)~~
2 ~~and 1407(a) and (c)(2) of Title 66 are amended and the sections~~
3 ~~are amended by adding subsections to read:~~

4 ~~§ 1405. Payment arrangements.~~

5 ~~***~~

6 ~~(b) Length of payment arrangements. [The] Except as~~
7 ~~provided under subsection (b.1), the length of time for a~~
8 ~~customer to resolve an unpaid balance on an account that is~~
9 ~~subject to a payment arrangement that is investigated by the~~
10 ~~commission and is entered into by a public utility and a~~
11 ~~customer shall not extend beyond:~~

12 ~~***~~

13 ~~(b.1) Alternative payment arrangement. If a customer's~~
14 ~~monthly payment would exceed 20% of the customer's average~~
15 ~~monthly bill based on the length of the payment arrangement~~
16 ~~under subsection (b), the commission may extend the applicable~~
17 ~~length of the payment arrangement not to exceed two times the~~
18 ~~length of the payment arrangement the customer would otherwise~~
19 ~~be entitled to under subsection (b).~~

20 ~~[(c) Customer assistance programs. Customer assistance~~
21 ~~program rates shall be timely paid and shall not be the subject~~
22 ~~of payment arrangements negotiated or approved by the~~
23 ~~commission.]~~

24 ~~(d) Number of payment arrangements. [Absent a change in~~
25 ~~income, the commission shall not] The commission shall establish~~
26 ~~or order a public utility to establish a second [or subsequent]~~
27 ~~payment arrangement if a customer has defaulted on a previous~~
28 ~~payment arrangement established by a commission order or~~
29 ~~decision. The commission may establish or order a public utility~~
30 ~~to establish subsequent payment arrangements if the customer~~

1 ~~experienced a change in income or a significant change in~~
2 ~~circumstance. A public utility may, at its discretion, enter~~
3 ~~into [a second or subsequent payment arrangement] additional~~
4 ~~payment arrangements with a customer.~~

5 ~~(c) Extension of payment arrangements. If the customer~~
6 ~~defaults on a payment arrangement established under subsections~~
7 ~~(a) and (b) as a result of a significant change in circumstance,~~
8 ~~the commission may reinstate the payment arrangement and extend~~
9 ~~the remaining term for a period not to exceed the payment~~
10 ~~arrangement period established under subsection (b.1) if not~~
11 ~~already previously extended under subsection (b.1) or, if~~
12 ~~previously extended under subsection (b.1), an initial period of~~
13 ~~six months. The initial extension period may be extended for an~~
14 ~~additional six months for good cause shown.~~

15 * * *

16 ~~§ 1406. Termination of utility service.~~

17 * * *

18 ~~(b) Notice of termination of service.~~

19 ~~(1) Prior to terminating service under subsection (a), a~~
20 ~~public utility:~~

21 ~~(i) Shall provide written notice of the termination~~
22 ~~to the customer at least [ten] 20 days prior to the date~~
23 ~~of the proposed termination. The termination notice shall~~
24 ~~remain effective for 60 days. The public utility shall~~
25 ~~provide the written notice via first class mail to the~~
26 ~~customer, and by electronic means if the customer~~
27 ~~affirmatively consents to receive electronic notice of~~
28 ~~termination. Electronic notice of termination shall mean~~
29 ~~by either email, text or both if both are provided to the~~
30 ~~utility with appropriate consent.~~

1 ~~(ii) Shall attempt to contact the customer or~~
2 ~~occupant to provide notice of the proposed termination at~~
3 ~~least three days prior to the scheduled termination,~~
4 ~~using one or more of the following methods:~~

5 ~~(A) in person;~~

6 ~~(B) by telephone. Phone contact shall be deemed~~
7 ~~complete upon attempted calls on two separate days to~~
8 ~~the residence between the hours of 8 a.m. and 9 p.m.~~
9 ~~if the calls were made at various times each day. The~~
10 ~~public utility shall annually update customer contact~~
11 ~~information and preferences for telephone~~
12 ~~notification under this clause; or~~

13 ~~(C) by e mail, text message or other electronic~~
14 ~~messaging format consistent with the commission's~~
15 ~~privacy guidelines and approved by commission order.~~
16 ~~The public utility shall annually update customer~~
17 ~~contact information and preferences for electronic~~
18 ~~notification under this clause.~~

19 ~~[(D)] In the case of electronic notification~~
20 ~~only, the customer must affirmatively consent to be~~
21 ~~contacted using a specific electronic messaging~~
22 ~~format for purpose of termination.~~

23 ~~* * *~~

24 ~~(2) [The] Absent special circumstances, the public~~
25 ~~utility shall not be required by the commission to take any~~
26 ~~additional actions prior to termination.~~

27 ~~* * *~~

28 ~~(d) Timing of termination. Notwithstanding the provisions~~
29 ~~of section 1503 (relating to discontinuance of service), a~~
30 ~~public utility may terminate service for the reasons set forth~~

1 ~~in subsection (a) from Monday through Thursday as long as the~~
2 ~~public utility can accept payment to restore service on the~~
3 ~~following day and can restore service consistent with section~~
4 ~~1407 (relating to reconnection of service). A public utility may~~
5 ~~not terminate service on a Friday, a Federal or State holiday or~~
6 ~~the business day immediately preceding a Federal or State~~
7 ~~holiday.~~

8 ~~(e) Winter termination prohibited.~~

9 ~~(1) Unless otherwise authorized by the commission, after~~
10 ~~November 30 and before April 1, [an electric distribution~~
11 ~~utility or natural gas distribution] a public utility shall~~
12 ~~not terminate service to customers with household incomes at~~
13 ~~or below 250% of the Federal poverty level except for~~
14 ~~customers whose actions conform to subsection (c) (1). [The~~
15 ~~commission shall not prohibit an electric distribution~~
16 ~~utility or natural gas distribution utility from terminating~~
17 ~~service in accordance with this section to customers with~~
18 ~~household incomes exceeding 250% of the Federal poverty~~
19 ~~level.~~

20 ~~(2) In addition to the winter termination authority set~~
21 ~~forth in paragraph (1), a city natural gas distribution~~
22 ~~operation may terminate service to a customer whose household~~
23 ~~income exceeds 150% of the Federal poverty level but does not~~
24 ~~exceed 250% of the Federal poverty level, and starting~~
25 ~~January 1, has not paid at least 50% of his charges for each~~
26 ~~of the prior two months unless the customer has done one of~~
27 ~~the following:~~

28 ~~(i) Has proven in accordance with commission rules~~
29 ~~that his household contains one or more persons who are~~
30 ~~65 years of age or over.~~

1 ~~(ii) Has proven in accordance with commission rules~~
2 ~~that his household contains one or more persons 12 years~~
3 ~~of age or younger.~~

4 ~~(iii) Has obtained a medical certification in~~
5 ~~accordance with commission rules.~~

6 ~~(iv) Has paid to the city natural gas distribution~~
7 ~~operation an amount representing at least 15% of the~~
8 ~~customer's monthly household income for each of the last~~
9 ~~two months.~~

10 ~~(3) At the time that the notice of termination required~~
11 ~~by subsection (b) (1) (i) is provided to the customer, the city~~
12 ~~natural gas distribution operation shall provide notice to~~
13 ~~the commission. The commission shall not stay the termination~~
14 ~~of service unless the commission finds that the customer~~
15 ~~meets the criteria in paragraph (2) (i), (ii), (iii) or (iv).]~~

16 ~~(e.1) Summer termination prohibited. Unless otherwise~~
17 ~~authorized by the commission, after June 30 and before September~~
18 ~~1, a public utility may not terminate service to a customer with~~
19 ~~a household income at or below 250% of the Federal poverty level~~
20 ~~except for customers whose actions conform to subsection (c) (1).~~

21 ~~(f) Medical certification. A public utility shall not~~
22 ~~terminate service to a premises when a customer has submitted a~~
23 ~~medical certificate to the public utility. The customer shall~~
24 ~~obtain a medical certificate verifying the condition and shall~~
25 ~~promptly forward it to the public utility. The medical~~
26 ~~certification procedure shall be implemented in accordance with~~
27 ~~commission regulations. The following shall apply:~~

28 ~~(1) If, prior to termination of service, a public~~
29 ~~utility employee is informed that an occupant is seriously~~
30 ~~ill or has a medical condition and that the customer is~~

~~1 seeking a medical certificate, termination of service may not
2 occur for at least seven days. If a medical certificate is
3 not produced within that seven day period, the public utility
4 may resume the termination process at the point where the
5 process was suspended.~~

~~6 (2) A public utility may not terminate service for at
7 least 90 days from the date of submission of a medical
8 certificate or six months from the date of submission where a
9 medical certificate indicates a long term or chronic illness.~~

~~10 (3) A public utility may not limit the number of medical
11 certificates that a licensed medical or social service
12 provider is permitted to issue under this subsection.~~

