
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 154 Session of
2025

INTRODUCED BY BOSCOLA, FONTANA AND PENNYCUICK, JANUARY 23, 2025

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
JANUARY 23, 2025

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in Public Utility Code, providing for
3 responsible utility customer protection.

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

6 Section 1. Part I of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding a chapter to read:

8 CHAPTER 14

9 RESPONSIBLE UTILITY CUSTOMER PROTECTION

10 Sec.

11 1401. Scope of chapter.

12 1402. Declaration of policy.

13 1403. Definitions.

14 1404. Cash deposits and household information requirements.

15 1405. Payment arrangements.

16 1406. Termination of utility service.

17 1407. Reconnection of service.

18 1408. Surcharges for uncollectible expenses prohibited.

- 1 1409. Late payment charge waiver.
- 2 1410. Complaints filed with commission.
- 3 1410.1. Public utility duties.
- 4 1411. Automatic meter readings.
- 5 1412. Reporting of delinquent customers.
- 6 1413. Reporting of recipients of public assistance.
- 7 1414. Liens by city natural gas distribution operations.
- 8 1415. Reporting to General Assembly and Governor.
- 9 1416. Notice.
- 10 1417. Nonapplicability.
- 11 1418. Construction.
- 12 1419. Expiration.
- 13 § 1401. Scope of chapter.

14 This chapter relates to protecting responsible customers of
15 public utilities.

16 § 1402. Declaration of policy.

17 The General Assembly finds and declares as follows:

18 (1) Formal service rules were first adopted by the
19 Pennsylvania Public Utility Commission in 1978 with the
20 stated goal of enforcing uniform, fair and equitable
21 residential public utility service standards governing
22 eligibility criteria, credit and deposit practices, account
23 billing, termination and restoration of service procedures
24 and customer complaint procedures. These rules have not
25 successfully managed the issue of bill payment. Increasing
26 amounts of unpaid bills now threaten paying customers with
27 higher rates due to other customers' delinquencies.

28 (2) The General Assembly believes that it is now time to
29 revisit these rules and provide protections against rate
30 increases for timely paying customers resulting from other

1 customers' delinquencies. The General Assembly seeks to
2 achieve greater equity by eliminating opportunities for
3 customers capable of paying to avoid the timely payment of
4 public utility bills.

5 (3) Through this chapter, the General Assembly seeks to
6 provide public utilities with an equitable means to reduce
7 their uncollectible accounts by modifying the procedures for
8 delinquent account collections and by increasing timely
9 collections. At the same time, the General Assembly seeks to
10 ensure that service remains available to all customers on
11 reasonable terms and conditions.

12 (4) The General Assembly believes that it is appropriate
13 to provide additional collection tools to city natural gas
14 distribution operations to recognize the financial
15 circumstances of the operations and protect their ability to
16 provide natural gas for the benefit of the residents of the
17 city.

18 (5) The General Assembly believes that it is appropriate
19 to recognize the applicability of this chapter to a water and
20 sewer authority in a city of the second class.

21 § 1403. Definitions.

22 The following words and phrases when used in this chapter
23 shall have the meanings given to them in this section unless the
24 context clearly indicates otherwise:

25 "Applicant." A natural person at least 18 years of age or an
26 emancipated minor not currently receiving service who applies
27 for residential service provided by a public utility or any
28 adult occupant whose name appears on the mortgage, deed or
29 lease, as identified in section 202 of the act of April 6, 1951
30 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951,

1 of the property for which the residential public utility service
2 is requested. The term does not include a person who, within 30
3 days after service termination or discontinuance of service,
4 seeks to have service reconnected at the same location or
5 transferred to another location within the service territory of
6 the public utility.

7 "Change in income." A decrease in household income of 20% or
8 more if the customer's household income level exceeds 200% of
9 the Federal poverty level or a decrease in household income of
10 10% or more if the customer's household income level is 200% or
11 less of the Federal poverty level.

12 "City natural gas distribution operation." As defined in
13 section 102 (relating to definitions).

