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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2555 Session of  
2020

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INTRODUCED BY METZGAR, BIZZARRO, BURNS, T. DAVIS, DeLUCA, FLYNN,  
KAUFFMAN, KLUNK, MOUL, NELSON, ORTITAY, PICKETT, PYLE,  
ROEBUCK, SANKEY AND WHEELAND, MAY 28, 2020

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 28, 2020

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AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, in natural gas competition, further  
3 providing for duties of natural gas distribution companies  
4 and for consumer protections and customer service; and, in  
5 restructuring of electric utility industry, further providing  
6 for definitions, for standards for restructuring of electric  
7 industry and for duties of electric distribution companies.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Sections 2205(c)(1), (2) and (4) and 2206(a) of  
11 Title 66 of the Pennsylvania Consolidated Statutes are amended  
12 to read:

13 § 2205. Duties of natural gas distribution companies.

14 \* \* \*

15 (c) Customer billing.--

16 (1) [Subject to the right of a retail gas customer to  
17 choose to receive separate bills from its natural gas  
18 supplier for natural gas supply service, the natural gas  
19 distribution company shall be responsible for billing each of  
20 its retail gas customers for natural gas distribution

1 service, consistent with the orders or regulations of the  
2 commission, regardless of the identity of the provider of  
3 natural gas supply services.] A retail natural gas customer  
4 shall have the right to choose to receive separate bills from  
5 its natural gas distribution company for natural gas  
6 distribution service and natural gas supplier for natural gas  
7 supply service, or a consolidated bill that includes both  
8 natural gas distribution charges and natural gas supply  
9 charge from either the natural gas distribution company or  
10 natural gas supplier. If the natural gas supplier is not  
11 willing, able or qualified to provide billing services, the  
12 natural gas distribution company shall be responsible for  
13 billing retail gas customers for natural gas distribution  
14 service and supply. The commission shall adopt regulations to  
15 establish the financial and technical requirements for  
16 natural gas suppliers to provide consolidated billing  
17 services. Any billing service shall be consistent with the  
18 orders or regulations of the commission, which shall be  
19 issued or promulgated within 180 days of the effective date  
20 of this paragraph, and existing applicable regulations,  
21 including, but not limited to, the regulations at 52 Pa. Code  
22 Chapter 56 (relating to standards and billing practices for  
23 residential utility service), regardless of the identity of  
24 the provider of natural gas billing services. Suppliers that  
25 apply to render consolidated bills to end-use customers shall  
26 post a bond in the amount of \$250,000 and shall not have had  
27 a natural gas supplier license revoked by any other state in  
28 the three years preceding the application. A customer's right  
29 to receive a consolidated bill from either the customer's  
30 natural gas distribution company or natural gas supplier

1 shall be available within one year of the effective date of  
2 the final-form regulations.

3 (2) (i) Bills to retail gas customers shall contain  
4 sufficient unbundled charge information to enable the  
5 customer to determine the basis for those charges and  
6 shall comply with section 1509 (relating to billing  
7 procedures). At a minimum, such charges shall include  
8 those services which are unbundled as a result of a  
9 restructuring filing or rulemaking.

10 (ii) Bills to retail residential customers rendered  
11 [by a natural gas distribution company] for natural gas  
12 distribution services shall include information required  
13 by commission regulations governing standards and billing  
14 practices for residential utility service.

15 (iii) Bills rendered [by a natural gas distribution  
16 company] on behalf of a natural gas supplier shall  
17 include[, in a form and manner determined by the natural  
18 gas distribution company in consultation with the natural  
19 gas supplier,] the following information with respect to  
20 natural gas supplier services: the name of the natural  
21 gas supplier; the rates, charges or prices of natural gas  
22 supply services billed, including adjustments to prior  
23 period billings, if applicable, and taxes, if applicable;  
24 and the natural gas supplier's toll-free telephone number  
25 and hours of operation for customer inquiries.

26 (iv) Natural gas suppliers providing consolidated  
27 billing shall purchase the natural gas distribution  
28 company's receivables for regulated charges consistent  
29 with the regulations of the commission.

30 \* \* \*

1           (4) If services are provided by an entity other than the  
2 natural gas distribution company, the entity that provided  
3 those services shall furnish to the natural gas distribution  
4 company billing data sufficient to enable the natural gas  
5 distribution company to timely bill retail gas customers. If  
6 billing services are provided by an entity other than the  
7 natural gas distribution company, the natural gas  
8 distribution company shall furnish to the entity providing  
9 the billing service, billing data sufficient to enable the  
10 billing service provider to timely bill retail gas customers.  
11 The non-billing entity shall provide data for billing  
12 purposes in a format and in a time frame as required by the  
13 [natural gas distribution company] commission. The [natural  
14 gas distribution company] billing service provider shall  
15 consider the data and information confidential and shall  
16 treat it as such.

17 \* \* \*

18 § 2206. Consumer protections and customer service.