~~13 (g) Qualification for LIHEAP or other utility assistance. A
14 notice of termination to a customer of a public utility shall be
15 sufficient proof of a crisis for a customer with the requisite
16 income level to receive a LIHEAP Crisis Grant or other utility
17 assistance from the Department of [Public Welfare] Human
18 Services or its designee as soon as practicable after the date
19 of the notice. Termination of service is not necessary to
20 demonstrate sufficient proof of crisis.~~

~~21 * * *~~

~~22 (i) Language access.—~~

~~23 (1) A public utility shall provide a written notice of
24 termination under this section in, at a minimum, English and
25 Spanish.~~

~~26 (2) A public utility shall include all of following with
27 a written notice of termination under this section:~~

~~28 (i) In each of the top five languages spoken in the
29 public utility's service territory, excluding English and
30 Spanish, a statement in substantially the following form:~~

1 ~~This is a notice that your utility services will~~
2 ~~be terminated.~~

3 ~~(ii) A telephone number to call for further~~
4 ~~information about the notice of termination.~~

5 ~~(3) A public utility shall post a fully translated copy~~
6 ~~of a written notice of termination under this section and a~~
7 ~~description of the public utility's termination process in~~
8 ~~English, Spanish and the top five additional languages spoken~~
9 ~~in the public utility's service territory in a conspicuous~~
10 ~~location on its publicly accessible Internet website.~~

11 ~~§ 1407. Reconnection of service.~~

12 ~~{(a) Fee. A public utility may require a reconnection fee~~
13 ~~based upon the public utility's cost as approved by the~~
14 ~~commission prior to reconnection of service following lawful~~
15 ~~termination of the service.}~~

16 ~~(a.1) Fee prohibition. A public utility may not require a~~
17 ~~customer or applicant with an income at or below 300% of the~~
18 ~~Federal poverty level to provide a reconnection fee. A public~~
19 ~~utility shall inform a customer or applicant of the prohibition~~
20 ~~on reconnection fees specified under this subsection at the time~~
21 ~~a reconnection fee is assessed.~~

22 ~~* * *~~

23 ~~(c) Payment to restore service.~~

24 ~~* * *~~

25 ~~(2) A public utility may require:~~

26 ~~(i) Full payment of any outstanding balance incurred~~
27 ~~[together with any reconnection fees] by the customer,~~
28 ~~who is not covered under subparagraph (iv), or applicant~~
29 ~~prior to reconnection of service if the customer or~~
30 ~~applicant has an income exceeding 300% of the Federal~~

1 ~~poverty level or has defaulted on two or more payment~~
2 ~~arrangements. If a customer or applicant with household~~
3 ~~income exceeding 300% of the Federal poverty level~~
4 ~~experiences a life event, the customer or applicant~~
5 ~~shall be permitted a period of not more than [three] six~~
6 ~~months to pay the outstanding balance required for~~
7 ~~reconnection. For purposes of this subparagraph, a life~~
8 ~~event is:~~

9 ~~(A) A job loss that extended beyond nine months.~~

10 ~~(B) A serious illness that extended beyond nine~~
11 ~~months.~~

12 ~~(C) Death of the primary wage earner.~~

13 ~~(ii) [Full payment of any reconnection fees together~~
14 ~~with repayment] Repayment over 12 months of any~~
15 ~~outstanding balance incurred by the customer, who is not~~
16 ~~covered under subparagraph (iv), or applicant if the~~
17 ~~customer or applicant has an income exceeding 150% of the~~
18 ~~Federal poverty level but not greater than 300% of the~~
19 ~~Federal poverty level.~~

20 ~~(iii) [Full payment of any reconnection fees~~
21 ~~together with payment] Repayment over 24 months of any~~
22 ~~outstanding balance incurred by the customer, who is not~~
23 ~~covered under subparagraph (iv), or applicant if the~~
24 ~~customer or applicant has an income not exceeding 150% of~~
25 ~~the Federal poverty level. [A customer or applicant of a~~
26 ~~city natural gas distribution operation whose household~~
27 ~~income does not exceed 135% of the Federal poverty level~~
28 ~~shall be reinstated pursuant to this subsection only if~~
29 ~~the customer or applicant enrolls in the customer~~
30 ~~assistance program of the city natural gas distribution~~

1 ~~operation except that this requirement shall not apply if~~
2 ~~the financial benefits to such customer or applicant are~~
3 ~~greater if served outside of that assistance program.]~~

4 ~~(iv) The payment of an outstanding balance in~~
5 ~~accordance with terms of a payment arrangement~~
6 ~~established under section 1405 (relating to payment~~
7 ~~arrangements) if the customer has not previously entered~~
8 ~~into a payment arrangement established under section~~
9 ~~1405.~~

10 * * *

11 ~~Section 6. Sections 1409, 1410(1) and 1410.1 of Title 66 are~~
12 ~~amended to read:~~

13 ~~§ 1409. Late payment charge waiver.~~

14 ~~A public utility shall waive late payment charges on any~~
15 ~~customer accounts if the charges were improperly assessed. The~~
16 ~~commission [may] shall order a waiver of any late payment~~
17 ~~charges levied by a public utility as a result of a delinquent~~
18 ~~account for customers with a gross monthly household income not~~
19 ~~exceeding [150%] 300% of the Federal poverty level.~~

20 ~~§ 1410. Complaints filed with commission.~~

21 ~~The following apply:~~

22 ~~(1) The commission shall accept formal and informal~~
23 ~~complaints only from customers or applicants who affirm that~~
24 ~~they have first [contacted] attempted to contact the public~~
25 ~~utility for the purpose of resolving the problem about which~~
26 ~~the customer wishes to file a complaint. If the customer has~~
27 ~~not [contacted] attempted to contact the public utility, the~~
28 ~~commission shall direct the customer to the public utility.~~

29 * * *

30 ~~§ 1410.1. Public utility duties.~~

1 ~~(a) Screening. A public utility shall screen a customer or~~
2 ~~applicant to determine if the customer or applicant's household~~
3 ~~income is at or below 300% of the Federal poverty level at the~~
4 ~~time service is established and on an annual basis thereafter.~~
5 ~~The public utility shall attempt to update the income~~
6 ~~information under this subsection at least once per year.~~

7 ~~(b) Payments. When a customer or applicant contacts a~~
8 ~~public utility to make a payment agreement as required by~~
9 ~~section 1410 (relating to complaints filed with commission),~~
10 ~~when the public utility has information that the customer or~~
11 ~~applicant is or was payment troubled or when the public utility~~
12 ~~receives information that the household income of the customer~~
13 ~~or applicant may qualify the customer or applicant for a~~
14 ~~universal service and energy conservation program, the public~~
15 ~~utility shall:~~

16 ~~(1) Provide information about the public utility's~~
17 ~~universal service programs, including a customer assistance~~
18 ~~program[.] in, at a minimum, English and Spanish.~~

19 ~~(1.1) Assess whether the customer or applicant is~~
20 ~~eligible for the public utility's universal service and~~
21 ~~conservation programs prior to negotiating a payment~~
22 ~~arrangement.~~

23 ~~(2) Refer [the] a potentially eligible customer or~~
24 ~~applicant to the universal service program administrator of~~
25 ~~the public utility to determine eligibility for a program and~~
26 ~~to apply for enrollment in a program. The program~~
27 ~~administrator or another representative of the public utility~~
28 ~~shall be able to communicate with the customer or applicant~~
29 ~~in, at a minimum, English and Spanish for the purpose of this~~
30 ~~paragraph.~~

1 ~~(3) Have an affirmative responsibility to attempt to~~
2 ~~collect payment on an overdue account. The utility shall~~
3 ~~report to the commission annually residential customer~~
4 ~~accounts which have accumulated \$10,000 or more in arrearages~~
5 ~~and shall demonstrate what efforts are being taken to collect~~
6 ~~the arrearages. Failure to make reasonable attempts to~~
7 ~~collect payments on overdue accounts with arrearages in~~
8 ~~excess of \$10,000 may result in civil fines or other~~
9 ~~appropriate sanctions by the commission.~~

10 ~~(4) Report to the commission on an annual basis the~~
11 ~~number of medical certificates and renewals submitted and~~
12 ~~accepted in the service territory.~~

13 ~~Section 7. Section 1412 of Title 66 is repealed:~~

14 ~~{§ 1412. Reporting of delinquent customers.~~

15 ~~A city natural gas distribution operation shall report to the~~
16 ~~Pennsylvania Intergovernmental Cooperation Authority established~~
17 ~~pursuant to the act of June 5, 1991 (P.L.9, No.6), known as the~~
18 ~~Pennsylvania Intergovernmental Cooperation Authority Act for~~
19 ~~Cities of the First Class, an assisted city or corporate entity~~
20 ~~of an assisted city, as those terms are defined in the~~
21 ~~Pennsylvania Intergovernmental Cooperation Authority Act, that~~
22 ~~has not paid in full for charges for service by the due dates~~
23 ~~stated on the bill or otherwise agreed upon.}~~

24 ~~Section 8. Sections 1413 and 1414(b) and (c) of Title 66 are~~
25 ~~amended to read:~~

26 ~~§ 1413. Reporting of recipients of public assistance.~~

27 ~~The Department of [Public Welfare] Human Services shall~~
28 ~~{annually provide a city natural gas distribution operation with~~
29 ~~the} make available to each public utility with a signed LIHEAP~~
30 ~~agreement or other utility assistance vendor agreement a~~

