**ATTACHMENT THREE:**

**REVISIONS TO CHAPTER 56 THAT WILL PROMOTE
GREATER EFFICIENCIES AND COST-SAVINGS.**

**L-00060182**

***56.2. AMR (Automatic meter reading)--***

 (III) ALL METER READINGS BY AN AMR SHALL BE DEEMED ACTUAL READINGS FOR THE PURPOSES OF THIS CHAPTER.

* **This revision will produce savings and efficiencies in that utilities will be able to rely on automated meter readings in lieu of sending meter readers to residences to read meters.**

***56.2. Applicant-****-*[A person who applies for residential utility service.] (i) A natural person AT LEAST 18 YEARS OF AGE not currently receiving service who applies for residential service provided by a public utility or any adult occupant whose name appears on the mortgage, deed or lease of the property for which the residential public utility service is requested.

* **This revision will produce savings and efficiencies in that utilities will be able to hold, under certain circumstances, third parties responsible for utility service accrued in someone else’s name without having to obtain a ruling from a court or the PUC to do so.**

***56.2. Billing period--***

(IV) BILLS FOR LESS THAN 26 DAYS OR MORE THAN 35 DAYS SHALL BE PERMITTED IF THEY RESULT FROM A METER READING ROUTE CHANGE INITIATED BY THE PUBLIC UTILITY. THE PUBLIC UTILITY SHALL INFORMALLY CONTACT THE DIRECTOR OF THE BUREAU OF CONSUMER SERVICES AT LEAST 30 DAYS PRIOR TO THE REROUTING AND PROVIDE INFORMATION AS TO WHEN THE BILLING WILL OCCUR, THE NUMBER OF CUSTOMERS AFFECTED AND A GENERAL DESCRIPTION OF THE GEOGRAPHIC AREA INVOLVED. IF A BILL RESULTING FROM A METER RE-ROUTING EXCEEDS 60 DAYS THE CUSTOMER SHALL BE GIVEN THE OPPORTUNITY TO AMORTIZE THE AMOUNT OVER A PERIOD EQUAL TO THE PERIOD COVERED BY THE BILL WITHOUT PENALTY.

* **This revision will produce savings and efficiencies in that utilities will be able to perform routine changes to meter reading routes that may produce long-period bills without first seeking waivers and exemptions from the Commission. (the source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

***56.2. Customer****--*A natural person AT LEAST 18 YEARS OF AGE in whose name a residential service account is listed and who is primarily responsible for payment of bills rendered for the service or ~~an~~ ANY adult occupant whose name appears on the mortgage, deed or lease of the property for which the residential public utility service is requested. A natural person remains a customer after discontinuance or termination until the final bill for service is past due.

* **This revision will produce savings and efficiencies in that utilities will be able to hold, under certain circumstances, third parties responsible for utility service accrued in someone else’s name without having to obtain a ruling from a court or the PUC to do so.**

**§ 56.11. Billing frequency.**

(a)A public utility shall render a bill once every billing period to every residential [ratepayer]customer in accordance with approved rate schedules.

(b) A public utility may utilize electronic billing in lieu of mailed paper bills. Electronic billing programs must include the following requirements:

(1) The electronic billing option is voluntary ~~and the customer retains the option of continuing to receive a paper bill if desired~~ AND ONLY WITH THE PRIOR CONSENT OF THE CUSTOMER. The customer retains the right to revert to conventional paper billings upon request. The customer shall provide the public utility with a 1 ~~month~~ BILLING CYCLE notice of a request to revert to paper billing.

(2) A customer shall receive ~~a visual presentation of an electronic bill in the same format as the~~ THE SAME INFORMATION THAT IS INCLUDED WITH A paper bill issued by the public utility.

(3) The electronic bill must include the same disclosures and ~~required~~ educational messages that are required for paper bills. The electronic transmission of termination notices may not be permitted UNLESS THE CUSTOMER HAS AFFIRMATIVELY CONSENTED TO THIS METHOD OF DELIVERY. THE ELECTRONIC DELIVERY OF A TERMINATION NOTICE DOES NOT RELIEVE THE PUBLIC UTILITY OF THE OBLIGATION TO PROVIDE TERMINATION NOTICES AS REQUIRED BY §§ 56.91 – 56.98.

(4) The electronic bill must include required bill inserts in an easily accessed and easily readable format.

(5) The electronic bill must include the option for the customer to contribute to the public utility's hardship fund IF THE UTILITY IS ABLE TO ACCEPT HARDSHIP FUND CONTRIBUTIONS BY THIS METHOD.

(6) A customer may not be required to pay an additional fee to receive an electronic bill.

(7) The public utility shall maintain a system to ~~ensure delivery of~~ DELIVER electronic bills if the bill is emailed to a customer.

(8) The public utility shall ~~maintain sufficient system security to assure customer privacy~~ EMPLOY ALL REASONABLE MEASURES TO PROTECT CUSTOMER INFORMATION FROM UNAUTHORIZED DISCLOSURE AND TO PREVENT ACCESS TO CUSTOMER ACCOUNT RECORDS BY PERSONS WHO ARE NOT PROPERLY AUTHORIZED TO HAVE SUCH ACCESS.

* **This revision will produce savings and efficiencies in that utilities will be able to bill customers through paperless, electronic methods. This will save paper, printing, processing and postal costs. In addition, utilities will not have to file petitions seeking permission to operate such billing programs. (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

**§ 56.12. Meter reading; estimated billing; [ratepayer] customer readings.**

Except as provided in this section, a public utility shall render bills based on actual meter readings by public utility company personnel.

 (i) Upon the request of the [ratepayer] customer, the public utility shall, at least annually, provide preaddressed postcards on which the [ratepayer] customer may [note] report the reading. The public utility shall provide additional preaddressed postcards on request. The public utility may choose to make available electronic and telephonic methods for customers to report meter reading information.

