

# Regulatory Analysis Form

(Completed by Promulgating Agency)

INDEPENDENT REGULATORY  
REVIEW COMMISSION

(All Comments submitted on this regulation will appear on IRRRC's website)

(1) Agency  
Public Utility Commission

(2) Agency Number: L-2014-2411278  
Identification Number: 57-308

IRRC Number: 3087

(3) PA Code Cite: 52 Pa. Code § 53.85.

(4) Short Title: Paper Billing Fees

(5) Agency Contacts (List Telephone Number and Email Address):

Primary Contact: Terrence J. Buda (717) 783-3459 and [tbuda@pa.gov](mailto:tbuda@pa.gov)

Secondary Contact: Kathryn G. Sophy (717) 787-8108 and [ksophy@pa.gov](mailto:ksophy@pa.gov)

(6) Type of Rulemaking (check applicable box):

- Proposed Regulation  
 Final Regulation  
 Final Omitted Regulation

- Emergency Certification Regulation;  
 Certification by the Governor  
 Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The Commission proposes to implement a regulation that will enforce a previous Commission Order concluding that the Commission will deny any proposed tariff provisions authorizing telecommunications carriers to charge residential or business customers a fee to receive a paper bill.

(8) State the statutory authority for the regulation. Include specific statutory citation.

66 Pa. C.S. §§ 501, 504, 523, 1301, 1501, and 1504; Sections 201 and 202 of the Act of July 31, 1968, P.L. 769 No. 240, 45 P.S. §§ 1201-1202; 1 Pa. Code §§ 7.1, 7.2, and 7.5; Section 204(b) of the Commonwealth Attorneys Act, 71 P.S. § 732.204(b); Section 745.5 of the Regulatory Review Act, 71 P.S. § 745.5; Section 612 of the Administrative Code of 1929, 71 P.S. § 232.

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(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

The proposed regulations are not mandated by any federal or state law or court order, or federal regulation.

Yes. The FCC has also adopted the view that billing costs should be recovered by being included in the rates for service, concluding in effect that billing is not a separate telecommunications service, but is an integral *part* of the carrier's telecommunications service. See *In the Matter of Truth-in-Billing and Billing Format, 1<sup>st</sup> Report and Order & Further Notice of Proposed Rulemaking*, CC Docket No. 98-170, adopted April 15, 1999, released May 11, 1999.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The Commission initiated an Investigation into the telecommunication utility practice of charging for a paper invoice. On March 20, 2014, the Commission concluded the Investigation, issuing an Order finding that imposing a separate line item charge to recover the costs for the provision of monthly paper bills is not consistent with the Public Utility Code, Commission regulations, long standing precedent, and well-established practices of Pennsylvania public utilities. The Commission also concluded that recovering costs regarding monthly bills allows for an excessive recovery of these costs, and failing to provide customers with an itemized monthly bill free of charge constitutes unreasonable and inadequate service, actionable under Section 1501. 66 Pa. C.S. § 1501. As a result, all telecommunication utility customers will benefit from this regulation. The Investigation found that utilities have charged as much as \$4.00 per month for a paper bill. However, the Investigation found that only seventeen (17) carriers were charging this fee to an unknown number of customers. Finally, while the Commission's Order only addressed telecommunication carriers, the Commission believes that the proposed regulation should apply to all utilities.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

These proposed regulations do not contain any provisions that are more stringent than federal standards.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The proposed regulation will prohibit utilities from benefitting from an excessive recovery of these monthly billing costs. These proposed regulations do not affect the ability of Pennsylvania to compete with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The proposed regulations will not affect any other regulations of the Commission or other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

In an Opinion and Order entered June 7, 2010, the Commission initiated an Investigation into the utility practice of charging for a paper invoice. The Commission followed this with a Notice of Investigation secretarial letter, published August 14, 2010, in the Pennsylvania Bulletin (40 Pa.B. 4728). The Notice identified the paper bill invoice fee issues and sought comment from interested parties. On September 8, 2010, as part of this Investigation, the Commission issued a secretarial letter that enclosed a questionnaire seeking information on paper billing practices of all telecommunication carriers.