14 "Creditworthiness." An assessment of an applicant's or
15 customer's ability to meet bill payment obligations for utility
16 service.

17 "Customer." A natural person at least 18 years of age or an
18 emancipated minor in whose name a residential service account is
19 listed and who is primarily responsible for payment of bills
20 rendered for the service or any adult occupant whose name
21 appears on the mortgage, deed or lease, as identified in section
22 202 of The Landlord and Tenant Act of 1951, of the property for
23 which the residential utility service is requested. The term
24 includes a person who, within 30 days after service termination
25 or discontinuance of service, seeks to have service reconnected
26 at the same location or transferred to another location within
27 the service territory of the public utility.

28 "Customer assistance program." A plan or program sponsored
29 by a public utility for the purpose of providing universal
30 service and energy conservation, as defined by section 2202

1 (relating to definitions) or 2803 (relating to definitions), or
2 other assistance programs offered by a public utility, including
3 a water distribution utility or a wastewater utility, in which
4 customers make monthly payments based on household income and
5 household size and under which customers must comply with
6 certain responsibilities and restrictions in order to remain
7 eligible for the program.

8 "Electric distribution utility." The term shall have the
9 same meaning as the term "electric distribution company" in
10 section 2803 (relating to definitions).

11 "Formal complaint." A complaint filed before the commission
12 requesting a legal proceeding before a commission administrative
13 law judge or a mediation under the management of a commission
14 administrative law judge.

15 "Household income." The combined gross income of all adults
16 at least 18 years of age and emancipated minors in a residential
17 household who benefit from the public utility service, excluding
18 earned income received by household members under 18 years of
19 age who are not emancipated.

20 "Informal complaint." A complaint filed with the commission
21 by a customer that does not involve a legal proceeding before a
22 commission administrative law judge or a mediation under the
23 management of a commission administrative law judge.

24 "LIHEAP" or "Low Income Home Energy Assistance Program." A
25 federally funded program authorized by 42 U.S.C. §§ 8621
26 (relating to home energy grants), 8622 (relating to
27 definitions), 8623 (relating to state allotments), 8624
28 (relating to applications and requirements), 8625 (relating to
29 nondiscrimination provisions), 8626 (relating to payments to
30 States; fiscal year requirements respecting availability, etc.),

1 8627 (relating to withholding of funds), 8628 (relating to
2 limitation on use of grants for construction), 8629 (relating to
3 studies and reports) and 8630 (relating to renewable fuels) that
4 provides financial assistance in the form of cash and crisis
5 grants to low-income households for home energy bills and is
6 administered by the Department of Human 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.

15 "Natural gas distribution service." As defined in section
16 2202 (relating to definitions).

17 "Natural gas distribution utility." The term shall have the
18 same meaning as the term "natural gas distribution company" in
19 section 2202.

20 "Natural gas supply services." As defined in section 2202.

21 "Occupant." (Reserved).

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 commission. The term includes a city natural

1 gas distribution operation and a water and sewer authority in a
2 city of the second class.

3 "Significant change in circumstance." Any of the following
4 criteria when verified by the public utility and experienced by
5 customers with household income less than 300% of the Federal
6 poverty level:

7 (1) The onset of a chronic or acute illness resulting in
8 a significant loss in the customer's household income.

9 (2) Catastrophic damage to the customer's residence
10 resulting in a significant net cost to the customer's
11 household.

12 (3) Loss of the customer's residence.

13 (4) Increase in the customer's number of dependents in
14 the household.

15 "Small natural gas distribution utility." A public utility
16 providing natural gas distribution services subject to the
17 jurisdiction of the commission that:

18 (1) has annual gas operating revenues of less than
19 \$6,000,000 per year; or

20 (2) is not connected to an interstate gas pipeline by
21 means of a direct connection or any indirect connection
22 through the distribution system of another natural gas public
23 utility or through a natural gas gathering system.