* **This revision will produce savings and efficiencies in that customers will be allowed to submit meter readings through electronic and telephonic methods, instead of using the traditional paper/mailing process. (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

 **§ 56.13. [Separate billings] Billings for merchandise, appliances and nonrecurring and recurring services.**

Charges for other than basic service--that is, merchandise, appliances and special services, including merchandise and appliance installation, sales, rental and repair costs; meter testing fees; line extension costs; special construction charges, and other nonrecurring charges, except as provided in this chapter--shall appear [on a separate bill] after charges for basic services and appear distinctly separate. This includes charges for optional recurring services which are distinctly separate and clearly not required for the physical delivery of service. Examples include line repair programs and appliance warranty programs.

* **This revision will produce savings and efficiencies in that utilities will be able to bill for non-basic services on the same utility bill as basic services. No longer requiring separate bills for these services will present savings in paper, processing, and postal costs. (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

 **§ 56.16. Transfer of accounts.**

(a) A [ratepayer] customer who is about to vacate premises supplied with public utility service or who wishes to have service discontinued shall give at least 7 days notice to the public utility and a [nonratepayer] noncustomer occupant, specifying the date on which it is desired that service be discontinued. In the absence of a notice, the [ratepayer] customer shall be responsible for services rendered. If the public utility is not, AFTER A REASONABLE ATTEMPT TO OBTAIN METER ACCESS, able to access the meter for discontinuance, service shall be discontinued with an estimated meter reading upon which the final bill will be based. The resulting final bill is subject to adjustment once the public utility has obtained an actual meter reading ~~and can determine the actual consumption used by the customer~~.

* **This revision will produce savings and efficiencies in that utilities will be able to “final” an account based on an estimated reading under certain circumstances. (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

**§ 56.21. Payment.**

The due date for payment of a bill may be no less than 20 days from the date of transmittal; that is, the date of mailing, OR ELECTRONIC or [physical] delivery of the bill by the public utility to the [ratepayer] customer.

* **This revision will produce savings and efficiencies in that utilities are allowed to electronically deliver a bill instead of physically delivering it. This will produce savings in paper, processing, and postal costs. (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

 **§ 56.25. Electronic bill payment.**

A public utility may offer electronic payment options. Electronic payment programs must include the following requirements:

(1) Electronic bill payment shall be voluntary ~~and may not be required in conjunction with electronic billing~~. A PUBLIC UTILITY MAY NOT REQUIRE A CUSTOMER TO ENROLL IN ELECTRONIC BILL PAYMENT AS A CONDITION FOR ENROLLING IN ELECTRONIC BILLING.

(2) For electronic bill payment through a charge to a customer's credit card or automatic withdrawal from a customer's ~~checking~~ FINANCIAL account, the program must set forth the date (or number of days after issuance of the bill) when the automatic payment shall be made.

(3) The terms of the payment procedures shall be fully disclosed to the customer in writing, EITHER BY MAIL OR ELECTRONICALLY, before the customer enters the program. Program changes shall be conveyed to the customer in writing, EITHER BY MAIL OR ELECTRONICALLY, and the customer shall be given an opportunity to withdraw from the program if the customer does not wish to continue under the new terms.

(4) The public utility shall provide a receipt, OR A CONFIRMATION, TRANSACTION OR REFERENCE NUMBER, either electronically or on paper, to the customer upon payment through the electronic method. THIS REQUIREMENT DOES NOT APPLY IF THE PAYMENT METHOD IS THROUGH A PRE-AUTHORIZED AUTOMATED DEBIT FROM A CUSTOMER’S FINANCIAL ACCOUNT.

(5) The public utility shall ~~maintain sufficient system security to protect customer information and access to customer accounts~~ EMPLOY ALL REASONABLE MEASURES TO PROTECT CUSTOMER INFORMATION FROM UNAUTHORIZED DISCLOSURE AND TO PREVENT ACCESS TO CUSTOMER ACCOUNT RECORDS BY PERSONS WHO ARE NOT PROPERLY AUTHORIZED TO HAVE SUCH ACCESS.

* **This revision will produce savings and efficiencies in that utilities will be able to collect payments through paperless, electronic methods. This will save payment processing costs. In addition, utilities will not have to file petitions seeking permission to operate such payment programs. (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

**§ 56.32.** **[Credit standards] Security and cash deposits**.

[A utility shall provide residential service without requiring a deposit when the applicant satisfies one of the following requirements:

(1) *Prior utility payment history*. The applicant has been a recipient of utility service of a similar type within a period of 24 consecutive months preceding the date of the application and was primarily responsible for payment for such service, so long as:

(i) The average periodic bill for the service was equal to at least 50% of that estimated for new service.

(ii) The service of the applicant was not terminated for nonpayment during the last 12 consecutive months of that prior service.

(iii) The applicant does not have an unpaid balance from that prior service.

(2) *Ownership of real property*. The applicant owns or has entered into an agreement to purchase real property located in the area served by the utility or is renting his place of residence under a lease of one year or longer in duration, unless the applicant has an otherwise unsatisfactory credit history as an utility customer within 2 years prior to the application for service.

(3) *Credit information*. The applicant provides information demonstrating that he is not an unsatisfactory credit risk.

(i) The absence of prior credit history does not, of itself, indicate an unsatisfactory risk.

(ii) The utility may request and consider information including but not limited to: the name of the employer of the applicant, place and length of employment, residences during the previous 5 years, letters of reference, credit cards and any significant source of income other than from employment.]

(a) A public utility may require a cash deposit in an amount that is equal to 1/6 of an applicant's estimated annual bill at the time the public utility determines a deposit is required, based upon the following:

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

(i) Nonpayment of an undisputed delinquent account.

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

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

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

(v) Failure to comply with the material terms of A ~~an informal dispute settlement agreement or~~ payment agreement.

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

(vii) Tampering with meters, including, BUT NOT LIMITED TO, bypassing a meter or removal of an automatic meter reading device or other public utility equipment.

(viii) Violating tariff provisions on file with the Commission ~~which~~ SO AS TO endanger the safety of a person or the integrity of the delivery system of the public utility.

(2) An applicant ~~or customer~~ who is unable to establish creditworthiness to the satisfaction of the public utility through the use of a generally accepted credit scoring methodology which employs standards for using the methodology that fall within the range of general industry practice. The credit scoring methodology utilized for this purpose must specifically assess the risk of utility bill payment.