1 ~~listing of recipients of LIHEAP or other public assistance [in a~~
2 ~~city of the first class. A city natural gas distribution~~
3 ~~operation], including other utility assistance administered by~~
4 ~~the Department of Human Services, that has income guidelines not~~
5 ~~exceeding 150% of the Federal poverty level. A public utility~~
6 ~~shall not use the listing for anything but qualification and~~
7 ~~continued eligibility for a customer assistance program or~~
8 ~~{LIHEAP} other utility assistance program administered by the~~
9 ~~utility.~~

10 ~~§ 1414. Liens by city natural gas distribution operations.~~

11 ~~* * *~~

12 ~~{(b) Residential field visit charge. A city natural gas~~
13 ~~distribution operation is authorized to charge a minimum fee of~~
14 ~~\$10 for each instance in which its representative is required to~~
15 ~~visit the residence of a customer in the process of attempting~~
16 ~~to complete required service termination steps.~~

17 ~~(c) Refusal of service. The commission shall permit a city~~
18 ~~natural gas distribution operation to refuse to provide service~~
19 ~~to an applicant if the applicant has a pending lien or civil~~
20 ~~judgment by the city natural gas distribution operation~~
21 ~~outstanding against the applicant or against property owned in~~
22 ~~whole or in part by the applicant unless the applicant enters~~
23 ~~into a payment arrangement for the payment of the amount~~
24 ~~associated with the lien or judgment that remains outstanding at~~
25 ~~the time of the application.}~~

26 ~~Section 9. Title 66 is amended by adding a section to read:~~

27 ~~§ 1415.1. Reporting to commission.~~

28 ~~(a) Reports. Within 30 days after the end of each calendar~~
29 ~~year, a public utility shall submit a publicly accessible report~~
30 ~~to the commission containing the following information, at a~~

1 ~~minimum, on a monthly basis as of the last day of each month,~~
2 ~~disaggregated by confirmed low income status, census tract, zip~~
3 ~~code, race or ethnicity and customer class:~~

4 ~~(1) The number of accepted applications for service.~~

5 ~~(2) The number of rejected applications for service.~~

6 ~~(3) The number of customers.~~

7 ~~(4) The number of customers terminated for nonpayment.~~

8 ~~(5) The number of customers in arrears.~~

9 ~~(6) The number of customers whose service was~~
10 ~~reconnected following a termination due to nonpayment.~~

11 ~~(7) The number of accepted medical certificates.~~

12 ~~(8) The number of rejected medical certificates.~~

13 ~~(9) The number of customers protected from termination~~
14 ~~as a result of seasonal, whether winter or summer, protection~~
15 ~~from termination.~~

16 ~~(10) The number of customers assessed late fees and the~~
17 ~~total dollar amount of the assessed late fees.~~

18 ~~(11) The number of customers assessed reconnection fees~~
19 ~~and the total dollar amount of the assessed reconnection~~
20 ~~fees.~~

21 ~~(12) The number of customers in arrears with active~~
22 ~~payment arrangements.~~

23 ~~(13) The total dollar amount and average amount of~~
24 ~~arrears in active payment arrangements.~~

25 ~~(14) The number of customers that defaulted from payment~~
26 ~~arrangements and the amount of arrears associated with the~~
27 ~~defaulted arrangements.~~

28 ~~(15) The number of customers in arrears without active~~
29 ~~payment arrangements.~~

30 ~~(16) The total dollar amount and average amount of~~

1 ~~arrears without active payment arrangements.~~

2 ~~(17) The total number of 10-day termination notices~~
3 ~~mailed to customers.~~

4 ~~(b) Standards. The commission shall establish uniform~~
5 ~~standards for the reporting of information by a public utility~~
6 ~~under subsection (a). In establishing the uniform standards~~
7 ~~under this subsection, the commission shall seek to maximize the~~
8 ~~accuracy, precision and comparability of the information~~
9 ~~reported by each public utility under subsection (a).~~

10 ~~(c) Public availability. The commission shall make a report~~
11 ~~submitted by a public utility under subsection (a) available on~~
12 ~~the commission's publicly accessible Internet website within 30~~
13 ~~days of the receipt of the report.~~

14 ~~(d) Universal service and collections performance report.~~
15 ~~The commission shall compile the information provided by each~~
16 ~~public utility under subsection (a) and include the information~~
17 ~~in the commission's annual universal service and collections~~
18 ~~performance report. The commission shall also include the~~
19 ~~following information in the commission's annual universal~~
20 ~~service and collections performance report:~~

21 ~~(1) A plain language summary of the information reported~~
22 ~~by each public utility under subsection (a) for the reporting~~
23 ~~year, including significant trends or changes concerning~~
24 ~~reported information.~~

25 ~~(2) The commission's assessment of the impact of trends~~
26 ~~or changes in the information reported under subsection (a)~~
27 ~~for the reporting year.~~

28 ~~(3) The commission's assessment of whether additional~~
29 ~~information is prudent to understand and address issues~~
30 ~~related to affordability and accessibility or trends or~~

1 ~~changes presented in the information reported under~~
2 ~~subsection (a).~~

3 ~~(e) Personally identifiable information. The information~~
4 ~~disclosed under this section and any order or regulation by the~~
5 ~~commission implementing the provisions of this section may not~~
6 ~~include the personally identifiable information of a customer.~~

7 ~~(f) Technical assistance. In accordance with the~~
8 ~~commission's standards and based on the funds available to the~~
9 ~~commission, the commission shall provide technical assistance to~~
10 ~~public utilities to develop and implement the information~~
11 ~~collection requirements under this section.~~

12 Section 10. Sections 1417 and 1419 of Title 66 are amended
13 to read:

14 § 1417. Nonapplicability.

15 This chapter shall not apply to victims under a protection
16 from abuse order as provided by 23 Pa.C.S. Ch. 61 (relating to
17 protection from abuse), ~~a written certification from a domestic~~
18 ~~violence counselor/advocate as defined in 23 Pa.C.S. § 6102~~
19 ~~(relating to definitions) or a court order issued by a court of~~
20 ~~competent jurisdiction [in this Commonwealth], which provides~~
21 ~~clear evidence of domestic violence against the applicant or~~
22 ~~customer.~~

23 § 1419. Expiration.

24 This chapter shall expire December 31, ~~[2024]~~ 2034.

25 Section 11. This act shall take effect in 60 days.

26 SECTION 1. SECTION 1402 OF TITLE 66 OF THE PENNSYLVANIA
27 CONSOLIDATED STATUTES IS AMENDED BY ADDING A PARAGRAPH TO READ:

28 § 1402. DECLARATION OF POLICY.

29 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

30 * * *

1 (5) THE GENERAL ASSEMBLY BELIEVES THAT IT IS APPROPRIATE
2 TO RECOGNIZE THE APPLICABILITY OF THIS CHAPTER TO A WATER AND
3 SEWER AUTHORITY IN A CITY OF THE SECOND CLASS.

4 SECTION 2. THE DEFINITIONS OF "APPLICANT," "CHANGE IN
5 INCOME," "CUSTOMER," "CUSTOMER ASSISTANCE PROGRAM," "ELECTRIC
6 DISTRIBUTION UTILITY," "FORMAL COMPLAINT," "HOUSEHOLD INCOME,"
7 "INFORMAL COMPLAINT," "LIHEAP" OR "LOW INCOME HOME ENERGY
8 ASSISTANCE PROGRAM," "MEDICAL CERTIFICATE," "NATURAL GAS
9 DISTRIBUTION SERVICE," "NATURAL GAS DISTRIBUTION UTILITY,"
10 "NATURAL GAS SUPPLY SERVICES," "PAYMENT ARRANGEMENT," "PUBLIC
11 UTILITY" AND "SIGNIFICANT CHANGE IN CIRCUMSTANCE" IN SECTION
12 1403 OF TITLE 66 ARE AMENDED TO READ:

13 § 1403. DEFINITIONS.

14 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
15 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
16 CONTEXT CLEARLY INDICATES OTHERWISE:

17 "APPLICANT." A NATURAL PERSON WHO IS AT LEAST 18 YEARS OF
18 AGE OR AN EMANCIPATED MINOR WHO IS NOT CURRENTLY RECEIVING
19 SERVICE AND WHO APPLIES FOR RESIDENTIAL SERVICE PROVIDED BY A
20 PUBLIC UTILITY OR ANY ADULT OCCUPANT WHOSE NAME APPEARS ON THE
21 MORTGAGE, DEED OR LEASE AS SPECIFIED UNDER SECTION 202 OF THE
22 ACT OF APRIL 6, 1951 (P.L.69, NO.20), KNOWN AS THE LANDLORD AND
23 TENANT ACT OF 1951, OF THE PROPERTY FOR WHICH THE RESIDENTIAL
24 PUBLIC UTILITY SERVICE IS REQUESTED. THE TERM DOES NOT INCLUDE A
25 PERSON WHO, WITHIN 30 DAYS AFTER SERVICE TERMINATION OR
26 DISCONTINUANCE OF SERVICE, SEEKS TO HAVE SERVICE RECONNECTED AT
27 THE SAME LOCATION OR TRANSFERRED TO ANOTHER LOCATION WITHIN THE
28 SERVICE TERRITORY OF THE PUBLIC UTILITY.

