



PHILADELPHIA GAS WORKS

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May 11, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Rulemaking to Amend the Provisions of 52 Pa. Code Chapter 56 to Comply with the Amended Provisions of 66 Pa. C.S. Chapter 14 at Docket No. L-2015-2508421

Dear Secretary Chiavetta:

The Philadelphia Gas Works' Comments on the above captioned Rulemaking are attached for filing.

Sincerely,

/s/ Graciela Christlieb

Graciela Christlieb
Senior Attorney

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Rulemaking to Amend the Provisions of :
52 Pa. Code, Chapter 56 to Comply with the : **Docket No. L-2015-2508421**
Amended Provisions of 66 Pa.C.S. Chapter 14 :

Comments of the Philadelphia Gas Works

I. INTRODUCTION

On February 28, 2019, the Commission adopted a Final Rulemaking Order revising the 52 Pa. Code Chapter 56 regulations that administer and enforce Chapter 14 of the Public Utility Code. *Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Amended Provisions of 66 Pa.C.S. Chapter 14*, Docket No. L-2015-2508421 (“Final Rulemaking Order”). On June 1, 2019, these final regulations were published in the *Pennsylvania Bulletin* and were effective upon publication. In the Final Rulemaking Order, the Commission deferred three issues to a working group. These three issues related to amendments to 66 Pa.C.S. §§ 1403, 1406, and 1417. These sections include:

- 1) Form of medical certificate - Section 1403 – (relating to definitions)
“Medical certificate – A written document, in a form approved by the commission: ...”66 Pa.C.S. § 1403.
- 2) Other court order - Section 1417 – (relating to non-applicability) – “This chapter shall not apply to victims under a protection from abuse order as provided by 23 Pa.C.S. Ch. 61 (relating to protection from abuse) or a court order issued by a court of competent jurisdiction in this commonwealth, which provides clear evidence of domestic violence against the applicant or customer.” 66 Pa.C.S. § 1417.
- 3) Privacy guidelines - Section 1406(b)(1)(ii)(C) – (relating to notice of termination of service) “by email, text message or other electronic messaging format consistent with the commission’s privacy guidelines and approved by commission order.” 66 Pa.C.S. § 1406 (b)(1)(ii)(C).

On August 29, 2019, the Commission issued a Secretarial Letter announcing the establishment of a Chapter 56 working group to address these three remaining issues. Stakeholders communicated their suggestions and concerns to the Commission and, on February 25, 2021, the Commission adopted a Tentative Order wherein it made proposals regarding the outstanding issues. The Tentative Order informs interested parties that they may submit written comments referencing Docket No. L-2015-2508421 within 45 days of the Tentative Order's publication in the *Pennsylvania Bulletin*. On March 27, 2021, the Tentative Order was published in the *Pennsylvania Bulletin*.

II. COMMENTS

1. Form of Medical Certificate

The Commission has proposed a standard medical certificate form; the form would be placed on the Commission's website, thereby making it available to the general public. Additionally, the Commission has proposed written guidance regarding medical certificates for both consumers and medical professionals, which it would also place on the Commission's website. The Commission has not proposed that the medical professional's license number be included on the standard medical certificate when it is submitted on behalf of a customer. With respect to these proposals, PGW would support a website posting of the form and relevant guidance, provided however that the form requires the medical professional to provide their license number.

PGW submits that requiring a medical professional's license number on a standard medical certificate form is a vital part of the ability to validate the certificate and assists with preventing fraud. The combination of making a standard medical certificate form available to the general public via the internet and failing to require a medical professional's license number could invite fraudulent misuse of the form. In contrast, requiring the license number lends the form legitimacy. Professionals of all types¹, including and especially medical professionals, are accustomed to using their license

¹ 52 Pa. Code § 1.24 (Notice of appearance or withdrawal.) "(i) *Content of notice.* Initial pleadings, entries of appearance and notices of withdrawal must include:

(A) The attorney's name, mailing address and electronic mailing address, if available.

(B) Pennsylvania **attorney identification number** or, if not licensed in this Commonwealth, identification of the jurisdictions in which the attorney is licensed to practice law.

(C) Telephone number and telefacsimile number, if applicable.

(D) The name and address of the person represented."

numbers to verify their endorsement and would reasonably expect to have it required on a standardized form such as the one proposed in the Tentative Order. In conclusion, while there would be no inconvenience for the medical professional in providing their license number, its inclusion would not present an impediment to a customer obtaining the protections to which they are entitled and it would protect the integrity of the certification process.

2. Privacy Guidelines

The Commission proposes that there should be a separate, distinct notice for customers choosing to enroll in receiving electronic notifications at Sections 56.93 and 56.333 (relating to personal contact). This separate and distinct notice (“voluntary notice”) should explain and inform the customer that this is voluntary and that the purpose is to receive notification of a pending termination electronically. The Commission further proposes that customers be able to revoke their consent at any time and by any clear means. Additionally, the Commission proposes that, on a yearly basis, utilities send a notice to all customers reminding them to review their account information and other electronic notifications the customer may have signed up to receive. PGW supports these guideline proposals and would encourage the Commission to create guidelines that ensure customers have choices, including the option to elect to receive all communications – such as enrollment notices - electronically.

PGW believes it is important that PUC guidelines allow customers to easily enroll in and receive electronic notifications. PGW suggests that utilities be allowed to enroll customers in receiving electronic notifications by mail, online, or over the telephone. The online registration process would provide the voluntary notice by stating that this election is voluntary and that the purpose is to receive notification of a pending termination electronically as well as informing the customer that they are able to revoke their consent at any time and by any clear means. For customers enrolled over by mail or the telephone, utilities could send out a confirmation notice by mail or electronically that would explain the same. Finally, PGW proposes that the yearly reminder notice to all customers reminding them to review their account information be provided in a bill insert or as a bill message, or electronically if the customer has elected this type of notification. Overall, the guidelines should allow customers to determine how they want to receive communications, with no preference for hard copy mail.

III. Conclusion

PGW appreciates the opportunity to submit these comments.

Respectfully submitted,

/s/ Graciela Christlieb

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