24 "Steam heat utility." An entity producing, generating,
25 distributing or furnishing steam for the production of heat or
26 to or for the public for compensation.

27 "Wastewater utility." An entity owning or operating
28 equipment or facilities for the collection, treatment or
29 disposal of sewage to or for the public for compensation. The
30 term includes separate companies that individually provide water

1 or wastewater service so long as the separate companies are
2 wholly owned by a common parent company.

3 "Water and sewer authority in a city of the second class."
4 The term shall have the same meaning as the term "authority" in
5 section 3201 (relating to definitions).

6 "Water distribution utility." An entity owning or operating
7 equipment or facilities for diverting, developing, pumping,
8 impounding, distributing or furnishing water to or for the
9 public for compensation.

10 § 1404. Cash deposits and household information requirements.

11 (a) General rule.--In addition to the right to collect a
12 deposit under any commission regulation or order, the commission
13 shall not prohibit a public utility from requiring a cash
14 deposit, payable during a 90-day period in accordance with
15 commission regulations, in an amount that is equal to one-sixth
16 of the applicant's estimated annual bill, at the time the public
17 utility determines a deposit is required, from the following:

18 (1) An applicant who previously received utility
19 distribution services and was a customer of the public
20 utility and whose service was terminated for any of the
21 following reasons:

22 (i) Nonpayment of an undisputed delinquent account.

23 (ii) Failure to complete payment of a deposit,
24 provide a guarantee or establish credit.

25 (iii) Failure to permit access to meters, service
26 connections or other property of the public utility for
27 the purpose of replacement, maintenance, repair or meter
28 reading.

29 (iv) Unauthorized use of the utility service
30 delivered on or about the affected dwelling.

1 (v) Failure to comply with the material terms of a
2 settlement or payment arrangement.

3 (vi) Fraud or material misrepresentation of identity
4 for the purpose of obtaining utility service.

5 (vii) Tampering with meters, including, but not
6 limited to, bypassing a meter or removal of an automatic
7 meter reading device or other public utility equipment.

8 (viii) Violating tariff provisions on file with the
9 commission so as to endanger the safety of a person or
10 the integrity of the delivery system of the public
11 utility.

12 (2) Any applicant or customer who is unable to establish
13 creditworthiness to the satisfaction of the public utility
14 through the use of a generally accepted credit scoring
15 methodology, as provided in a commission-approved tariff, and
16 which employs standards for using the methodology that fall
17 within the range of general industry practice.

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

20 (a.1) Cash deposit prohibition.--Notwithstanding subsection
21 (a), no public utility may require a customer or applicant that
22 is confirmed to be eligible for a customer assistance program to
23 provide a cash deposit.

24 (b) Third-party guarantor.--Nothing in this section shall be
25 construed to preclude an applicant from furnishing a third-party
26 guarantor in lieu of a cash deposit. The guaranty shall be in
27 writing and shall state the terms of the guaranty. The guarantor
28 shall be responsible for all missed payments owed to the public
29 utility.

30 (c) Deposit hold period.--

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

3 (2) A timely payment history is established when a
4 customer has paid in full and on time for twelve consecutive
5 months.

6 (3) At the end of the deposit holding period as
7 established in paragraph (1), the public utility shall deduct
8 the outstanding balance from the deposit and return or credit
9 any positive difference to the customer.

10 (4) If service is terminated before the end of the
11 deposit holding period as established in paragraph (1), the
12 public utility shall deduct the outstanding balance from the
13 deposit and return any positive difference to the customer
14 within 60 days of the termination.

15 (5) If a customer becomes delinquent before the end of
16 the deposit holding period as established in paragraph (1),
17 the public utility may deduct the outstanding balance from
18 the deposit.

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

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

26 (ii) The interest rate in effect when deposit is
27 required to be paid shall remain in effect until the
28 later of:

29 (A) the date the deposit is refunded or
30 credited; or

1 (B) December 31.

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

4 (d) Adult occupants.--Prior to providing utility service, a
5 public utility may require the applicant to provide the names of
6 each adult occupant at least 18 years of age and each
7 emancipated minor residing at the location and proof of their
8 identity.