29 "CHANGE IN INCOME." A DECREASE IN HOUSEHOLD INCOME OF [20%]
30 10% OR MORE IF THE CUSTOMER'S HOUSEHOLD INCOME LEVEL EXCEEDS

1 [200%] 300% OF THE FEDERAL POVERTY LEVEL [OR A DECREASE IN
2 HOUSEHOLD INCOME OF 10% OR MORE IF THE CUSTOMER'S HOUSEHOLD
3 INCOME LEVEL IS 200% OR LESS OF THE FEDERAL POVERTY LEVEL].

4 * * *

5 "CUSTOMER." A NATURAL PERSON AT LEAST 18 YEARS OF AGE OR AN
6 EMANCIPATED MINOR IN WHOSE NAME A RESIDENTIAL SERVICE ACCOUNT IS
7 LISTED AND WHO IS PRIMARILY RESPONSIBLE FOR PAYMENT OF BILLS
8 RENDERED FOR THE SERVICE OR ANY ADULT OCCUPANT WHOSE NAME
9 APPEARS ON THE MORTGAGE, DEED OR LEASE AS SPECIFIED UNDER
10 SECTION 202 OF THE LANDLORD AND TENANT ACT OF 1951, OF THE
11 PROPERTY FOR WHICH THE RESIDENTIAL UTILITY SERVICE IS REQUESTED.
12 THE TERM INCLUDES A PERSON WHO, WITHIN 30 DAYS AFTER SERVICE
13 TERMINATION OR DISCONTINUANCE OF SERVICE, SEEKS TO HAVE SERVICE
14 RECONNECTED AT THE SAME LOCATION OR TRANSFERRED TO ANOTHER
15 LOCATION WITHIN THE SERVICE TERRITORY OF THE PUBLIC UTILITY.

16 "CUSTOMER ASSISTANCE PROGRAM." A PLAN OR PROGRAM SPONSORED
17 BY A PUBLIC UTILITY FOR THE PURPOSE OF PROVIDING UNIVERSAL
18 SERVICE AND ENERGY CONSERVATION, AS DEFINED BY SECTION 2202
19 (RELATING TO DEFINITIONS) OR 2803 (RELATING TO DEFINITIONS), OR
20 OTHER ASSISTANCE PROGRAM OFFERED BY A PUBLIC UTILITY, INCLUDING
21 A WATER DISTRIBUTION UTILITY OR WASTEWATER UTILITY, IN WHICH
22 CUSTOMERS MAKE MONTHLY PAYMENTS BASED ON HOUSEHOLD INCOME AND
23 HOUSEHOLD SIZE AND UNDER WHICH CUSTOMERS MUST COMPLY WITH
24 CERTAIN RESPONSIBILITIES AND RESTRICTIONS IN ORDER TO REMAIN
25 ELIGIBLE FOR THE PROGRAM.

26 "ELECTRIC DISTRIBUTION UTILITY." [AN ENTITY PROVIDING
27 FACILITIES FOR THE JURISDICTIONAL TRANSMISSION AND DISTRIBUTION
28 OF ELECTRICITY TO RETAIL CUSTOMERS, EXCEPT BUILDING OR FACILITY
29 OWNERS OR OPERATORS THAT MANAGE THE INTERNAL DISTRIBUTION SYSTEM
30 SERVING SUCH BUILDING OR FACILITY AND THAT SUPPLY ELECTRIC POWER

1 AND OTHER RELATED ELECTRIC POWER SERVICES TO OCCUPANTS OF THE
2 BUILDING OR FACILITY.] THE TERM SHALL HAVE THE SAME MEANING AS
3 THE TERM "ELECTRIC DISTRIBUTION COMPANY" IN SECTION 2803
4 (RELATING TO DEFINITIONS).

5 "FORMAL COMPLAINT." A COMPLAINT FILED BEFORE THE
6 [PENNSYLVANIA PUBLIC UTILITY COMMISSION] COMMISSION REQUESTING A
7 LEGAL PROCEEDING BEFORE A [PENNSYLVANIA PUBLIC UTILITY
8 COMMISSION] COMMISSION ADMINISTRATIVE LAW JUDGE OR A MEDIATION
9 UNDER THE MANAGEMENT OF A [PENNSYLVANIA PUBLIC UTILITY
10 COMMISSION] COMMISSION ADMINISTRATIVE LAW JUDGE.

11 "HOUSEHOLD INCOME." THE COMBINED GROSS INCOME OF ALL ADULTS
12 AT LEAST 18 YEARS OF AGE AND EMANCIPATED MINORS IN A RESIDENTIAL
13 HOUSEHOLD WHO BENEFIT FROM THE PUBLIC UTILITY SERVICE, EXCLUDING
14 EARNED AND UNEARNED INCOME RECEIVED BY HOUSEHOLD MEMBERS WHO ARE
15 YOUNGER THAN 18 YEARS OF AGE AND NOT EMANCIPATED.

16 "INFORMAL COMPLAINT." A COMPLAINT FILED WITH THE
17 [PENNSYLVANIA PUBLIC UTILITY COMMISSION] COMMISSION BY A
18 CUSTOMER THAT DOES NOT INVOLVE A LEGAL PROCEEDING BEFORE A
19 [PENNSYLVANIA PUBLIC UTILITY COMMISSION] COMMISSION
20 ADMINISTRATIVE LAW JUDGE OR A MEDIATION UNDER THE MANAGEMENT OF
21 A [PENNSYLVANIA PUBLIC UTILITY COMMISSION] COMMISSION
22 ADMINISTRATIVE LAW JUDGE.

23 "LIHEAP" OR "LOW INCOME HOME ENERGY ASSISTANCE PROGRAM." A
24 FEDERALLY FUNDED PROGRAM AUTHORIZED BY 42 U.S.C. §§ 8621
25 (RELATING TO HOME ENERGY GRANTS), 8622 (RELATING TO
26 DEFINITIONS), 8623 (RELATING TO STATE ALLOTMENTS), 8624
27 (RELATING TO APPLICATIONS AND REQUIREMENTS), 8625 (RELATING TO
28 NONDISCRIMINATION PROVISIONS), 8626 (RELATING TO PAYMENTS TO
29 STATES; FISCAL YEAR REQUIREMENTS RESPECTING AVAILABILITY, ETC.),
30 8627 (RELATING TO WITHHOLDING OF FUNDS), 8628 (RELATING TO

1 LIMITATION ON USE OF GRANTS FOR CONSTRUCTION), 8629 (RELATING TO
2 STUDIES AND REPORTS) AND 8630 (RELATING TO RENEWABLE FUELS) THAT
3 PROVIDES FINANCIAL ASSISTANCE IN THE FORM OF CASH AND CRISIS
4 GRANTS TO LOW-INCOME HOUSEHOLDS FOR HOME ENERGY BILLS AND IS
5 ADMINISTERED BY THE DEPARTMENT OF [PUBLIC WELFARE] HUMAN
6 SERVICES.

7 "MEDICAL CERTIFICATE." A WRITTEN DOCUMENT, IN A FORM
8 APPROVED BY THE COMMISSION:

9 (1) CERTIFYING THAT A CUSTOMER OR MEMBER OF THE
10 CUSTOMER'S HOUSEHOLD IS SERIOUSLY ILL OR HAS BEEN DIAGNOSED
11 WITH A MEDICAL CONDITION WHICH REQUIRES THE CONTINUATION OF
12 SERVICE TO TREAT THE MEDICAL CONDITION; AND

13 (2) SIGNED BY A LICENSED PHYSICIAN, NURSE PRACTITIONER
14 OR PHYSICIAN'S ASSISTANT. FOR THE PURPOSES OF THIS PARAGRAPH,
15 A MEDICAL CERTIFICATE MAY BE RENEWED BY A REGISTERED NURSE IF
16 PREVIOUSLY SIGNED BY A LICENSED PHYSICIAN, NURSE PRACTITIONER
17 OR PHYSICIAN'S ASSISTANT AND ATTESTED TO BY THE REGISTERED
18 NURSE.

19 "NATURAL GAS DISTRIBUTION SERVICE." [THE DELIVERY OF NATURAL
20 GAS TO RETAIL GAS CUSTOMERS UTILIZING THE JURISDICTIONAL
21 FACILITIES OF A NATURAL GAS DISTRIBUTION UTILITY.] AS DEFINED IN
22 SECTION 2202 (RELATING TO DEFINITIONS).

