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Legal Clinic for the Disabled, Inc.

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Silvan B. Lutkewitte, III
Chairman of Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17120-2024

Dear Representative Preston,

I am the Executive Director of the Legal Clinic for the Disabled, Inc (LCD) in Philadelphia, PA. LCD represents low income people with physical disabilities in Philadelphia and the surrounding counties. I am writing to oppose the Public Utility Commission's (PUC) proposed regulation changes under Chapter 14 of the Public Utility Code. Specifically, the proposed changes to the rules regarding Medical Certification and utility shutoffs. These amendments will impose an undue burden on low-income people who are ill or with physical disabilities and is against public policy and the clearly stated intent of the General Assembly.


The changes proposed by PUC in their Final Rulemaking Order to 56 Pa.Code § 56.111 will provide less protection and assistance to the most vulnerable of utility customers. The clear intent of 56 Pa.Code Section 56.111 is to protect customers with medical conditions whose health will be imperiled by the shutoff of their utilities, allowing them to avert a shutoff or have their utility service reinstated by obtaining a letter from a medical professional. PUC's proposed changes to 56 Pa.Code 56.191(b) and (c) will now require that an applicant with a medical certification, or the customer in their household, pay restoration fees before having their service restored. This is an untenable result.

The General Assembly specified in their Discussion of Policy for Chapter 14 that the revisions it put in place should fall on those who are able to pay utility bills, but simply do not, or who use fraud to avoid paying these bills. 66 Pa.C.S. § 1402(2). The legislature did not intend to remove a necessary safety net put in place for the protection of individuals with legitimate medical conditions who are not able to keep up with utility payments. 66 Pa.C.S. § 1402(3). The burdens of the proposed changes to medical certification will fall squarely on the shoulders of those who are least able to pay reinstatement fees: people who are living on a low or fixed income, who are unable to work, and whose health and welfare would be seriously damaged by a utility shutoff.

At LCD our clients are individuals with disabilities because of illness or traumatic incident, for whom these changes will be a severe hardship. I am writing to ask you not to approve the changes affecting medical certification proposed by PUC because, rather than punishing people who are committing fraud or attempting to bilk utility companies, these regulations make it more difficult for our clients to maintain their health and live their lives normally.

Thank you for your consideration of this very important matter.

Sincerely,


Linda A. Peyton
Executive Director
Legal Clinic for the Disabled

Increasing access to our courts and the community