19 (a) Quality.--A natural gas distribution company shall [be  
20 responsible for] provide customer service functions consistent  
21 with the orders and regulations of the commission, including,  
22 but not limited to, meter reading, installation, testing and  
23 maintenance and emergency response for all customers, and  
24 complaint resolution and collections related to the service  
25 provided by the natural gas distribution company. Natural gas  
26 suppliers providing consolidated billing services shall be  
27 responsible for performing complaint resolution and collections  
28 functions, which shall include the ability to initiate the  
29 termination process for any reason enumerated under Chapter 14  
30 (relating to responsible utility customer protection). Customer

1 service and consumer protections and policies for retail gas  
2 customers shall, at a minimum, be maintained at the same level  
3 of quality under retail competition as in existence on the  
4 effective date of this chapter.

5 \* \* \*

6 Section 2. Section 2803 of Title 66 is amended by adding a  
7 definition to read:

8 § 2803. Definitions.

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

12 \* \* \*

13 "Supplier consolidated billing." The billing of retail  
14 customers by an electricity supplier for all electric services,  
15 including the charges of the electric distribution company for  
16 distribution services and all charges of the electricity  
17 supplier.

18 \* \* \*

19 Section 3. Section 2804 of Title 66 is amended by adding a  
20 paragraph to read:

21 § 2804. Standards for restructuring of electric industry.

22 The following interdependent standards shall govern the  
23 commission's assessment and approval of each public utility's  
24 restructuring plan, oversight of the transition process and  
25 regulation of the restructured electric utility industry:

26 \* \* \*

27 (17) The commission shall issue regulations that permit  
28 electricity suppliers that meet the financial and technical  
29 requirements established by the commission to render  
30 consolidated bills to end-use customers that contain the

1 charges for distribution services provided by an electric  
2 distribution company and the charges of the electricity  
3 supplier for commodity services and any other services  
4 provided by the electricity supplier. Suppliers that apply to  
5 render consolidated bills to end-use customers shall post a  
6 bond in the amount of \$250,000 and shall not have had an  
7 electric supplier license revoked by any other state in the  
8 three years preceding the application. The commission shall  
9 adopt temporary regulations establishing financial and  
10 technical requirements and the framework for supplier  
11 consolidated billing within 90 days of the effective date of  
12 this paragraph. The temporary regulations shall not be  
13 subject to sections 201, 202, 203, 204 and 205 of the act of  
14 July 31, 1968 (P.L.769, No.240), referred to as the  
15 Commonwealth Documents Law; Sections 204(b) and 301(10) of  
16 the act of October 15, 1980 (P.L.950, No.164), known as the  
17 Commonwealth Attorneys Act; or the act of June 25, 1982  
18 (P.L.633, No.181), known as the Regulatory Review Act. The  
19 temporary regulations shall expire upon the promulgation of  
20 final-form regulations or two years following the effective  
21 date of this section, whichever is later. Supplier  
22 consolidated billing shall be available within one year of  
23 the effective date of the final-form regulations. The  
24 commission shall adopt orders, rules, regulations and  
25 policies as shall be necessary and appropriate to implement  
26 fully this chapter within the time frames specified in this  
27 chapter.

28 Section 4. Section 2807(c) and (d) introductory paragraph of  
29 Title 66 are amended to read:

30 § 2807. Duties of electric distribution companies.

1 \* \* \*

2 (c) Customer billing.--Subject to the right of an end-use  
3 customer to choose to receive separate or consolidated bills  
4 from its electric generation supplier, the electric distribution  
5 company may be responsible for billing customers for all  
6 electric services, consistent with the regulations of the  
7 commission, regardless of the identity of the provider of those  
8 services.

9 (1) Customer bills shall contain unbundled charges  
10 sufficient to enable the customer to determine the basis for  
11 those charges.

12 (2) If services are provided by an entity other than the  
13 electric distribution company, the entity that provides those  
14 services shall furnish to the electric distribution company  
15 billing data sufficient to enable the electric distribution  
16 company to bill customers.

17 (3) The electric distribution company shall not be  
18 required to forward payment to entities providing services to  
19 customers, and on whose behalf the electric distribution  
20 company is billing those customers, before the electric  
21 distribution company has received payment for those services  
22 from customers.

23 (4) Electric generation suppliers providing consolidated  
24 billing shall purchase the electric distribution company's  
25 receivables for regulated charges consistent with the  
26 regulations of the commission.

27 (d) Consumer protections and customer service.--The electric  
28 distribution company shall continue to provide customer service  
29 functions consistent with the regulations of the commission,  
30 including meter reading, complaint resolution and

1 collections[.], except that electricity suppliers providing  
2 consolidated billing services shall be responsible for  
3 performing complaint resolution and collections functions, which  
4 shall include the ability to initiate the termination process  
5 for any reason enumerated under Chapter 14 (relating to  
6 responsible utility customer protection). Customer services  
7 shall, at a minimum, be maintained at the same level of quality  
8 under retail competition.

9 \* \* \*

10 Section 5. This act shall take effect in 60 days.