23 "NATURAL GAS DISTRIBUTION UTILITY." [A CITY NATURAL GAS
24 DISTRIBUTION OPERATION OR ENTITY THAT PROVIDES NATURAL GAS
25 DISTRIBUTION SERVICES AND MAY PROVIDE NATURAL GAS SUPPLY
26 SERVICES AND OTHER SERVICES. THE TERM DOES NOT INCLUDE EITHER OF
27 THE FOLLOWING:

28 (1) ANY PUBLIC UTILITY PROVIDING NATURAL GAS
29 DISTRIBUTION SERVICES SUBJECT TO THE JURISDICTION OF THE
30 PENNSYLVANIA PUBLIC UTILITY COMMISSION THAT HAS ANNUAL GAS

1 OPERATING REVENUES OF LESS THAN \$6,000,000 PER YEAR, EXCEPT
2 WHERE THE PUBLIC UTILITY VOLUNTARILY PETITIONS THE COMMISSION
3 TO BE INCLUDED WITHIN THIS DEFINITION OR WHERE THE PUBLIC
4 UTILITY SEEKS TO PROVIDE NATURAL GAS SUPPLY SERVICES TO
5 RETAIL GAS CUSTOMERS OUTSIDE ITS SERVICE TERRITORY.

6 (2) ANY PUBLIC UTILITY PROVIDING NATURAL GAS
7 DISTRIBUTION SERVICES SUBJECT TO THE JURISDICTION OF THE
8 COMMISSION THAT IS NOT CONNECTED TO AN INTERSTATE GAS
9 PIPELINE BY MEANS OF A DIRECT CONNECTION OR AN INDIRECT
10 CONNECTION THROUGH THE DISTRIBUTION SYSTEM OF ANOTHER NATURAL
11 GAS PUBLIC UTILITY OR THROUGH A NATURAL GAS GATHERING
12 SYSTEM.] THE TERM SHALL HAVE THE SAME MEANING AS THE TERM
13 "NATURAL GAS DISTRIBUTION COMPANY" IN SECTION 2202.

14 "NATURAL GAS SUPPLY SERVICES." [THE SALE OR ARRANGEMENT OF
15 THE SALE OF NATURAL GAS TO RETAIL GAS CUSTOMERS AND SERVICES
16 THAT MAY BE UNBUNDLED BY THE PENNSYLVANIA PUBLIC UTILITY
17 COMMISSION UNDER SECTION 2203(3) (RELATING TO STANDARDS FOR
18 RESTRUCTURING OF NATURAL GAS UTILITY INDUSTRY). THE TERM DOES
19 NOT INCLUDE NATURAL GAS DISTRIBUTION SERVICE.] AS DEFINED IN
20 SECTION 2202.

21 * * *

22 "PAYMENT ARRANGEMENT." AN AGREEMENT WHEREBY A CUSTOMER OR
23 APPLICANT WHO ADMITS LIABILITY FOR BILLED SERVICE IS PERMITTED
24 TO AMORTIZE OR PAY THE UNPAID BALANCE OF THE ACCOUNT IN ONE OR
25 MORE PAYMENTS.

26 "PUBLIC UTILITY." ANY ELECTRIC DISTRIBUTION UTILITY, NATURAL
27 GAS DISTRIBUTION UTILITY, SMALL NATURAL GAS DISTRIBUTION
28 UTILITY, STEAM HEAT UTILITY, WASTEWATER UTILITY OR WATER
29 DISTRIBUTION UTILITY IN THIS COMMONWEALTH THAT IS WITHIN THE
30 JURISDICTION OF THE [PENNSYLVANIA PUBLIC UTILITY COMMISSION.]

1 COMMISSION. THE TERM INCLUDES A CITY NATURAL GAS DISTRIBUTION
2 OPERATION AND A WATER AND SEWER AUTHORITY IN A CITY OF THE
3 SECOND CLASS.

4 "SIGNIFICANT CHANGE IN CIRCUMSTANCE." ANY OF THE FOLLOWING
5 CRITERIA WHEN VERIFIED BY THE PUBLIC UTILITY AND EXPERIENCED BY
6 CUSTOMERS WITH HOUSEHOLD INCOME LESS THAN 300% OF THE FEDERAL
7 POVERTY LEVEL:

8 (1) THE ONSET OF A CHRONIC OR ACUTE ILLNESS [RESULTING
9 IN A SIGNIFICANT LOSS IN THE CUSTOMER'S HOUSEHOLD INCOME].

10 (2) [CATASTROPHIC DAMAGE] DAMAGE TO THE CUSTOMER'S
11 RESIDENCE RESULTING IN A SIGNIFICANT NET COST TO THE
12 CUSTOMER'S HOUSEHOLD.

13 (3) LOSS OF THE CUSTOMER'S RESIDENCE.

14 (4) INCREASE IN THE CUSTOMER'S NUMBER OF DEPENDENTS IN
15 THE HOUSEHOLD.

16 (5) ANY OTHER CIRCUMSTANCE TO BE CONSIDERED IN THE
17 COMMISSION'S DISCRETION, INCLUDING A CHANGE IN EMPLOYMENT
18 STATUS, DEATH, INJURY, DIVORCE, SEPARATION OR OTHER
19 SUBSTANTIAL HARDSHIP.

20 * * *

21 SECTION 3. TITLE 66 IS AMENDED BY ADDING A SECTION TO READ:
22 § 1404.1. SECURITY DEPOSITS.

23 NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR COMMISSION
24 REGULATION, A PUBLIC UTILITY MAY NOT REQUIRE A CASH DEPOSIT AS A
25 CONDITION FOR AN APPLICANT OR CUSTOMER TO OBTAIN OR CONTINUE
26 PUBLIC UTILITY SERVICE IF THE HOUSEHOLD INCOME OF THE APPLICANT
27 OR CUSTOMER IS AT OR BELOW 300% OF THE FEDERAL POVERTY LEVEL.

28 SECTION 4. SECTIONS 1405(B), (C) AND (D) AND 1406(B)(1), (C)
29 (1)(III) AND (V), (D), (E)(1) AND (2) INTRODUCTORY PARAGRAPH,
30 (I) AND (II), (F), (G) AND (H)(1) INTRODUCTORY PARAGRAPH AND

1 (III) OF TITLE 66 ARE AMENDED AND THE SECTIONS ARE AMENDED BY
2 ADDING SUBSECTIONS TO READ:

3 § 1405. PAYMENT ARRANGEMENTS.

4 * * *

5 (B) LENGTH OF PAYMENT ARRANGEMENTS.-- [THE] EXCEPT AS
6 PROVIDED UNDER SUBSECTION (B.1), THE LENGTH OF TIME FOR A
7 CUSTOMER TO RESOLVE AN UNPAID BALANCE ON AN ACCOUNT THAT IS
8 SUBJECT TO A PAYMENT ARRANGEMENT THAT IS INVESTIGATED BY THE
9 COMMISSION AND IS ENTERED INTO BY A PUBLIC UTILITY AND A
10 CUSTOMER SHALL NOT EXTEND BEYOND:

11 (1) [FIVE] SIX YEARS FOR CUSTOMERS WITH A GROSS MONTHLY
12 HOUSEHOLD INCOME LEVEL NOT EXCEEDING 150% OF THE FEDERAL
13 POVERTY LEVEL.

14 (2) [THREE] FOUR YEARS FOR CUSTOMERS WITH A GROSS
15 MONTHLY HOUSEHOLD INCOME LEVEL EXCEEDING 150% AND NOT MORE
16 THAN 250% OF THE FEDERAL POVERTY LEVEL.

17 (3) [ONE YEAR] TWO YEARS FOR CUSTOMERS WITH A GROSS
18 MONTHLY HOUSEHOLD INCOME LEVEL EXCEEDING 250% OF THE FEDERAL
19 POVERTY LEVEL AND NOT MORE THAN 300% OF THE FEDERAL POVERTY
20 LEVEL.

21 (4) [SIX MONTHS] ONE YEAR FOR CUSTOMERS WITH A GROSS
22 MONTHLY HOUSEHOLD INCOME LEVEL EXCEEDING 300% OF THE FEDERAL
23 POVERTY LEVEL.

24 (B.1) ALTERNATIVE PAYMENT ARRANGEMENT.--IF A CUSTOMER'S
25 INCOME LEVEL IS NOT MORE THAN 300% OF THE FEDERAL POVERTY LEVEL
26 AND THE CUSTOMER'S MONTHLY PAYMENT WOULD EXCEED 20% OF THE
27 CUSTOMER'S AVERAGE MONTHLY BILL BASED ON THE LENGTH OF THE
28 PAYMENT ARRANGEMENT FOR THE CUSTOMER UNDER SUBSECTION (B), THE
29 COMMISSION SHALL EXTEND THE LENGTH OF THE PAYMENT ARRANGEMENT
30 FOR THE CUSTOMER SO THAT THE MONTHLY PAYMENT DOES NOT EXCEED 20%

1 OF THE CUSTOMER'S AVERAGE MONTHLY BILL, NOT TO EXCEED TWO TIMES
2 THE LENGTH OF THE PAYMENT ARRANGEMENT FOR THE CUSTOMER UNDER
3 SUBSECTION (B).