9 (e) Failure to pay full amount of cash deposit.--A public
10 utility shall not be required to provide service if the
11 applicant or customer fails to pay the full amount of the cash
12 deposit within the time period under subsection (a).

13 (f) City natural gas distribution operation; additional
14 deposit rules for city natural gas distribution operations.--
15 Except for applicants who are subject to a deposit under
16 subsection (a), a city natural gas distribution operation may
17 require a deposit from the applicant as follows:

18 (1) if an applicant has household income above 300% of
19 the Federal poverty level, one-sixth of the applicant's
20 estimated annual bill paid in full at the time the city
21 natural gas distribution operation determines a deposit is
22 required; or

23 (2) if an applicant has household income no greater than
24 300% of the Federal poverty level, one-twelfth of the
25 applicant's estimated annual bill paid in full at the time
26 the city natural gas distribution operation determines a
27 deposit is required. Applicants who enroll into the Customer
28 Assistance Program made available by the city natural gas
29 distribution operation are not subject to this paragraph.

30 (g) Estimated annual bill.--When used in this section, an

1 estimated annual bill shall be calculated on the basis of the
2 annual bill to the dwelling at which service is being requested
3 for the prior 12 months or, if unavailable, a similar dwelling
4 in close proximity.

5 (h) Time for paying deposits upon reconnection.--Applicants
6 and customers required to pay a deposit upon reconnection under
7 subsection (a) (1) shall have up to 90 days to pay the deposit in
8 accordance with commission regulations.

9 § 1405. Payment arrangements.

10 (a) General rule.--The commission is authorized to
11 investigate complaints regarding payment disputes between a
12 public utility, applicants and customers. The commission is
13 authorized to establish payment arrangements between a public
14 utility, customers and applicants within the limits established
15 by this chapter. The request for a payment arrangement is
16 properly viewed as a request for an initial payment arrangement
17 if a previous payment arrangement has been completed as a result
18 of the customer making payments sufficient to retire the entire
19 balance that was the subject of that payment arrangement.

20 (b) Length of payment arrangements.--The length of time for
21 a customer to resolve an unpaid balance on an account that is
22 subject to a payment arrangement that is investigated by the
23 commission and is entered into by a public utility and a
24 customer shall not extend beyond:

25 (1) Six years for customers with a gross monthly
26 household income level not exceeding 150% of the Federal
27 poverty level.

28 (2) Four years for customers with a gross monthly
29 household income level exceeding 150% and not more than 250%
30 of the Federal poverty level.

1 (3) Two years for customers with a gross monthly
2 household income level exceeding 250% of the Federal poverty
3 level and not more than 300% of the Federal poverty level.

4 (4) One year for customers with a gross monthly
5 household income level exceeding 300% of the Federal poverty
6 level.

7 (c) Customer assistance programs.--Customer assistance
8 program rates shall be timely paid and shall not be the subject
9 of payment arrangements negotiated or approved by the
10 commission.

11 (d) Number of payment arrangements.--Absent a change in
12 income, the commission shall not establish or order a public
13 utility to establish a second or subsequent payment arrangement
14 if a customer has defaulted on a previous payment arrangement
15 established by a commission order or decision. A public utility
16 may, at its discretion, enter into a second or subsequent
17 payment arrangement with a customer.

18 (e) Extension of payment arrangements.--If the customer
19 defaults on a payment arrangement established under subsections
20 (a) and (b) as a result of a significant change in circumstance,
21 the commission may reinstate the payment arrangement and extend
22 the remaining term for an initial period of six months. The
23 initial extension period may be extended for an additional six
24 months for good cause shown.

25 (f) Failure to comply with payment arrangement.--Failure of
26 a customer to comply with the terms of a payment arrangement
27 shall be grounds for a public utility to terminate the
28 customer's service. Pending the outcome of a complaint filed
29 with the commission, a customer shall be obligated to pay that
30 portion of the bill which is not in dispute and subsequent bills

1 which are not in dispute.