(b) Except for applicants who are subject to a deposit under subsection (a), a city natural gas distribution operation may require a deposit from the applicant as follows:

(1) When an applicant has household income above 300% of the Federal poverty level, a deposit of 1/6 of the applicant's estimated annual bill shall be paid in full at the time the city natural gas distribution operation determines a deposit is required.

(2) When an applicant has household income no greater than 300% of the Federal poverty level, 1/12 of the applicant's estimated annual bill shall be paid in full at the time the city natural gas distribution operation determines a deposit is required. Applicants who enroll into the customer assistance program made available by the city natural gas distribution operation are not subject to this paragraph.

(3) The Commission will permit a city natural gas distribution operation to refuse to provide service to an applicant when the applicant has a pending lien or civil judgment by the city natural gas distribution operation outstanding against the applicant or against property owned in whole or in part by the applicant unless the applicant enters into a payment arrangement for the payment of the amount associated with the lien or judgment that remains outstanding at the time of the application.

(c) Prior to providing public utility service, a public utility may require the applicant to provide the names of each adult occupant residing at the location and proof of their identity. For purposes of this section, valid identification consists of one government issued photo identification. If one government issued photo identification is not available, the public utility may require the applicant to present two alternative forms of identification, as long as one of the identifications includes a photo of the individual. In lieu of requiring identification, the public utility may ask, but may not require, the individual to provide the individual's Social Security Number. Public utilities shall take all appropriate actions needed to ensure the privacy and confidentiality of identification information provided by their applicants and customers.

* **This revision will produce savings and efficiencies in that it grants utilities expanded authorization to obtain security deposits from applicants, which will protect against losses on such accounts. Utilities are authorized to use credit scores to establish credit-worthiness, which should be more efficient than collecting credit-worthiness information required by the traditional Chapter 56 credit standards. PGW is also allowed to enforce a lien by refusing service to applicants with liens. This should reduce the cost of enforcing such liens.**

 **§ 56.33. [Cash deposits; third] Third-party guarantors.**

If an applicant does not establish [his] credit under § 56.32 (relating to [credit standards]security and cash deposits), the public utility shall provide residential service when one of the following requirements is satisfied:

\* \* \* \* \*

(2) *Third-party guarantor*. [The applicant furnishes a written guarantee from a responsible ratepayer which, for the purposes of this section, shall mean a ratepayer who has or can establish credit, under § 56.32, to secure payment in an amount equal to that required for cash deposits.

(i) A guarantee shall be in writing and shall state the terms of the guarantee.

(ii) The guarantor shall be discharged when the applicant has met the terms and conditions which apply under §§ 56.52--56.57.]

This section does not preclude an applicant from furnishing a third-party guarantor in lieu of a cash deposit. The guaranty must be in writing and state the terms of the guaranty. The guarantor shall be responsible for all missed payments owed to the public utility. FOR THE PURPOSES OF THIS SECTION, THE GUARANTOR SHALL MEAN A THIRD-PARTY WHO HAS OR CAN ESTABLISH CREDIT, UNDER § 56.32 (RELATING TO SECURITY AND CASH DEPOSITS).

* **This revision will produce savings and efficiencies in that third-party guarantors now can be held responsible for all missed utility payments, instead of just the amount of the deposit. This will offer additional protection against losses on such accounts.**

 **§ 56.35. Payment of outstanding balance.**

(a) A public utility may require, as a condition of the furnishing of residential service to an applicant, the payment of any outstanding residential account with the publicutility which accrued within the past 4 years for which the applicant is legally responsible and for which the applicant was billed properly. [However, any such]

(b) A public utility may not require, as a condition of the furnishing of residential service, payment for residential service previously furnished under an account in the name of a person other than the applicant,EXCEPT AS PROVIDED FOR IN PARAGRAPHS (1) AND (2) OF THIS SECTION.

(1) A public utility may require the payment of an outstanding balance or portion of an outstanding balance if the applicant resided at the property for which service is requested during the time the outstanding balance accrued and for the time the applicant resided there, not exceeding 4 years FROM THE DATE OF THE SERVICE REQUEST.THE 4-YEAR LIMIT DOES NOT APPLY IF THE BALANCE INCLUDES AMOUNTS THAT THE UTILITY WAS NOT AWARE OF BECAUSE OF FRAUD OR THEFT ON THE PART OF THE APPLICANT.

(2) A public utility may establish that an applicant previously resided at a property for which residential service is requested through the use of mortgage, deed or lease information, a commercially available consumer credit reporting service or other methods approved as valid by the Commission. PUBLIC UTILITIES MUST INCLUDE IN THEIR TARIFFS FILED WITH THE COMMISSION THE METHODS, OTHER THAN THOSE SPECIFICALLY MENTIONED IN THIS PARAGRAPH, USED TO DETERMINE THE APPLICANT’S LIABILITY FOR ANY OUTSTANDING BALANCE.

(3) ~~Public utilities shall include in their tariffs filed with the Commission the procedures and standards used to determine the applicant's liability for any outstanding balance~~. Anyoutstanding residential account with the public utility may be amortized [over a reasonable period of time. Factors to be taken into account include but are not limited to the size of the unpaid balance, the ability of the applicant to pay, the payment history of the applicant, and the length of time over which the bill accumulated. A utility may not require, as a condition of the furnishing of residential service, payment for residential service previously furnished under an account in the name of a person other than the applicant unless a court, district justice or administrative agency has determined that the applicant is legally obligated to pay for the service previously furnished. Examples of situations include a separated spouse or a cotenant] in accordance with § 56.191 (relating to ~~the general rule~~ PAYMENT AND TIMING).

(c) This section does not affect the creditor rights and remedies of a public utility otherwise permitted by law.

