

Section 1. The Tacony Freeway in the City of Philadelphia shall hereafter be known and shall be designated by signs posted by the Department of Highways as the General Casimir Pulaski Highway.

APPROVED—The 18th day of November, A. D. 1968.

RAYMOND P. SHAFER.

No. 320

AN ACT

SB 1500

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 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," further defining the term "public utility."

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

Section 1. Clause (17) of section 2, act of May 28, 1937 (P. L. 1053), known as the "Public Utility Law," is amended to read:

Section 2. Definitions.—The following words, terms and phrases shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise:

* * *

(17) "Public Utility" means persons or corporations now or hereafter owning or operating in this Commonwealth equipment, or facilities for:

(a) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation;

(b) Diverting, developing, pumping, impounding, distributing, or furnishing water to or for the public for compensation;

(c) Transporting passengers or property as a common carrier;

(d) Use as a canal, turnpike, tunnel, bridge, wharf, and the like for the public for compensation;

(e) Transporting or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, materials for refrigeration, or oxygen or nitrogen, or other fluid substance, by pipe line or conduit, for the public for compensation;

(f) Conveying or transmitting messages or communications by telephone or telegraph for the public for compensation;

(g) Sewage collection, treatment, or disposal for the public for compensation.

The term "Public Utility" shall not include (a) any person or corporation, not otherwise a public utility, who or which furnishes service only to himself or itself; or (b) any bona fide cooperative association which furnishes service only to its stockholders or members on a nonprofit basis; or (c) any producer of natural gas not engaged in distributing such gas directly to the public for compensation.

* * *

APPROVED—The 18th day of November, A. D. 1968.

RAYMOND P. SHAFER.

No. 321

AN ACT

SB 1359

Providing for the exercise of the right of eminent domain by certain corporations for the transportation of oxygen or nitrogen with certain restrictions,