



Legislative Update

JJ Livingston

**Director of Legislative Affairs,
PA Public Utility Commission**



Office of Legislative Affairs

General Overview of the PUC's Office of Legislative Affairs:

- relays the Commission's position on legislation and issues before the General Assembly
- identifies and tracks legislative activity affecting the Commission and/or public utilities as well as agency administration
- directly works with legislators, legislative staff, Governor's office and Congressional offices on PUC matters



Primary Duties

- Liaison between the Commission and the:
 - Governor's Office and Executive Staff
 - General Assembly (253 legislators and approx. 2,300 staff)
 - PA Congressional Delegation (2 Senators; 17 Reps.)
- Respond to formal letters and official correspondence from Legislators, the Governor, and Congressional members.
- Answer and respond to inquiries from legislators and staff regarding constituent utility concerns and/or issues; and refer to appropriate bureau(s) for further processing or information.



Additional Duties

- Arrange meetings between legislators and Commissioners and/or staff.
- Provide post-Public Meeting summaries and actions taken by the Commission to legislators and the Governor's office.
- Notify legislators of upcoming public input hearings – rate case hearings, certain applications – updates on process, etc.
- Meet with legislators to explain background on utility topics and issues – A LOT OF HISTORY.



Special Duties

- Maintain continual dialogue with House and Senate Oversight Committees – the four Chairs and four Executive Directors
 - New House Energy Committee for 2025/26 Legislative Session – some oversight. *PUC has Three Standing Committees with Oversight Role*
- Budget Process: PUC submits budget proposal to Governor's office in the Fall; Governor proposes state budget to legislature in February; state fiscal year ends June 30.
Commission is 'self-funded' via assessments but requires adoption of budgetary authorization. OLA works in following this process, setting up meetings with Appropriations Committee Chairs and staff, and coordinates budget hearings when the PUC is asked to appear.
- Nomination Process – 1 Commissioner each year; 5 Commissioners @ 5-year terms each.



Special Duties, continued

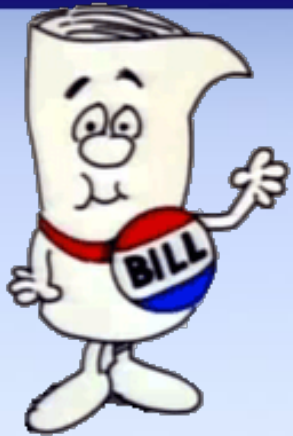
- Assists with coordination of PUC activities in response to legislative hearings – testimony, Commission positions, etc.

More on this in a later slide....

- PUC Regulatory Process – tracking the process [with LAW] and IRRC activities.
- Ensuring the delivery of proposed/final form regulations to House and Senate oversight committees, which may comment on the regulations or may approve/disapprove regulations.
- Increases in local and municipal government interactions – pending matters, rate increases, Commission process, etc.



Legislative Reauthorizations



One Call Law (Act 50 of 2017)

Also known as the Underground Utility Line Protection Law (Act 287 of 1974)

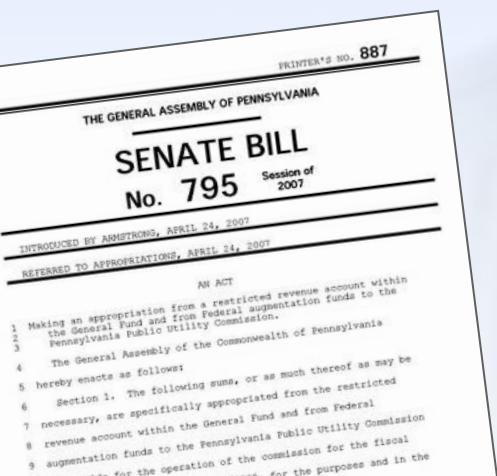
- **Reauthorized by Act 127 of 2024.**
- **New sunset of December 31, 2031.**
- **Education Requirement w/ Mandatory Penalty Assessment**



Commission Tracked Legislation

Over 1,000 Bills, Resolutions, & CSMs (9/2026)

- Bills on so many topics
 - Approximately 99 bills introduced and actively tracked by OLA [9/2026]
 - These include Title 66 legislation, proposed freestanding acts, and related statutes.
- General Overview of Broad Topics:
 - Water/wastewater acquisitions – process/repeal/moratorium
 - Ratemaking process – return on equity
 - Telecommunication regulatory reform
 - Preemption on energy choice
 - Data Centers [78 tracked bills & CSMs]
 - AEPS
 - Solar – Community, Utility Scale, Local Scale, SREC increase
 - Transportation Network Company Reforms
 - Rail Safety
 - Smart Meters
 - Energy Efficiency & Conservation
 - RGGI – making it statutory and prohibiting it (*abrogated in 2025 budget*)
 - Net Neutrality
 - Landlord/tenant utility disputes
 - Utility poles
 - WNA – Alternative Ratemaking (Act 58 of 2018)





Can You Hear Me?