* **This revision will produce savings and efficiencies in that utilities will be able to hold, under certain circumstances, third parties responsible for utility service accrued in someone else’s name without having to obtain a ruling from a court or the PUC to do so.**

 **§ 56.38. Payment period for deposits by applicants.**

An applicant REQUIRED TO PAY A DEPOSIT UNDER THE PROVISIONS OF § 56.32 (RELATING TO SECURITY AND CASH DEPOSITS) may ~~elect to pay any required deposits in three installments: 50% payable upon the determination by the public utility that the deposit is required, 25% payable 30 days after the determination, and 25% payable 60 days after the determination.~~ BE REQUIRED BY THE PUBLIC UTILITY TO PAY THE DEPOSIT IN FULL PRIOR TO THE PROVISION OF PUBLIC UTILITY SERVICE. ~~A public utility shall advise an applicant of the option to pay the requested security deposit in installments at the time the deposit is requested.~~

* **This revision will produce savings and efficiencies in that utilities will be able to collect security deposit amounts immediately instead of billing them in three installments. As a result, deposits will be paid faster, thus accounts will be secured against future losses more quickly.**

**§ 56.82. [Days termination of service is prohibited] Timing of termination.**

[Except in emergencies--which include unauthorized use of utility service--service shall not be terminated, for nonpayment of charges or for any other reason, during the following periods:

(1) On Friday, Saturday, or Sunday.

(2) On a bank holiday or on the day preceding a bank holiday.

(3) On a holiday observed by the utility or on the day preceding such holiday. A holiday observed by a utility shall mean any day on which the business office of the utility is closed to observe a legal holiday, to attend utility meetings or functions, or for any other reason.

(4) On a holiday observed by the Commission or on the day preceding such holiday.]

A public utility may terminate service for the reasons in § 56.81 (relating to authorized termination of service) from Monday through Friday as long as the public utility ~~has offices open~~ ~~on the following day during regular business hours and personnel on duty who can negotiate conditions to restore service, accept emergency medical certificates,~~ IS ABLE TO accept payment to restore service ON THE DAY OF TERMINATION AND ON THE FOLLOWING DAY and can restore service~~,~~ consistent with § 56.191 (relating to ~~the general rule~~ PAYMENT AND TIMING).

* **This revision will produce savings and efficiencies in that utilities are able to terminate service on Fridays, contrary to the traditional restrictions in Chapter 56. This will provide additional days throughout the year that a utility can take collection action against customers in default.**

 **§ 56.83. Unauthorized termination of service.**

Unless expressly and specifically authorized by the Commission, service may not be terminated nor will a termination notice be sent for any of the following reasons:

\*\*\*\*\*

(4) Nonpayment of bills for delinquent accounts of the prior [ratepayer] customer at the same address unless the public utility has, under § 56.35 (relating to payment of outstanding balance), established that the applicant or customer was an ADULT occupant at the same address during the time period the delinquent amount accrued.

\* \* \* \* \*

 (8) Nonpayment for residential service already furnished in the names of persons other than the [ratepayer] customer unless a court, district justice or administrative agency has determined that the [ratepayer] customer is legally obligated to pay for the service previously furnished or unless the public utility has, under § 56.35, established that the applicant or customer was an occupant at the same address during the time period the delinquent amount accrued. This paragraph does not affect the creditor rights and remedies of a public utility otherwise permitted by law.

\* \* \* \* \*

* **This revision will produce savings and efficiencies in that utilities are able, under certain circumstances, to terminate service for amounts accrued in the name of another party without having to obtain a ruling from a court or the PUC to do so.**

 **§ 56.91. General notice provisions and contents of termination notice.**

(a)Prior to [a termination of service, the utility shall mail or deliver written notice to the ratepayer at least 10 days prior to the date of the proposed termination]terminating service for grounds authorized by § 56.81 (relating to authorized termination of service), a public utility shall provide written notice of the termination to the customer at least 10 days prior to the date of the proposed termination. The termination notice ~~must~~ SHALL remain effective for 60 days. In the event of [any taking or acceptance of utility service without the knowledge or approval of the utility, other than unauthorized use of service]a user without contract as defined in § 56.2 (relating to definitions), the public utility shall comply with §§ 56.93--56.97, but need not ~~otherwise~~ provide notice 10 days prior to termination.

* **This revision will produce savings and efficiencies in that a 10-day notice is now valid for 60 days. The traditional practice was that 10-day notices expire in 30 days.**

 **§ 56.93. Personal contact.**

(a) Except when authorized by §§ 56.71, 56.72 or 56.98 (relating to interruption of service; ~~discontinuation~~ DISCONTINUANCE of service; and [exception for terminations based on occurrences harmful to person or property]immediate termination for unauthorized use, fraud, tampering or tariff violations), a public utility may not interrupt, discontinue or terminate service without [personally contacting the ratepayer or a responsible adult occupant at least 3 days prior to the interruption, discontinuance or termination, in addition to providing other notice as specified by the properly filed tariff of the utility or as required by this chapter or other Commission directive. For purposes of this section, ''personal contact'' means:

(1) Contacting the ratepayer or responsible adult occupant in person or by telephone.

(2) Contacting another person whom the ratepayer has designated to receive a copy of a notice of termination, other than a member or employee of the Commission.

(3) If the ratepayer has not made the designation noted in paragraph (2), contacting a community interest group or other entity, including a local police department, which previously shall have agreed to receive a copy of the notice of termination and to attempt to contact the ratepayer.

(4) If the ratepayer has not made the designation noted in paragraph (2) and if there is no community interest group or other entity which previously has agreed to receive a copy of the notice of termination, contacting the Commission in writing] attempting to contact the customer or responsible adult occupant, either in person or by telephone, to provide notice of the proposed termination at least 3 days prior to the scheduled termination. If personal contact by one method is not possible, the public utility is obligated to attempt the other method.

(b) Phone contact shall be deemed complete upon attempted calls on 2 separate days to the residence between the hours of ~~7~~ 8a.m. and 9 p.m. if the calls were made at various times each day, with the various times of the day being daytime before 5 p.m. and evening after 5 p.m and at least 2 hours apart. CALLS MADE TO CONTACT TELEPHONE NUMBERS PROVIDED BY THE CUSTOMER SHALL BE DEEMED TO BE CALLS TO THE RESIDENCE.