4 (C) CUSTOMER ASSISTANCE PROGRAMS.--CUSTOMER ASSISTANCE
5 PROGRAM RATES SHALL BE TIMELY PAID AND SHALL NOT BE THE SUBJECT
6 OF PAYMENT ARRANGEMENTS NEGOTIATED OR APPROVED BY THE
7 COMMISSION. THIS SUBSECTION SHALL NOT APPLY TO ARREARAGES
8 ACCRUED AT FULL RESIDENTIAL TARIFF RATES BY A CUSTOMER ENROLLED
9 IN A CUSTOMER ASSISTANCE PROGRAM.

10 (D) NUMBER OF PAYMENT ARRANGEMENTS.--ABSENT A CHANGE IN
11 INCOME OR A SIGNIFICANT CHANGE IN CIRCUMSTANCES, THE COMMISSION
12 SHALL NOT ESTABLISH OR ORDER A PUBLIC UTILITY TO ESTABLISH A
13 SECOND OR SUBSEQUENT PAYMENT ARRANGEMENT IF A CUSTOMER HAS
14 DEFAULTED ON A PREVIOUS PAYMENT ARRANGEMENT ESTABLISHED BY A
15 COMMISSION ORDER OR DECISION. A PUBLIC UTILITY SHALL ENTER INTO
16 A SUBSEQUENT PAYMENT ARRANGEMENT WITH A CUSTOMER WHOSE GROSS
17 MONTHLY INCOME IS LESS THAN 300% OF THE FEDERAL POVERTY LEVEL. A
18 PUBLIC UTILITY MAY, AT ITS DISCRETION, ENTER INTO A SECOND OR
19 SUBSEQUENT PAYMENT ARRANGEMENT WITH [A] ANY OTHER CUSTOMER.

20 * * *

21 § 1406. TERMINATION OF UTILITY SERVICE.

22 * * *

23 (B) NOTICE OF TERMINATION OF SERVICE.--

24 (1) PRIOR TO TERMINATING SERVICE UNDER SUBSECTION (A), A
25 PUBLIC UTILITY:

26 (I) SHALL PROVIDE WRITTEN NOTICE OF THE TERMINATION
27 TO THE CUSTOMER AT LEAST [TEN] 20 DAYS PRIOR TO THE DATE
28 OF THE PROPOSED TERMINATION. THE TERMINATION NOTICE SHALL
29 REMAIN EFFECTIVE FOR [60] 70 DAYS. THE PUBLIC UTILITY
30 SHALL MAIL THE WRITTEN TERMINATION NOTICE VIA FIRST CLASS

1 MAIL TO THE CUSTOMER AND PROVIDE THE TERMINATION NOTICE
2 BY ELECTRONIC MEANS IF THE CUSTOMER AFFIRMATIVELY AND
3 APPROPRIATELY CONSENTS TO RECEIVE THE TERMINATION NOTICE
4 BY ELECTRONIC MEANS AND THE PUBLIC UTILITY HAS THE
5 CAPABILITY TO PROVIDE THE TERMINATION NOTICE BY
6 ELECTRONIC MEANS. THE PUBLIC UTILITY MAY PROVIDE THE
7 TERMINATION NOTICE BY ELECTRONIC MEANS BY EITHER E-MAIL
8 OR TEXT MESSAGE OR BOTH E-MAIL AND TEXT MESSAGE IF THE
9 CUSTOMER AFFIRMATIVELY AND APPROPRIATELY CONSENTS.

10 (II) SHALL ATTEMPT TO CONTACT THE CUSTOMER OR
11 OCCUPANT TO PROVIDE NOTICE OF THE PROPOSED TERMINATION AT
12 LEAST THREE DAYS PRIOR TO THE SCHEDULED TERMINATION,
13 USING ONE OR MORE OF THE FOLLOWING METHODS:

14 (A) IN PERSON .

15 (B) BY TELEPHONE. PHONE CONTACT SHALL BE
16 DEEMED COMPLETE UPON ATTEMPTED CALLS ON TWO SEPARATE
17 DAYS TO THE RESIDENCE BETWEEN THE HOURS OF 8 A.M. AND
18 9 P.M. IF THE CALLS WERE MADE AT VARIOUS TIMES EACH
19 DAY OR . THE PUBLIC UTILITY SHALL BIANNUALLY UPDATE
20 CUSTOMER CONTACT INFORMATION AND PREFERENCES FOR
21 TELEPHONE NOTIFICATION UNDER THIS CLAUSE.

22 (C) BY E-MAIL, TEXT MESSAGE OR OTHER
23 ELECTRONIC MESSAGING FORMAT CONSISTENT WITH THE
24 COMMISSION'S PRIVACY GUIDELINES AND APPROVED BY
25 COMMISSION ORDER. THE PUBLIC UTILITY SHALL BIANNUALLY
26 UPDATE CUSTOMER CONTACT INFORMATION AND PREFERENCES
27 FOR ELECTRONIC NOTIFICATION UNDER THIS CLAUSE. IN THE
28 CASE OF ELECTRONIC NOTIFICATION ONLY, THE CUSTOMER
29 MUST AFFIRMATIVELY CONSENT TO BE CONTACTED USING A
30 SPECIFIC ELECTRONIC MESSAGING FORMAT FOR PURPOSE OF

1 TERMINATION.

2 [(D) IN THE CASE OF ELECTRONIC NOTIFICATION
3 ONLY, THE CUSTOMER MUST AFFIRMATIVELY CONSENT TO BE
4 CONTACTED USING A SPECIFIC ELECTRONIC MESSAGING
5 FORMAT FOR PURPOSE OF TERMINATION.]

6 (III) DURING THE MONTHS OF DECEMBER THROUGH MARCH,
7 UNLESS PERSONAL CONTACT HAS BEEN MADE WITH THE CUSTOMER
8 OR RESPONSIBLE ADULT WHO IS AT LEAST 18 YEARS OF AGE OR
9 AN EMANCIPATED MINOR BY PERSONALLY VISITING THE
10 CUSTOMER'S RESIDENCE, THE PUBLIC UTILITY SHALL, WITHIN 48
11 HOURS OF THE SCHEDULED DATE OF TERMINATION, POST A NOTICE
12 OF THE PROPOSED TERMINATION AT THE SERVICE LOCATION IN A
13 CONSPICUOUS LOCATION.

14 (IV) AFTER COMPLYING WITH [PARAGRAPHS] SUBPARAGRAPHS
15 (I), (II) AND (III), THE PUBLIC UTILITY SHALL [ATTEMPT TO
16 MAKE PERSONAL CONTACT WITH THE CUSTOMER OR RESPONSIBLE
17 ADULT], AT THE TIME SERVICE IS TERMINATED, POST THE
18 TERMINATION NOTICE AT THE SERVICE LOCATION IN A
19 CONSPICUOUS LOCATION. TERMINATION OF SERVICE SHALL NOT BE
20 DELAYED FOR FAILURE TO MAKE PERSONAL CONTACT.

21 * * *

22 (C) GROUND FOR IMMEDIATE TERMINATION.--

23 (1) A PUBLIC UTILITY MAY IMMEDIATELY TERMINATE SERVICE
24 FOR ANY OF THE FOLLOWING ACTIONS BY THE CUSTOMER:

25 * * *

26 (III) TAMPERING WITH METERS OR OTHER PUBLIC
27 [UTILITY'S] UTILITY EQUIPMENT.

28 * * *

29 (V) TENDERING PAYMENT FOR RECONNECTION OF SERVICE
30 THAT IS SUBSEQUENTLY DISHONORED, REVOKED, CANCELED OR

1 OTHERWISE NOT AUTHORIZED UNDER SUBSECTION (H) AND WHICH
2 HAS NOT BEEN CURED OR OTHERWISE MADE FULL PAYMENT WITHIN
3 THREE BUSINESS DAYS OF THE PUBLIC UTILITY'S NOTICE TO THE
4 CUSTOMER, MADE IN ACCORDANCE WITH THE NOTICE PROVISIONS
5 OF SUBSECTION (B) (1) (II), OF THE DISHONORED PAYMENT.

6 * * *

7 (D) TIMING OF TERMINATION.--NOTWITHSTANDING THE PROVISIONS
8 OF SECTION 1503 (RELATING TO DISCONTINUANCE OF SERVICE), A
9 PUBLIC UTILITY MAY TERMINATE SERVICE FOR THE REASONS SET FORTH
10 IN SUBSECTION (A) FROM MONDAY THROUGH THURSDAY AS LONG AS THE
11 PUBLIC UTILITY CAN ACCEPT PAYMENT TO RESTORE SERVICE ON THE
12 FOLLOWING DAY AND CAN RESTORE SERVICE CONSISTENT WITH SECTION
13 1407 (RELATING TO RECONNECTION OF SERVICE). A PUBLIC UTILITY MAY
14 NOT TERMINATE SERVICE ON A FRIDAY, A FEDERAL OR STATE HOLIDAY OR
15 THE BUSINESS DAY IMMEDIATELY PRECEDING A FEDERAL OR STATE
16 HOLIDAY.