2 § 1406. Termination of utility service.

3 (a) Authorized termination.--A public utility may notify a
4 customer and terminate service provided to a customer after
5 notice as provided in subsection (b) for any of the following
6 actions by the customer:

7 (1) Nonpayment of an undisputed delinquent account.

8 (2) Failure to comply with the material terms of a
9 payment arrangement.

10 (3) Failure to complete payment of a deposit, provide a
11 guarantee of payment or establish credit.

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

15 (b) Notice of termination of service.--

16 (1) Prior to terminating service under subsection (a), a
17 public utility:

18 (i) Shall provide written notice of the termination
19 to the customer at least 14 days prior to the date of the
20 proposed termination. The termination notice shall remain
21 effective for 70 days. The written notice shall be mailed
22 by first class mail to the customer and provided by
23 electronic means if the customer affirmatively consents
24 to receive electronic notice of termination and if the
25 public utility has the capability to provide electronic
26 notification. Electronic notice of termination shall mean
27 by either email, text or both if both are provided to the
28 utility with appropriate consent.

29 (ii) Shall attempt to contact the customer or
30 occupant to provide notice of the proposed termination at

1 least three days prior to the scheduled termination,
2 using one or more of the following methods:

3 (A) in person;

4 (B) by telephone. Phone contact shall be deemed
5 complete upon attempted calls on two separate days to
6 the residence between the hours of 8 a.m. and 9 p.m.
7 if the calls were made at various times each day; or

8 (C) by e-mail, text message or other electronic
9 messaging format consistent with the commission's
10 privacy guidelines and approved by commission order.

11 (D) In the case of electronic notification only,
12 the customer must affirmatively consent to be
13 contacted using a specific electronic messaging
14 format for purpose of termination.

15 (iii) During the months of December through March,
16 unless personal contact has been made with the customer
17 or responsible adult at least 18 years of age or an
18 emancipated minor by personally visiting the customer's
19 residence, the public utility shall, within 48 hours of
20 the scheduled date of termination, post a notice of the
21 proposed termination at the service location in a
22 conspicuous location.

23 (iv) After complying with subparagraphs (i), (ii)
24 and (iii), the public utility shall, at the time service
25 is terminated, post a notice of termination in a
26 conspicuous location at the service location. Termination
27 of service shall not be delayed for failure to make
28 personal contact.

29 (2) The public utility shall not be required by the
30 commission to take any additional actions prior to

1 termination.

2 (c) Grounds for immediate termination.--

3 (1) A public utility may immediately terminate service
4 for any of the following actions by the customer:

5 (i) Unauthorized use of the service delivered on or
6 about the affected dwelling.

7 (ii) Fraud or material misrepresentation of the
8 customer's identity for the purpose of obtaining service.

9 (iii) Tampering with meters or other public utility
10 equipment.

11 (iv) Violating tariff provisions on file with the
12 commission so as to endanger the safety of a person or
13 the integrity of the public utility's delivery system.

14 (v) Tendering payment for reconnection of service
15 that is subsequently dishonored, revoked, canceled or
16 otherwise not authorized under subsection (h) and which
17 has not been cured or otherwise made full payment within
18 three business days of the public utility's notice to the
19 customer, made in accordance with the notice provisions
20 of subsection (b)(1)(ii), of the dishonored payment.

21 (2) Upon termination, the public utility shall make a
22 good faith attempt to provide a post termination notice to
23 the customer or a responsible person at the affected
24 premises, and, in the case of a single meter, multiunit
25 dwelling, the public utility shall conspicuously post the
26 notice at the dwelling, including in common areas when
27 possible.

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).

5 (e) Winter termination.--

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

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

24 (i) Has proven in accordance with commission rules
25 that the household contains one or more persons who are
26 65 years of age or over.

27 (ii) Has proven in accordance with commission rules
28 that the household contains one or more persons 12 years
29 of age or younger.