(c) If contact is attempted in person by a home visit, only one attempt is required.~~, but the~~ THE public utility shall conspicuously post a written termination notice at the residence if it is unsuccessful in attempting to personally contact a responsible adult occupant DURING THE HOME VISIT.

(d) The content of the 3-day personal contact notice must ~~comply with § 56.91 (relating to general notice provisions and contents of termination notice)~~ INCLUDE THE DATE AND GROUNDS OF THE TERMINATION; WHAT IS NEEDED TO AVOID THE TERMINATION OF SERVICE; HOW TO CONTACT THE PUBLIC UTILITY AND THE COMMISSION; AND THE AVAILABILITY OF THE EMERGENCY MEDICAL PROCEDURES. THE PUBLIC UTILITY SHALL ALSO ASK THE CUSTOMER OR OCCUPANT IF THEY HAVE ANY QUESTIONS ABOUT THE 10-DAY WRITTEN NOTICE THEY HAVE PREVIOUSLY RECEIVED.

* **This revision will produce savings and efficiencies in that utilities, if the personal contact attempts are unsuccessful, no longer have to notify the Commission of such, nor notify another entity such as a community group or local authorities. This will produce savings in paper, processing and postal costs.**

 **§ 56.94. Procedures immediately prior to termination.**

 (3) *Dishonorable tender of payment after receiving termination notice.* After a public utility has provided a written termination notice under § 56.91 (relating to general notice provisions and contents of termination notice) and attempted telephone contact as provided in § 56.93 (relating to personal contact), termination of service may proceed without additional notice when EITHER:

(i) A customer tenders payment which is subsequently dishonored under 13 Pa.C.S. § 3502 (relating to dishonor)~~.~~, OR:

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

* **This revision will produce savings and efficiencies in that a utility can now terminate service, without providing additional notice, if a customer tenders a bad check during the termination process.**

**§ 56.95. Deferred termination when no prior contact.**

[If a prior contact has not been made with a responsible adult either at the residence of the ratepayer, as required by § 56.94 (relating to procedures immediately prior to termination) or at the affected dwelling, the employe may not terminate service but shall conspicuously post a termination notice at the residence of the ratepayer and the affected dwelling, advising that service will be disconnected not less than 48 hours from the time and date of posting]During the months of December through March, unless personal contact has been made with the customer or responsible adult by personally visiting the customer's residence, a public utility shall, ~~within~~ 48 hours ~~of~~ PRIOR TO the scheduled date of termination, post a notice of the proposed termination at the service location.

* **This revision will produce savings and efficiencies in that utilities no longer have to provide a 48-hour notice, unless it is wintertime (December – March). This will produce savings by eliminating additional field work for utilities (a reduction in trips to the residence before terminating service).**

**§ 56.100. Winter termination procedures.**

(a) *Water distribution utilities.* Notwithstanding ~~another~~ ANY provision of this chapter, during the period of December 1 through March 31, water distribution utilities subject to this ~~chapter~~ SUBCHAPTER [shall conform to the provisions of this section. The covered utilities may] ~~are~~ MAY not [be] ~~permitted to~~ terminate heat related service between December 1 and March 31 except as provided in this section or in § 56.98 (relating to [exception for terminations based on occurrences harmful to person or property] immediate termination for unauthorized use, fraud, tampering or tariff violations).

(b) *Electric distribution and natural gas distribution utilities*. Unless otherwise authorized by the Commission, during the period of December 1 through March 31, an electric distribution utility or natural gas distribution utility may not terminate ~~heat related~~ service to customers with household incomes at or below 250% of the Federal poverty level except as provided in this section or in § 56.98. The Commission will not prohibit an electric distribution utility or natural gas distribution utility from terminating ~~heat related~~ service in accordance with this section to customers with household incomes exceeding 250% of the Federal poverty level.

(c) *City natural gas distribution utility*. In addition to the winter termination authority in subsection (b), a city natural gas distribution operation may terminate service after January 1 and before April 1 to a customer whose household income exceeds 150% of the Federal poverty level but does not exceed 250% of the Federal poverty level, and starting January 1, has not paid at least 50% of charges for each of the prior 2 months unless the customer has done one of the following:

(1) Proven in accordance with Commission rules, that the household contains one or more persons who are 65 years of age or over.

(2) Proven in accordance with Commission rules, that the household contains one or more persons 12 years of age or younger.

(3) Obtained a medical certification, in accordance with Commission rules.

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

* **This revision will produce savings and efficiencies in that utilities can now terminate service to customers above 250% of poverty (150% for PGW) without first petitioning the PUC for permission to do so. This will produce savings in that utilities will not have the bother or expense of filing petitions with the Commission.**

 **§ 56.111. General provision.**

[A utility may not terminate, or refuse to restore, service to a premise when an occupant therein is certified by a physician to be seriously ill or affected with a medical condition which will be aggravated by a cessation of service or failure to restore service.]A public utility may not terminate service~~, or refuse to restore service,~~ to a premises when a licensed physician or nurse practitioner has certified that the customer ~~or an applicant seeking~~ ~~restoration~~ ~~of service under § 56.191 (relating to~~ ~~the general rule~~) or a member of the customer's ~~or applicant's~~ household is seriously ill or afflicted with a medical condition that will be aggravated by cessation of service. The customer shall obtain a letter from a licensed physician ~~or nurse practitioner~~ verifying the condition and promptly forward it to the public utility. The determination of whether a medical condition qualifies for the purposes of this section resides entirely with the physician or nurse practitioner and not with the public utility. A public utility may not impose any qualification standards for medical certificates other than those specified in this section.

* **This section has been revised to remove the use of medical certificates to get service reconnected. Corresponding language has been added to § 56.191 that makes clear that medical certificates must be accompanied by the payment required by the utility.**

**§ 56.114. Length of postponement; renewals.**

Service may not be terminated for the time period specified in a medical certification; the maximum length of the certification shall be 30 days.

