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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No. **379** Session of  
1961

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INTRODUCED BY MR. MULLIN, MARCH 7, 1961

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REFERRED TO COMMITTEE ON CORPORATIONS,  
MARCH 7, 1961.

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**AN ACT**

Amending the act of May 28 1937 (P L 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate

property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" prohibiting charge of gas and water rates based upon any estimate of the amount of gas or water supplied

**402—Printer's No.** 4

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Section 305 act of May 28 1937 (P L 1053) known as  
2 the "Public Utility Law" is amended to read

3 Section 305 Advance and Estimated Payment of Rates No public  
4 utility shall require the payment of rates in advance or the making  
5 of minimum payments ready to serve charges or deposits to secure  
6 future payments of rates except as the commission by regulation or  
7 order may permit Provided That any deposit made by any domestic  
8 consumer under the provisions of this section or under any act repealed  
9 by this act shall be returned with any interest due thereon to the con-  
10 sumer making such deposit when he shall have paid undisputed bills  
11 for service over a period of twelve consecutive months

12 No public utility supplying gas or water shall require the payment  
13 of rates based upon any estimate of the amount of gas or water supplied  
14 to any consumer

15 Section 2 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor