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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1297 Session of  
2014

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INTRODUCED BY BOSCOLA, FERLO, SOLOBAY, ALLOWAY, GREENLEAF,  
FONTANA, RAFFERTY, TEPLITZ, WASHINGTON, YUDICHAK, STACK,  
VOGEL, FARNESE, SCHWANK, WOZNIAK, WHITE AND KASUNIC,  
MARCH 21, 2014

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MARCH 21, 2014

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AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, in restructuring of electric utility  
3 industry, further providing for duties of electric  
4 distribution companies; and for requirement of electric  
5 generation suppliers.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 2807(d) of Title 66 of the Pennsylvania  
9 Consolidated Statutes is amended by adding a paragraph to read:

10 § 2807. Duties of electric distribution companies.

11 \* \* \*

12 (d) Consumer protections and customer service.--The electric  
13 distribution company shall continue to provide customer service  
14 functions consistent with the regulations of the commission,  
15 including meter reading, complaint resolution and collections.  
16 Customer services shall, at a minimum, be maintained at the same  
17 level of quality under retail competition.

18 \* \* \*

1           (4) The commission shall establish regulations to  
2 require that an electric distribution company change a  
3 customer's electricity supplier within a period not to exceed  
4 five business days from the time of the customer's request  
5 for a change of supplier.

6           \* \* \*

7           Section 2. Section 2809 of Title 66 is amended by adding a  
8 subsection to read:

9           § 2808. Competitive transition charge.

10          \* \* \*

11          (g) Notification requirements for contracts using a variable  
12 pricing mechanism.--To enable customers to make an informed  
13 decision about electric generation supply options, the  
14 commission shall establish regulations to require each electric  
15 generation supplier offering a contract for electric generation  
16 using a rate based on a variable pricing mechanism to:

17           (1) Provide notification to its customer prior to the  
18 expiration of the customer's contract if the contract to  
19 expire uses a fixed pricing mechanism. The following shall  
20 apply:

21           (i) The notification shall be sent 45 days prior to  
22 the expiration date of the customer's contract and again,  
23 15 days prior to the expiration date of the customer's  
24 contract.

25           (ii) The notification must be sent by written and  
26 electronic means. If the customer does not have  
27 electronic access, the means of notification shall be by  
28 telephone.

29           (iii) The notification shall include the name,  
30 address, telephone number and publicly accessible

1 Internet address of the electric generation supplier.

2 (iv) The notification shall explain the renewal  
3 provisions of the customer's existing contract and  
4 whether the rate in a renewal contract may be based on a  
5 variable pricing mechanism.

6 (2) Post the current rate on its publicly accessible  
7 Internet website.

8 (3) Provide notification to its customer if the  
9 customer's rate increases by at least 50% above the prior  
10 billing period. The following shall apply:

11 (i) The notification shall be sent as soon as the  
12 electric generation supplier becomes aware of the  
13 increase.

14 (ii) The notification must be sent by electronic  
15 means. If the customer does not have electronic access,  
16 the means of notification shall be by telephone.

17 (iii) The notification shall include the name,  
18 address, telephone number and publicly accessible  
19 Internet address of the electric generation supplier.

20 (iv) The notification shall include the current rate  
21 at the time the notification is sent.

22 (4) Provide direct oral disclosure of the rate  
23 information in the contract to its customer prior to the  
24 execution of the contract. Rate information shall be provided  
25 to the customer in an understandable format and shall  
26 include, but not be limited to, the following:

27 (i) Details of the rate plan based on a variable  
28 pricing mechanism and terms of service in the contract.

29 (ii) Conditions of variability and basis on which  
30 the rate will vary.

1           (iii) Limits on rate variability.

2           (iv) A statement clearly explaining that rates based  
3 on variable pricing mechanisms are not capped under  
4 Federal or State law, if applicable.

5           (v) A statement clearly explaining that the customer  
6 will receive notification if the customer's rate  
7 increases by at least 50% above the prior billing period  
8 as soon as the electric generation supplier becomes aware  
9 of the increase and seeking a positive oral confirmation  
10 from the customer indicating that the customer  
11 understands the means of notification provided will be  
12 used to inform the customer of rate increases.

13       Section 3. This act shall take effect in 60 days.