\* \* \* \* \*

(2) *Renewals*. Certifications may be renewed in the same manner and for the same time period as provided in §§ 56.112 and 56.113 (relating to postponement of termination pending receipt of certificate; and medical certifications) and this section if the [ratepayer] customer has met the obligation under § 56.116 (relating to duty of [ratepayer] customer to pay bills). In instances [where] when a [ratepayer] customer has not met the obligation in § 56.116 to equitably make payments on all bills, the number of renewals for the customer's household is limited to two 30-day certifications ~~that concern medical certificates~~ filed for the same set of arrearages ~~and same termination action. When the customer eliminates these arrearages, the customer is eligible to file new medical certificates.~~ [If a utility wishes to contest the renewal, it shall follow § 56.118(3) (relating to the right of utility to petition the Commission).]In these instances the public utility is not required to honor a third RENEWAL OF A medical certificate and is not required to follow § 56.118(3) (relating to the right of public utility to petition the Commission). The public utility shall apply the dispute procedures in §§ 56.151 and 56.152 (relating to public utility company dispute procedures). WHEN THE CUSTOMER ELIMINATES THESE ARREARAGES, THE CUSTOMER IS ELIGIBLE TO FILE NEW MEDICAL CERTIFICATES.

* **This revision will produce savings and efficiencies in that utilities do not have to go to the bother and expense of petitioning the Commission before enforcing the restrictions on medical certificate usage found in this section. The restrictions have also been tightened in that they apply to the entire household and not “per individual.” (The source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

**§ 56.151. General rule.**

Upon initiation of a dispute covered by this section, the public utility shall:

\* \* \* \* \*

(3) Make a diligent attempt to negotiate a reasonable payment agreement if the [ratepayer] customer or occupant IS ELIGIBILE FOR A PAYMENT AGREEMENT AND claims a temporary inability to pay an undisputed bill. Factors which shall be considered in the negotiation of a payment agreement [shall] include, but are not be limited to:

\* \* \* \* \*

(ii) The ability of the [ratepayer] customer to pay.

(iii) The payment history of the [ratepayer] customer.

* **This revision will produce savings and efficiencies in that a utility does not have to provide a payment agreement unless the customer is eligible for one. Additionally, information provided to customers under this section can now be provided electronically; producing savings in paper, printing, and postal costs. (the source of this revision is not in Chapter 14; rather it is an efficiency the Commission is providing in addition to those in Chapter 14).**

**§ 56.162. Informal complaint filing procedures.**

An informal complaint may be filed orally or in writing and [shall] must include the following information:

\* \* \* \* \*

(6) Whether the dispute formerly has been the subject of a public utility company investigation and report. THE COMPLAINANT SHALL AFFIRM THAT THEY HAVE FIRST CONTACTED THE PUBLIC UTILITY FOR THE PURPOSE OF RESOLVING THE PROBLEM ABOUT WHICH THE COMPLAINANT WISHES TO FILE A COMPLAINT. IF THE COMPLAINANT HAS NOT CONTACTED THE PUBLIC UTILITY, THE COMMISSION SHALL DIRECT THE COMPLAINANT TO THE PUBLIC UTILITY.

* **This revision will produce savings and efficiencies in that complainants will first be directed to the utility by the Commission if the utility has not been given an opportunity to address the matter. This will give the utility an opportunity to eliminate the complaint before having to go to the trouble and expense of responding to the Commission.**

**§ 56.191. ~~General rule~~ PAYMENT AND TIMING.**

[When service to a dwelling has been terminated, the utility shall reconnect service by the end of the first full working day after receiving one of the following:

(1) Full payment of an outstanding charge plus a reasonable reconnection fee. Outstanding charges and the reconnection fee may be amortized over a reasonable period of time. Factors to be taken into account shall include, but are not be limited to:

(i) The size of the unpaid balance.

(ii) The ability of the ratepayer to pay.

(iii) The payment history of the ratepayer.

(iv)The length of time over which the bill accumulated.

(2) Payment of amounts currently due according to a settlement or payment agreement, plus a reasonable reconnection fee, which may be a part of the settlement or payment agreement. The utility may apply the procedure in paragraph (1), if the payment history indicates that the ratepayer has defaulted on at least two payment agreements, or an informal complaint decision, or a formal complaint order.

(3) Adequate assurances that any unauthorized use or practice will cease, plus full payment of the reasonable reconnection fee of the utility, which may be subject to a payment agreement and compliance or adequate assurance of compliance with an applicable provision for the establishment of credit or the posting of deposits or guarantees.]

(a) *Fee*. A public utility may require a reconnection fee based upon the public utility's cost as approved by the Commission prior to reconnection of service following lawful termination of the service. The amount of this fee shall be specified in the public utility's tariff on file with the Commission.

(b) *Timing*. When service to a dwelling has been terminated, provided the applicant OR CUSTOMER has met all applicable conditions, the public utility shall reconnect service as follows:

(1) Within 24 hours for erroneous terminations or upon receipt by the public utility of a valid medical certification. THE MEDICAL CERTIFICATE MUST BE ACCOMPANIED BY THE PAYMENTS REQUIRED BY THIS SECTION. Erroneous terminations include instances when the grounds for termination were removed by the customer paying the amount needed to avoid termination prior to the termination of the service.

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

(3) Within 3 calendar days for erroneous terminations requiring street or sidewalk digging.

(4) Within 3 calendar days from April 1 to November 30 for proper terminations.

(5) Within 7 calendar days for proper terminations requiring street or sidewalk digging.

(c) *Payment to restore service*.

(1) A public utility shall provide for and inform the applicant or customer of a location where the customer can make payment to restore service. A public utility shall inform the applicant or customer that conditions for restoration of service may differ if someone in the household is a victim of domestic violence with a protection from abuse order. A PUBLIC UTILITY SHALL ALSO INFORM THE APPLICANT OR CUSTOMER THAT THE TIMING FOR RESTORATION OF SERVICE MAY DIFFER IF SOMEONE IN THE HOUSEHOLD IS SERIOUSLY ILL OR AFFECTED BY A MEDICAL CONDITION WHICH WILL BE AGGRAVATED WITHOUT UTILITY SERVICE. THE PUBLIC UTILITY IS NOT REQUIRED TO MODIFY OR ELIMINATE THE PAYMENT REQUIRED TO RESTORE SERVICE IF A MEDICAL CERTIFICATE IS PRESENTED.