- Popularity of the PUC and Related Issues
 - **2021/22 Legislative Hearings – 3**
 - 2023 Legislative Hearings – 12
 - 2024 Legislative Hearings – 4
 - **Combination of 2023/24 Session:**
16 Hearings the Commission Submitted Testimony to
 - 2025 Legislative Hearings – 12
 - 2026 Legislative Hearings [to date] – 11
 - **Combination of 2025/26 Session [to date]:**
23 Hearings the Commission Submitted Testimony to
 - WHY?
 - Reauthorization acts, external events/incidents – rail disaster, storms, cyber attacks, water/wastewater acquisitions, explosions, rate increases (historic 2024 number @ PUC), energy – do we have enough of it/resource adequacy, rising costs of electricity, data center growth, ratemaking process, return on equity for utilities, elections and issues popular with voters, etc.



Safety Issues – Utility Poles

Dilapidated or 'ghost' utility poles have become an increasing issue of engagement from legislators and local governments.

- Legislation introduced to address the issue
- Engagement predominantly from rural and suburban areas
- Questions on safety and aesthetics
 - Lines sagging or touching the ground
 - No vegetation management – overgrowth of trees/branches overtaking poles and attached lines
 - Broken limbs or trees suspended in air by attached lines
 - Utility poles with temporary or no fix – 'ghost poles'



Safety Issues – Utility Poles

Why?

Question posed to the Commissioners during the 2025 House Appropriations Committee Budget Hearing.

- Reply by PUC Chairman DeFrank
 - [Non-emergency situations aside] There are two standards for poles as far as statute and regulations.
 1. Electricity poles/lines
 - Standard is threat to service and warrants proactive action and activity
 2. Telecommunications poles/lines
 - Standard is disruption of service to PUC regulated services only
- ‘Perfect storm’ situation



Safety Issues – Utility Poles

Legislative Engagement

- OLA receives inquiries from state legislative offices and local governments on a regular basis and this is only increasing in frequency.
- Inquiries stem from:
 - Property owners, concerned with safety and or sagging telecommunications/cable lines
 - Property owners about vegetation overgrowth in a right of way – concerns with getting close to lines or paying out of pocket for professional services
 - Local emergency response services, trees and/or limbs hanging on telecommunications lines over roadways – pedestrian and vehicle safety
 - Farmers using large equipment and coming into contact with low hanging or sagging telecommunications lines over secondary roadways
 - Chief issue of the Dauphin County Farm Bureau



Safety Issues – Utility Poles

Legislative Engagement

- Proposed Legislation
 - House Bill 825 – Rep. Ryncavage (R- Luzerne)
21 Co-sponsors
 - Establishes a Section 531 in the Public Utility Code to address double utility poles
 - Establishes a declaration of policy – essentially recognizing the operational need for temporary use of double poles however reiterating the need for pole attachers to migrate to a newly placed pole within a more reasonable timeline
 - Provides specific powers to the PUC to establish a rulemaking and provide specifics to the notification process and timeline for the migration of attachments to the new poles, and subsequent removal of old poles.
 - Passed the House of Representatives on June 25, 2025 by a vote of 202-1.
 - Currently in the Senate Consumer Protection & Professional Licensure Committee and waits further action or consideration.



Safety Issues – Utility Poles

- House Bill 2638 – Rep. Jack Rader (R- Monroe)
11 Co-sponsors
 - Establishes a Section 3020 in the Public Utility Code to address telecommunications line repair and tree limb removal
 - Provides for a duty of telecommunications carriers to remove any tree limbs and remediate or repair the telecommunications line as soon as practicable after being notified by a municipality or Commonwealth agency.
 - Provides for limited cost-recovery to fulfill the prescribed duties.
 - Provides for authority to the Commission to adopt regulations necessary to implement and enforce.
 - Referred to the House Consumer Protection, Technology and Utilities Committee on June 15, 2026, and waits further action or consideration.
- If the issue persists, anticipate more to come.



CLOSING / Q & A

In closing, I appreciate the opportunity be here today and to provide some insight on the Commission's Office of Legislative Affairs, the role we have and play everyday, as well as touch on legislative activity.

I want to recognize a great team as well that I am part of, Jim Dougherty, Jr. our Deputy Director and Carrie Sheriff our Executive Secretary.

I am happy to field questions – keeping in mind I do not speak for the Commissioners or the Public Utility Commission, nor can I address matters which are pending before the Commission.