30 (iii) Has obtained a medical certification in

1 accordance with commission rules.

2 (iv) Has paid to the city natural gas distribution
3 operation an amount representing at least 15% of the
4 customer's monthly household income for each of the last
5 two months.

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

12 (f) Medical certification.--A public utility shall not
13 terminate service to a premises when a customer has submitted a
14 medical certificate to the public utility. The customer shall
15 obtain a medical certificate verifying the condition and shall
16 promptly forward it to the public utility. The medical
17 certification procedure shall be implemented in accordance with
18 commission regulations. The following apply:

19 (1) Service may not be terminated for the time period
20 specified in a medical certification. The maximum length of
21 the certification shall be 60 days.

22 (2) Certifications may be renewed in the same manner and
23 for the same time period as provided in this section if the
24 customer has met the obligation to make payment on all new
25 undisputed charges and provide payment towards any undisputed
26 outstanding balance with a minimum payment amount determined
27 by the commission, which shall be no less than \$10.

28 (g) Qualification for LIHEAP or other utility assistance.--A
29 notice of termination to a customer of a public utility shall be
30 sufficient proof of a crisis for a customer with the requisite

1 income level to receive a LIHEAP Crisis Grant or utility
2 assistance from the Department of Human Services or its designee
3 as soon as practicable after the date of the notice. Termination
4 of service is not necessary to demonstrate sufficient proof of
5 crisis.

6 (h) Dishonorable tender of payment after receiving
7 termination notice.--

8 (1) After a public utility has provided a written
9 termination notice under subsection (b)(1)(i), attempted
10 contact as provided in subsection (b)(1)(ii) and posted the
11 notice of termination at the service location as provided in
12 subsection (b)(1)(iv), termination of service may proceed
13 without additional notice if:

14 (i) a customer tenders payment which is subsequently
15 dishonored under 13 Pa.C.S. § 3502 (relating to
16 dishonor);

17 (ii) a customer tenders payment with an access
18 device, as defined in 18 Pa.C.S. § 4106(d) (relating to
19 access device fraud), which is unauthorized, revoked or
20 canceled; or

21 (iii) a customer tenders payment electronically that
22 is subsequently dishonored, revoked, canceled or is
23 otherwise not authorized and which has not been cured or
24 otherwise made full payment within three business days of
25 the public utility's notice to the customer, made in
26 accordance with the notice provisions of subsection (b)
27 (1)(ii), of the dishonored payment.

28 (2) The public utility shall not be required by the
29 commission to take any additional actions prior to the
30 termination.

1 § 1407. Reconnection of service.

2 (a) Fee.--A public utility may require a reconnection fee
3 based upon the public utility's cost as approved by the
4 commission prior to reconnection of service following lawful
5 termination of the service.

6 (a.1) Reconnection fee reimbursements.--Notwithstanding
7 subsection (a), a public utility shall return or credit a
8 customer's or applicant's reconnection fee who is enrolled in a
9 utility assistance program if the customer remains enrolled for
10 a duration of at least six months.

11 (b) Timing.--When service to a dwelling has been terminated
12 and provided the customer or applicant has met all applicable
13 conditions, the public utility shall reconnect service as
14 follows:

15 (1) Within 24 hours for erroneous terminations or upon
16 receipt by the public utility of a valid medical
17 certification.

18 (2) Within 24 hours for terminations occurring after
19 November 30 and before April 1.

20 (3) Within three days for erroneous terminations
21 requiring street or sidewalk digging.

22 (4) Within three days from April 1 to November 30 for
23 proper terminations.

24 (5) Within seven days for proper terminations requiring
25 street or sidewalk digging.

26 (c) Payment to restore service.--

27 (1) A public utility shall provide for and inform the
28 applicant or customer of a location where the customer can
29 make payment to restore service.