(2) A public utility may require:

(i) Full payment of any outstanding balance incurred together with any reconnection fees by the customer or applicant prior to reconnection of service if the customer or applicant has an income exceeding 300% of the Federal poverty level or has defaulted on two or more payment agreements. For purposes of this section, neither a payment agreement intended to amortize a make-up bill under § 56.14 (relating to previously unbilled utility service) or the definition of ''billing month'' in § 56.2 (relating to definitions), nor a payment agreement that has been paid in full by the customer, are to be considered A DEFAULT. BUDGET BILLING PLANS AND AMORTIZATION OF BUDGET PLAN RECONCILIATION AMOUNTS UNDER § 56.12(7) (RELATING TO METER READING; ESTIMATED BILLINGS; CUSTOMER READINGS) MAY NOT BE CONSIDERED A DEFAULT FOR THE PURPOSES OF THIS SECTION.

(ii) If a customer or applicant with household income exceeding 300% of the Federal poverty level experiences a life event, the customer shall be permitted a period of not more than 3 months to pay the outstanding balance required for reconnection. For purposes of this paragraph, a life event is:

(A) A job loss that extends beyond 9 months.

(B) A serious illness that extends beyond 9 months.

(C) Death of the primary wage earner.

(iii) Full payment of any reconnection fees together with repayment over 12 months of any outstanding balance incurred by the customer or applicant, if the customer or applicant has an income exceeding 150% of the Federal poverty level but not greater than 300% of the Federal poverty level. The initial payment REQUIRED toward the outstanding balance ~~required~~ as a condition of restoration cannot exceed 1/12 of the outstanding balance.

(iv) Full payment of any reconnection fees together with payment over 24 months of any outstanding balance incurred by the customer or applicant if the customer or applicant has an income not exceeding 150% of the Federal poverty level. The initial payment REQUIRED toward the outstanding balance ~~required~~ as a condition of restoration cannot exceed 1/24 of the outstanding balance. A customer or applicant of a city natural gas distribution operation whose household income does not exceed 135% of the Federal poverty level shall be reinstated under this subsection only if the customer or applicant enrolls in the customer assistance program of the city natural gas distribution operation. This requirement may not apply if the financial benefits to the customer or applicant are greater if served outside of that assistance program.

(d) *Payment of outstanding balance at premises AS A CONDITION TO RESTORE SERVICE*. A public utility may require the payment of any outstanding balance or portion of an outstanding balance if the applicant OR CUSTOMER resided at the property for which service is requested during the time the outstanding balance accrued and for the time the applicant OR CUSTOMER resided there, not exceeding 4 years PRIOR TO THE DATE OF REQUESTING THAT SERVICE BE RESTORED~~, except for instances of fraud and theft~~. THE 4 YEAR LIMIT DOES NOT APPLY IN INSTANCES OF FRAUD AND THEFT.

(e) *Approval*. A public utility may establish that an applicant OR CUSTOMER previously resided at a property for which residential service is requested through the use of mortgage, deed or lease information, a commercially available consumer credit reporting service or other methods approved as valid by the Commission. Public utilities shall include in their tariffs filed with the Commission the ~~procedures and standards~~ METHODS, OTHER THAN THOSE SPECIFICALLY MENTIONED IN THIS PARAGRAPH, used to determine liability for outstanding balances.

* **This revision will produce savings and efficiencies in that utilities are now provided with varied, and in most cases, extended service restoration timeframes that are dependent upon the circumstances involved in restoring service. For example, instead of “by the end of the first full working day,” a utility now has up to seven days to restore service if street or sidewalk excavation is involved. In addition, utilities will now be able to hold, under certain circumstances, third parties responsible for utility service accrued in someone else’s name without having to obtain a ruling from a court or the PUC to do so. This section has also been revised to make clear that customers using a medical certificate to get the service restored must now also have to pay what the company is requiring for restoration. This will make it easier for utilities to collect monies owed to them by customer’s whose service has been terminated.**

**§ 56.201. Public information.**

(A) In addition to the notice requirements [set forth] in this chapter, the Commission will, within 6 months of the effective date of a change to a regulation in this chapter, prepare a summary of the rights and responsibilities of the public utility and its [ratepayers] customers affected by the change. Summaries [shall] will be mailed by the public utility to each [ratepayer] customer of the public utility affected by the change. These summaries, as well as a summary of the rights and responsibilities of the public utility and its [ratepayers] customers in accordance with this chapter, shall be in writing, shall be reproduced by the public utility, shall be displayed prominently, SHALL BE AVAILABLE ON THE PUBLIC UTILITY’S WEBSITE IF THE UTILITY HAS ONE, and shall be available at all public utility office locations open to the general public. ~~This information be delivered or mailed to each new [ratepayer] customer of the public utility upon the commencement of service and be available at all times upon request.~~ THE PUBLIC UTILITY SHALL INFORM NEW CUSTOMERS OF THE AVAILABILITY OF THIS INFORMATION AND DIRECT WHERE TO LOCATE IT ON THE PUBLIC UTILITY’S WEBSITE. THE PUBLIC UTILITY SHALL DELIVER OR MAIL A COPY UPON THE REQUEST OF A CUSTOMER OR APPLICANT.

* **This revision will produce savings and efficiencies in that utilities will be able to provide this information electronically to customers. This will produce savings in printing, processing and postal costs.**

**§ 56.231. Reporting requirements.**

(a)Within 15 days after the end of each month, each electric[, gas]distribution utility, natural gas distribution utility, AND class A water distribution utility ~~and steam heat utility~~ shall file with the Commission a report containing the following information concerning residential accounts for that month:

(1) [Total number of accounts, categorized as follows:

(i) By classification--residential, residential multi-unit dwellings.

(ii) By usage--heating, nonheating.

(2) Number of overdue accounts, categorized as follows:

(i) By usage--heating, nonheating.

(ii) By amount overdue--$25 or less, $26--$50, $51--$150, $151--$250, $251--$500, $501--$1,000 and over $1,000.

(iii) By time overdue in days--30 days or less, 31--60 days, 61--90 days, 91--120 days, and over 120 days.