17 (E) WINTER TERMINATION.--

18 (1) UNLESS OTHERWISE AUTHORIZED BY THE COMMISSION, AFTER
19 NOVEMBER 30 AND BEFORE APRIL 1, [AN ELECTRIC DISTRIBUTION
20 UTILITY OR NATURAL GAS DISTRIBUTION] A PUBLIC UTILITY SHALL
21 NOT TERMINATE SERVICE TO CUSTOMERS WITH HOUSEHOLD INCOMES AT
22 OR BELOW 250% OF THE FEDERAL POVERTY LEVEL EXCEPT FOR
23 CUSTOMERS WHOSE ACTIONS CONFORM TO SUBSECTION (C) (1). THE
24 COMMISSION SHALL NOT PROHIBIT [AN ELECTRIC DISTRIBUTION
25 UTILITY OR NATURAL GAS DISTRIBUTION] A PUBLIC UTILITY FROM
26 TERMINATING SERVICE IN ACCORDANCE WITH THIS SECTION TO
27 CUSTOMERS WITH HOUSEHOLD INCOMES EXCEEDING 250% OF THE
28 FEDERAL POVERTY LEVEL.

29 (2) IN ADDITION TO THE WINTER TERMINATION AUTHORITY SET
30 FORTH IN PARAGRAPH (1), A CITY NATURAL GAS DISTRIBUTION

1 OPERATION MAY TERMINATE SERVICE TO A CUSTOMER WHOSE HOUSEHOLD
2 INCOME EXCEEDS 150% OF THE FEDERAL POVERTY LEVEL BUT DOES NOT
3 EXCEED 250% OF THE FEDERAL POVERTY LEVEL, AND STARTING
4 JANUARY 1, HAS NOT PAID AT LEAST 50% OF [HIS] THE CHARGES FOR
5 EACH OF THE PRIOR TWO MONTHS UNLESS THE CUSTOMER HAS DONE ONE
6 OF THE FOLLOWING:

7 (I) HAS PROVEN IN ACCORDANCE WITH COMMISSION RULES
8 THAT [HIS] THE HOUSEHOLD CONTAINS ONE OR MORE PERSONS WHO
9 ARE 65 YEARS OF AGE OR OVER.

10 (II) HAS PROVEN IN ACCORDANCE WITH COMMISSION RULES
11 THAT [HIS] THE HOUSEHOLD CONTAINS ONE OR MORE PERSONS 12
12 YEARS OF AGE OR YOUNGER.

13 * * *

14 (F) MEDICAL CERTIFICATION.--A PUBLIC UTILITY SHALL NOT
15 TERMINATE SERVICE TO A PREMISES WHEN A CUSTOMER HAS SUBMITTED A
16 MEDICAL CERTIFICATE TO THE PUBLIC UTILITY. THE CUSTOMER SHALL
17 OBTAIN A MEDICAL CERTIFICATE VERIFYING THE CONDITION AND SHALL
18 PROMPTLY FORWARD IT TO THE PUBLIC UTILITY. THE MEDICAL
19 CERTIFICATION PROCEDURE SHALL BE IMPLEMENTED IN ACCORDANCE WITH
20 COMMISSION REGULATIONS. THE FOLLOWING SHALL APPLY:

21 (1) SERVICE MAY NOT BE TERMINATED FOR THE TIME PERIOD
22 SPECIFIED IN A MEDICAL CERTIFICATION. THE MAXIMUM LENGTH OF A
23 MEDICAL CERTIFICATION SHALL BE 60 DAYS.

24 (2) A MEDICAL CERTIFICATION MAY BE RENEWED IN THE SAME
25 MANNER AND FOR THE SAME TIME PERIOD IN ACCORDANCE WITH THIS
26 SUBSECTION IN ACCORDANCE WITH THE POLICY OF THE COMMISSION.

27 (G) QUALIFICATION FOR LIHEAP OR OTHER UTILITY ASSISTANCE.--A
28 NOTICE OF TERMINATION TO A CUSTOMER OF A PUBLIC UTILITY SHALL BE
29 SUFFICIENT PROOF OF A CRISIS FOR A CUSTOMER WITH THE REQUISITE
30 INCOME LEVEL TO RECEIVE A LIHEAP CRISIS GRANT OR UTILITY

1 ASSISTANCE FROM THE DEPARTMENT OF [PUBLIC WELFARE] HUMAN
2 SERVICES OR ITS DESIGNEE AS SOON AS PRACTICABLE AFTER THE DATE
3 OF THE NOTICE. TERMINATION OF SERVICE IS NOT NECESSARY TO
4 DEMONSTRATE SUFFICIENT PROOF OF CRISIS.

5 (H) DISHONORABLE TENDER OF PAYMENT AFTER RECEIVING
6 TERMINATION NOTICE.--

7 (1) AFTER A PUBLIC UTILITY HAS PROVIDED A WRITTEN
8 TERMINATION NOTICE UNDER SUBSECTION (B) (1) (I) [AND],
9 ATTEMPTED [TELEPHONE] CONTACT AS PROVIDED IN SUBSECTION (B)
10 (1) (II) AND POSTED THE TERMINATION NOTICE AT THE SERVICE
11 LOCATION IN A CONSPICUOUS LOCATION AS PROVIDED IN SUBSECTION
12 (B) (1) (IV), TERMINATION OF SERVICE MAY PROCEED WITHOUT
13 ADDITIONAL NOTICE IF:

14 * * *

15 (III) A CUSTOMER TENDERS PAYMENT ELECTRONICALLY THAT
16 IS SUBSEQUENTLY DISHONORED, REVOKED, CANCELED OR IS
17 OTHERWISE NOT AUTHORIZED AND WHICH HAS NOT BEEN CURED OR
18 OTHERWISE MADE FULL PAYMENT WITHIN THREE BUSINESS DAYS OF
19 THE PUBLIC UTILITY'S NOTICE TO THE CUSTOMER, MADE IN
20 ACCORDANCE WITH THE NOTICE PROVISIONS OF SUBSECTION (B)
21 (1) (II), OF THE DISHONORED PAYMENT.

22 * * *

23 (I) LANGUAGE ACCESS.--

24 (1) A PUBLIC UTILITY SHALL PROVIDE A WRITTEN NOTICE OF
25 TERMINATION TO A CUSTOMER UNDER THIS SECTION IN ENGLISH AND
26 SPANISH.

27 (2) A PUBLIC UTILITY SHALL POST A FULLY TRANSLATED COPY
28 OF A WRITTEN NOTICE OF TERMINATION UNDER THIS SECTION AND A
29 DESCRIPTION OF THE PUBLIC UTILITY'S TERMINATION PROCESS IN
30 ENGLISH AND SPANISH, ALONG WITH THE FIVE MOST COMMONLY SPOKEN

1 LANGUAGES IN THE PUBLIC UTILITY'S SERVICE TERRITORY, IN A
2 CONSPICUOUS LOCATION ON THE PUBLIC UTILITY'S PUBLICLY
3 ACCESSIBLE INTERNET WEBSITE.

4 SECTION 5. SECTIONS 1407(A), (B) INTRODUCTORY PARAGRAPH, (C)
5 (3) AND (E) AND 1410(1) OF TITLE 66 ARE AMENDED TO READ:

6 § 1407. RECONNECTION OF SERVICE.

7 (A) FEE.--[A] EXCEPT AS PROVIDED UNDER THIS SUBSECTION, A
8 PUBLIC UTILITY MAY REQUIRE A RECONNECTION FEE BASED UPON THE
9 PUBLIC UTILITY'S COST AS APPROVED BY THE COMMISSION PRIOR TO
10 RECONNECTION OF SERVICE FOLLOWING LAWFUL TERMINATION OF THE
11 SERVICE. THE FOLLOWING SHALL APPLY:

12 (1) IF A CUSTOMER'S INCOME LEVEL IS AT OR BELOW 250% OF
13 THE FEDERAL POVERTY LEVEL, THE PUBLIC UTILITY SHALL NOT
14 REQUIRE PAYMENT OF RECONNECTION FEES AS A CONDITION OF
15 RECONNECTION.

16 (2) IF A CUSTOMER'S INCOME LEVEL IS ABOVE 250% BUT BELOW
17 400% OF THE FEDERAL POVERTY LEVEL, THE RECONNECTION FEE SHALL
18 BE INCLUDED IN THE CUSTOMER'S ARREARAGES.

19 (B) TIMING.--WHEN SERVICE TO A DWELLING HAS BEEN TERMINATED
20 AND PROVIDED THE CUSTOMER OR APPLICANT HAS MET ALL APPLICABLE
21 CONDITIONS, THE PUBLIC UTILITY SHALL RECONNECT SERVICE AS
22 FOLLOWS:

23 * * *

24 (C) PAYMENT TO RESTORE SERVICE.--

25 * * *

26 (3) PAYMENT TENDERED BY A CUSTOMER TO RECONNECT SERVICE
27 THAT IS SUBSEQUENTLY DISHONORED, REVOKED, CANCELED OR IS
28 OTHERWISE NOT AUTHORIZED UNDER SECTION 1406(H) (1) (RELATING
29 TO TERMINATION OF UTILITY SERVICE) AND WHICH HAS NOT BEEN
30 CURED OR OTHERWISE MADE FULL PAYMENT WITHIN THREE BUSINESS

1 DAYS OF THE PUBLIC UTILITY'S NOTICE TO THE CUSTOMER OR
2 APPLICANT, MADE IN ACCORDANCE WITH THE NOTICE PROVISIONS OF
3 SECTION 1406(B)(1)(II), OF THE DISHONORED PAYMENT IS GROUNDS
4 FOR IMMEDIATE TERMINATION UNDER SECTION 1406(C). A PUBLIC
5 UTILITY MAY REQUIRE A CUSTOMER OR APPLICANT TO CURE A
6 DISHONORED PAYMENT, AS PROVIDED FOR IN SECTION 1406(H), AS A
7 CONDITION OF ENTERING INTO A PAYMENT AGREEMENT WITH THE
8 CUSTOMER OR APPLICANT FOR A REMAINING ACCOUNT BALANCE.