30 (2) A public utility may require:

1 (i) Full payment of any outstanding balance incurred
2 together with any reconnection fees by the customer or
3 applicant prior to reconnection of service if the
4 customer or applicant has an income exceeding 300% of the
5 Federal poverty level or has defaulted on two or more
6 payment arrangements. If a customer or applicant with
7 household income exceeding 300% of the Federal poverty
8 level experiences a life event, the customer or applicant
9 shall be permitted a period of not more than three months
10 to pay the outstanding balance required for reconnection.
11 For purposes of this subparagraph, a life event is:

12 (A) A job loss that extended beyond nine months.

13 (B) A serious illness that extended beyond nine
14 months.

15 (C) Death of the primary wage earner.

16 (ii) Full payment of any reconnection fees together
17 with repayment over 12 months of any outstanding balance
18 incurred by the customer or applicant if the customer or
19 applicant has an income exceeding 150% of the Federal
20 poverty level but not greater than 300% of the Federal
21 poverty level.

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

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

5 (3) Payment tendered by a customer to reconnect service
6 that is subsequently dishonored, revoked, canceled or is
7 otherwise not authorized under section 1406(h)(1) (relating
8 to termination of utility service) and which has not been
9 cured or otherwise made full payment within three business
10 days of the public utility's notice to the customer, made in
11 accordance with the notice provisions of section 1406(b)(1)
12 (ii), of the dishonored payment is grounds for immediate
13 termination under section 1406(c). A public utility may
14 require a customer or applicant to cure a dishonored payment,
15 as provided for in section 1406(h), as a condition of
16 entering into a payment agreement with the customer or
17 applicant for a remaining account balance.

18 (d) Payment of outstanding balance at premises.--A public
19 utility may also require the payment of any outstanding balance
20 or portion of an outstanding balance if the applicant resided at
21 the property for which service is requested during the time the
22 outstanding balance accrued and for the time the applicant
23 resided there.

24 (e) Approval.--A public utility may establish that an
25 applicant previously resided at a property for which residential
26 service is requested through the use of information on a
27 mortgage, deed or lease as identified in section 202 of the act
28 of April 6, 1951 (P.L.69, No.20), known as The Landlord and
29 Tenant Act of 1951, a commercially available consumer credit
30 reporting service or other methods approved as valid by the

1 commission.

2 § 1408. Surcharges for uncollectible expenses prohibited.

3 The commission shall not grant or order for any public
4 utility a cash receipts reconciliation clause or another
5 automatic surcharge mechanism for uncollectible expenses. Any
6 orders by the commission entered after the effective date of
7 this section for a cash receipts reconciliation clause or other
8 automatic surcharge for uncollectible expenses shall be null and
9 void. This section shall not affect any clause associated with
10 universal service and energy conservation.

11 § 1409. Late payment charge waiver.

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

18 § 1410. Complaints filed with commission.

19 The following apply:

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

27 (2) Pending the outcome of a formal or informal
28 complaint filed with the commission, the customer shall be
29 obligated to pay that portion of the bill which is not in
30 dispute and subsequent bills which are not in dispute.

1 (3) For a formal complaint filing to be valid, the
2 customer or applicant must provide a statement attesting to
3 the truth as to the facts alleged in the complaint. All
4 testimony in formal complaint proceedings must be under oath.

5 § 1410.1. Public utility duties.

6 (a) Payment agreement.--When a customer or applicant
7 contacts a public utility to make a payment agreement as
8 required by section 1410 (relating to complaints filed with
9 commission), the public utility shall:

10 (1) Provide information about the public utility's
11 universal service programs, including a customer assistance
12 program.

13 (2) Refer the customer or applicant to the universal
14 service program administrator of the public utility to
15 determine eligibility for a program and to apply for
16 enrollment in a program.

17 (3) Have an affirmative responsibility to attempt to
18 collect payment on an overdue account.

19 (4) Report to the commission on an annual basis the
20 number of medical certificates and renewals submitted and
21 accepted in the service territory.

22 (b) Duties.--The public utility shall:

23 (1) Contact customers with arrearages over 90 days past
24 due to offer payment arrangements, referrals and other
25 resources for which the customer or applicant may be
26 eligible.