(3) Dollar amount overdue, categorized as follows:

(i) Total amount of arrearages.

(ii) By usage--heating, nonheating.

(iii) By time overdue in days--30 days or less, 31--60 days, 61--90 days, 91--120 days, and over 120 days.

(4) Total number of ten-day termination notices sent out by company.

(5) Total number of dwellings which receive notices sent to ratepayers other than occupants.

(6) Number of completed personal contacts categorized as follows:

(i) In person.

(ii) By telephone.

(iii) By third-party notification to a person designated by the customer.

(iv) By third-party notification to a community interest group.

(v) By third-party notification to the Commission or its designee.

(7) Total number of 48-hour notices posted.

(8) Number of terminations completed by the company, categorized as follows:

(i) Number of nonpayment of undisputed delinquent accounts, failure to satisfy credit requirements, noncompliance in the settlement of amortization agreement.

(ii) Others.

(9) Number of terminations completed, categorized as follows:

(i) By usage--heating, nonheating.

(ii) By amount overdue--$25 or less, $26--$50, $51--$150, $151--$250, $251--$500, $501--$1,000 and over $1,000.

(iii) By length of time overdue--30 days or less, 31--60 days, 61--90 days, 91--120 days, and over 120 days.

(iv) By first three digits of each account's zip code.

(10) Reconnections, categorized as follows:

(i) By usage--heating, nonheating.

(ii) By whether amortization settlement agreement was achieved:

(A) With involvement of the Commission.

(B) Between the customer and utility.

(iii) By total number of the reconnections due to medical certification.

(iv) By total number of reconnections due to full payment of arrearage.]

The total number of residential heating customers.

(2) The total number of residential nonheating customers.

(3) The total number of active residential accounts in arrears not on a payment agreement.

(4) The total dollar amount in arrears for active residential accounts in arrears and not on a payment agreement.

(5) The total number of active residential accounts in arrears and on a payment agreement.

(6) The total dollar amount in arrears for active residential accounts in arrears and on a payment agreement.

(7) The total number of inactive residential accounts in arrears.

(8) The total dollar amount of inactive residential accounts in arrears.

(9) The total number of 10-day termination notices sent out by company.

(10) The total number of dwellings receiving termination notices sent to occupants other than the customer.

(11) The total number of 3-day termination notices completed by ~~personal~~ contact in person.

(12) The total number of 3-day termination notices completed by telephone.

(13) The total number of 48-hour termination notices posted.

(14) The total number of terminations for nonpayment.

(15) The total number of terminations for reasons other than nonpayment.

(16) The total number of terminations for nonpayment and FOR reasons other than nonpayment categorized by the first three digits of each account's postal code.

(17) The total number of reconnections for full customer payment, PARTIAL PAYMENT OR PAYMENT AGREEMENT. ~~Categorize into one of five groups based upon the customer's relation to the Federal poverty guidelines:~~

~~(i) Less than 150% of the Federal poverty guideline.~~

~~(ii) Between 151--250% of the Federal poverty guideline.~~

~~(iii) Between 251--300% of the Federal poverty guideline.~~

~~(iv) Greater than 300% of the Federal poverty guideline.~~

~~(v) Not available.~~

~~(18) The total number of reconnections for partial customer payment or payment agreement. Categorize into one of five groups based upon the customer's relation to the Federal poverty guidelines:~~

~~(i) Less than 150% of the Federal poverty guideline.~~

~~(ii) Between 151--250% of the Federal poverty guideline.~~

~~(iii) Between 251--300% of the Federal poverty guideline.~~

~~(iv) Greater than 300% of the Federal poverty guideline.~~

~~(v) Not available.~~

~~(19)~~ (18) The total number of reconnections for customer submission of medical certification. ~~Categorize into one of five groups based upon the customer's relation to the Federal poverty guidelines:~~

~~(i) Less than 150% of the Federal poverty guideline.~~

~~(ii) Between 151--250% of the Federal poverty guideline.~~

~~(iii) Between 251--300% of the Federal poverty guideline.~~

~~(iv) Greater than 300% of the Federal poverty guideline.~~

~~(v) Not available.~~

~~(20)~~ (19) The total number of reconnections for reasons other than customer payment or medical certification. ~~Categorize into five groups based upon the customer's relation to the Federal poverty guidelines:~~

~~(i) Less than 150% of the Federal poverty guideline.~~

~~(ii) Between 151--250% of the Federal poverty guideline.~~

~~(iii) Between 251--300% of the Federal poverty guideline.~~

~~(iv) Greater than 300% of the Federal poverty guideline.~~

~~(v) Not available.~~

~~(21)~~ (20) The total number of applicants that are requested TO PAY or ARE billed a security deposit.

~~(22)~~ (21) The total dollar amount in security deposits that are requested OF or billed to applicants.

~~(23)~~ (22) The total number of customers that are requested TO PAY or ARE billed a security deposit.

~~(24)~~ (23) The total dollar amount in security deposits that are requested OF or billed to customers.

(b) Within 90 days after the end of each year, each electric distribution utility, natural gas distribution utility, AND class A water distribution utility ~~and steam heat utility~~ shall file with the Commission a report containing the following information concerning residential accounts for the previous year:

(1) The total number of security deposits on hand.

(2) The total dollar amount in security deposits on hand.

(3) The total dollar amount of annual collection operating expenses.

(4) The total dollar amount of annual residential billings.

(5) The total dollar amount of annual gross residential write-offs.

(6) The total dollar amount of annual net residential write-offs.

(7) The average monthly bill for the previous year for a heating customer.

(8) The average monthly bill for the previous year for a nonheating customer.

(9) The average monthly usage for a heating customer.

(10) The average monthly usage for a nonheating customer.

(c) Public utilities shall refer to the data dictionary in Appendix C (relating to definitions (§ 56.231)) for additional guidance as to the terms used in this section.

* **This revision will produce savings and efficiencies in that the traditional § 56.231 reporting requirements will be reduced and merged with existing Section 1415 reporting requirements, thus eliminating current duplicative reporting requirements.**