9 * * *

10 (E) APPROVAL.--A PUBLIC UTILITY MAY ESTABLISH THAT AN
11 APPLICANT PREVIOUSLY RESIDED AT A PROPERTY FOR WHICH RESIDENTIAL
12 SERVICE IS REQUESTED THROUGH THE USE OF MORTGAGE, DEED OR LEASE
13 [INFORMATION] AS SPECIFIED UNDER SECTION 202 OF THE ACT OF APRIL
14 6, 1951 (P.L.69, NO.20), KNOWN AS THE LANDLORD AND TENANT ACT OF
15 1951, A COMMERCIALY AVAILABLE CONSUMER CREDIT REPORTING SERVICE
16 OR OTHER METHODS APPROVED AS VALID BY THE COMMISSION.
17 § 1410. COMPLAINTS FILED WITH COMMISSION.

18 THE FOLLOWING APPLY:

19 (1) THE COMMISSION SHALL ACCEPT FORMAL AND INFORMAL
20 COMPLAINTS ONLY FROM CUSTOMERS OR APPLICANTS WHO AFFIRM THAT
21 THEY HAVE FIRST [CONTACTED] MADE A GOOD FAITH ATTEMPT TO
22 CONTACT THE PUBLIC UTILITY FOR THE PURPOSE OF RESOLVING THE
23 PROBLEM ABOUT WHICH THE CUSTOMER WISHES TO FILE A COMPLAINT.
24 IF THE CUSTOMER HAS NOT [CONTACTED] MADE A GOOD FAITH ATTEMPT
25 TO CONTACT THE PUBLIC UTILITY, THE COMMISSION SHALL DIRECT
26 THE CUSTOMER TO THE PUBLIC UTILITY.

27 * * *

28 SECTION 6. SECTION 1410.1 INTRODUCTORY PARAGRAPH AND (3) OF
29 TITLE 66 ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A
30 SUBSECTION TO READ:

1 § 1410.1. PUBLIC UTILITY DUTIES.

2 (A) DUTIES REGARDING PAYMENT AGREEMENTS.--WHEN A CUSTOMER OR
3 APPLICANT CONTACTS A PUBLIC UTILITY TO MAKE A PAYMENT AGREEMENT
4 AS REQUIRED BY SECTION 1410 (RELATING TO COMPLAINTS FILED WITH
5 COMMISSION), THE PUBLIC UTILITY SHALL:

6 * * *

7 (3) HAVE AN AFFIRMATIVE RESPONSIBILITY TO ATTEMPT TO
8 COLLECT PAYMENT ON AN OVERDUE ACCOUNT. [THE UTILITY SHALL
9 REPORT TO THE COMMISSION ANNUALLY RESIDENTIAL CUSTOMER
10 ACCOUNTS WHICH HAVE ACCUMULATED \$10,000 OR MORE IN ARREARAGES
11 AND SHALL DEMONSTRATE WHAT EFFORTS ARE BEING TAKEN TO COLLECT
12 THE ARREARAGES. FAILURE TO MAKE REASONABLE ATTEMPTS TO
13 COLLECT PAYMENTS ON OVERDUE ACCOUNTS WITH ARREARAGES IN
14 EXCESS OF \$10,000 MAY RESULT IN CIVIL FINES OR OTHER
15 APPROPRIATE SANCTIONS BY THE COMMISSION.]

16 * * *

17 (B) OTHER DUTIES.--THE PUBLIC UTILITY SHALL:

18 (1) SCREEN A CUSTOMER OR APPLICANT TO DETERMINE IF THE
19 CUSTOMER OR APPLICANT'S HOUSEHOLD INCOME IS AT OR BELOW 300%
20 OF THE FEDERAL POVERTY LEVEL AT THE TIME SERVICE IS
21 ESTABLISHED AND ON A BIENNIAL BASIS THEREAFTER. THE PUBLIC
22 UTILITY SHALL ATTEMPT TO UPDATE THE INCOME INFORMATION UNDER
23 THIS PARAGRAPH AT LEAST ONCE PER YEAR.

24 (2) CONTACT CUSTOMERS WITH ARREARAGES OVER 90 DAYS PAST
25 DUE TO OFFER PAYMENT ARRANGEMENTS, REFERRALS AND OTHER
26 RESOURCES FOR WHICH THE CUSTOMER OR APPLICANT MAY BE
27 ELIGIBLE.

28 (3) ANNUALLY REPORT TO THE COMMISSION RESIDENTIAL
29 CUSTOMER ACCOUNTS THAT HAVE ACCUMULATED \$10,000 OR MORE IN
30 ARREARAGES. FAILURE TO MAKE REASONABLE ATTEMPTS TO COLLECT

1 PAYMENTS ON OVERDUE ACCOUNTS WITH ARREARAGES IN EXCESS OF
2 \$10,000 MAY RESULT IN CIVIL FINES OR OTHER APPROPRIATE
3 SANCTIONS BY THE COMMISSION.

4 SECTION 7. SECTIONS 1413, 1415(3), 1417 AND 1419 OF TITLE 66
5 ARE AMENDED TO READ:

6 § 1413. REPORTING OF RECIPIENTS OF PUBLIC ASSISTANCE.

7 THE DEPARTMENT OF [PUBLIC WELFARE] HUMAN SERVICES SHALL
8 ANNUALLY [PROVIDE A CITY NATURAL GAS DISTRIBUTION OPERATION WITH
9 THE LISTING OF RECIPIENTS OF PUBLIC ASSISTANCE IN A CITY OF THE
10 FIRST CLASS. A CITY NATURAL GAS DISTRIBUTION OPERATION SHALL NOT
11 USE THE LISTING FOR ANYTHING BUT QUALIFICATION AND CONTINUED
12 ELIGIBILITY FOR A CUSTOMER ASSISTANCE PROGRAM OR LIHEAP.] MAKE
13 AVAILABLE TO EACH PUBLIC UTILITY WITH A SIGNED LIHEAP VENDOR
14 AGREEMENT A LISTING OF RECIPIENTS OF LIHEAP OR ANY OTHER UTILITY
15 ASSISTANCE ADMINISTERED BY THE DEPARTMENT OF HUMAN SERVICES. A
16 PUBLIC UTILITY SHALL NOT USE THE LISTING FOR ANYTHING BUT
17 QUALIFICATION AND CONTINUED ELIGIBILITY FOR A CUSTOMER
18 ASSISTANCE PROGRAM OR LIHEAP.

19 § 1415. REPORTING TO GENERAL ASSEMBLY AND GOVERNOR.

20 NO LATER THAN FIVE YEARS FOLLOWING THE EFFECTIVE DATE OF THIS
21 CHAPTER AND EVERY FIVE YEARS THEREAFTER, THE COMMISSION SHALL
22 SUBMIT A REPORT TO THE GOVERNOR, THE CHIEF CLERK OF THE HOUSE OF
23 REPRESENTATIVES AND THE SECRETARY OF THE SENATE REVIEWING THE
24 IMPLEMENTATION OF THE PROVISIONS OF THIS CHAPTER. THE REPORT
25 SHALL INCLUDE, BUT NOT BE LIMITED TO:

26 * * *

27 (3) THE LEVEL OF ACCESS TO PUBLIC UTILITY SERVICES BY
28 RESIDENTIAL CUSTOMERS, INCLUDING LOW-INCOME CUSTOMERS.

29 * * *

30 § 1417. NONAPPLICABILITY.

1 THIS CHAPTER SHALL NOT APPLY TO VICTIMS UNDER A PROTECTION
2 FROM ABUSE ORDER AS PROVIDED BY 23 PA.C.S. CH. 61 (RELATING TO
3 PROTECTION FROM ABUSE) [OR], A COURT ORDER ISSUED BY A COURT OF
4 COMPETENT JURISDICTION [IN THIS COMMONWEALTH] OR A WRITTEN
5 CERTIFICATION FROM A DOMESTIC VIOLENCE COUNSELOR/ADVOCATE AS
6 DEFINED IN 23 PA.C.S. § 6102 (RELATING TO DEFINITIONS), WHICH
7 PROVIDES CLEAR EVIDENCE OF DOMESTIC VIOLENCE AGAINST THE
8 APPLICANT OR CUSTOMER.

9 § 1419. EXPIRATION.

10 THIS CHAPTER SHALL EXPIRE DECEMBER 31, [2024] 2036.

11 SECTION 8. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.