27 (2) Report to the commission annually residential
28 customer accounts which have accumulated \$10,000 or more in
29 arrearages. Failure to make reasonable attempts to collect
30 payments on overdue accounts with arrearages in excess of

1 \$10,000 may result in civil fines or other appropriate
2 sanctions by the commission.

3 § 1411. Automatic meter readings.

4 All readings by an automatic meter reader device shall be
5 deemed actual readings for the purposes of this title. Upon a
6 customer request, the public utility shall secure an in-person
7 meter reading to confirm the accuracy of an automatic meter
8 reading device when a customer disconnects service or a new
9 service request is received. A public utility may charge a fee,
10 as provided in a commission-approved tariff.

11 § 1412. Reporting of delinquent customers.

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

21 § 1413. Reporting of recipients of public assistance.

22 The Department of Human Services shall annually make
23 available to all public utilities with signed LIHEAP vendor
24 agreements a listing of recipients of LIHEAP or any other
25 utility assistance administered by the Department of Human
26 Services or public assistance in the Commonwealth. A public
27 utility shall not use the listing for anything but qualification
28 and continued eligibility for a utility assistance program,
29 Department of Human Services-administered utility assistance
30 program or LIHEAP.

1 § 1414. Liens by city natural gas distribution operations.

2 (a) General rule.--A city natural gas distribution operation
3 furnishing gas service to a property is entitled to impose or
4 assess a municipal claim against the property and file as liens
5 of record claims for unpaid natural gas distribution service and
6 other related costs, including natural gas supply, in the court
7 of common pleas of the county in which the property is situated
8 or, if the claim for the unpaid natural gas distribution service
9 does not exceed the maximum amount over which the Municipal
10 Court of Philadelphia has jurisdiction, in the Municipal Court
11 of Philadelphia, pursuant to sections 3 and 9 of the act of May
12 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim
13 and Tax Lien Law, and Chapter 22 (relating to natural gas
14 competition).

15 (b) Residential field visit charge.--A city natural gas
16 distribution operation is authorized to charge a minimum fee of
17 \$10 for each instance in which its representative is required to
18 visit the residence of a customer in the process of attempting
19 to complete required service termination steps.

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

29 § 1415. Reporting to General Assembly and Governor.

30 No later than five years following the effective date of this

1 section and every five years thereafter, the commission shall
2 submit a report to the Governor, the Chief Clerk of the House of
3 Representatives and the Secretary of the Senate reviewing the
4 implementation of the provisions of this chapter. The report
5 shall include, but not be limited to:

6 (1) The degree to which the chapter's requirements have
7 been successfully implemented.

8 (2) The effect upon the cash working capital or cash
9 flow, uncollectible levels and collections of the affected
10 public utilities.

11 (3) The level of access to public utility services by
12 residential customers, including low-income customers.

13 (4) The effect upon the level of consumer complaints and
14 mediations filed with and adjudicated by the commission.

15 Public utilities affected by this chapter shall provide data
16 required by the commission to complete this report. In its
17 recommendations, the commission may also propose any legislative
18 or other changes which it deems appropriate to the Governor and
19 the General Assembly.

20 § 1416. Notice.

21 Within 30 days of the effective date of this section, public
22 utilities affected by this chapter shall provide notice to the
23 customers explaining the changes to be implemented.

24 § 1417. Nonapplicability.

25 This chapter shall not apply to victims under a protection
26 from abuse order as provided by 23 Pa.C.S. Ch. 61 (relating to
27 protection from abuse) or a court order issued by a court of
28 competent jurisdiction, which provides clear evidence of
29 domestic violence against the applicant or customer.

30 § 1418. Construction.

1 Nothing in this chapter shall affect any rights or procedure
2 under the act of November 26, 1978 (P.L.1255, No.299), known as
3 the Utility Service Tenants Rights Act, or the provisions of
4 Subchapter B of Chapter 15 (relating to discontinuance of
5 service to leased premises).

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