The Notice sought comments about billing practices in general. Comments were received from the Verizon Companies (Verizon), AT&T, Cavalier Telephone Mid-Atlantic, L.L.C., the Office of Consumer Advocate (OCA), the Pennsylvania Utility Law Project (PULP), and the Pennsylvania Telephone Association (PTA). OCA, Cavalier, Verizon, and AT&T also filed reply comments. All of these comments were considered by the Commission prior to issuance of the aforementioned Order. The Commission's Order has not been appealed.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

All residential and business utility customers who prefer to receive a paper bill will benefit by not having to pay for that part of their service. Although approximately 90% of the utility companies may qualify as "small business," most companies do not charge this fee. Those that do are not legally entitled to charge this fee and will be required to recover the costs using traditional cost recovery methodologies.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

There are approximately 803 utilities that will be required to comply, including 11 electric companies, 30 gas companies, 87 water companies, 55 wastewater companies, 37 ILECs, 169 CLECs, 72 IXCs (facility based), and 342 IXCs (resellers).

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

This regulation prohibits public utilities from charging residential and business customers for furnishing a paper bill. Since few utilities charged for furnishing a paper bill, and no utility appealed the decision, we do not believe there will be a significant financial or economic impact for utilities and their customers, either positively or negatively.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

Implementation of the regulation will prevent public utilities from benefiting from an excessive recovery of these costs.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

The regulation creates no new costs to public utilities and provides minimal cost savings to residential and business utility customers as few utilities charge for furnishing a paper bill.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Local governments will experience no new costs and as business customers will experience minimal savings, to the extent they were ever charged for receiving a paper bill, or would ever have been charged for a paper bill in the future.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

State governments will experience no new costs and as business customers will experience minimal savings, to the extent they were ever charged for receiving a paper bill, or would ever have been charged for a paper bill in the future.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The regulation creates no new requirements.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years. N/A

	<b>Current FY Year</b>	<b>FY +1 Year</b>	<b>FY +2 Year</b>	<b>FY +3 Year</b>	<b>FY +4 Year</b>	<b>FY +5 Year</b>
<b>SAVINGS:</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Savings</b>						
<b>COSTS:</b>						
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Costs</b>						
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>						
<b>Local Government</b>						
<b>State Government</b>						
<b>Total Revenue Losses</b>						

(23a) Provide the past three year expenditure history for programs affected by the regulation. N/A

Program	FY -3	FY -2	FY -1	Current FY
N/A	N/A	N/A	N/A	N/A

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

These regulations have minimal adverse impact on small businesses as few public utilities charge for furnishing a paper bill, and the percentage of small businesses who do so would be extremely small, if any. Any small business who charged for paper billing could attempt to recover these costs using traditional cost recovery methodologies.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

N/A

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

There are no less burdensome alternatives that were considered.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

No adverse impact is expected for any small business by this proposal.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data is not the basis for these proposed regulations.

(29) Include a schedule for review of the regulation including:

- |   |   |
|---|---|
| A. The date by which the agency must receive public comments:                               | 30 days after publication                       |
| B. The date or dates on which public meetings or hearings will be held:                     | as needed                                       |
| C. The expected date of promulgation of the proposed regulation as a final-form regulation: | 1 <sup>st</sup> or 2 <sup>nd</sup> quarter 2015 |
| D. The expected effective date of the final-form regulation:                                | upon publication as final                       |
| E. The date by which compliance with the final-form regulation will be required:            | upon publication as final                       |
| F. The date by which required permits, licenses or other approvals must be obtained:        | N/A   |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Commission will enforce the regulation after its implementation.



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**FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU**

**(Pursuant to Commonwealth Documents Law)**

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General.

BY *Amy M. Elliott*  
(DEPUTY ATTORNEY GENERAL)

FEB 06 2015

DATE OF APPROVAL

Check if applicable  
Copy not approved. Objections attached

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

Pennsylvania Public Utility Commission  
(AGENCY)

DOCUMENT/FISCAL NOTE NO. L-2014-2411278/57-308

DATE OF ADOPTION December 4, 2014

BY *Rosemary Chiavetta*  
Rosemary Chiavetta

TITLE *Secy*  
(SECRETARY)

Copy below is hereby approved as to form and legality. Executive or independent Agencies.

BY *Bohdan R. Pankiw*  
Bohdan R. Pankiw  
Chief Counsel

12-4-2014  
DATE OF APPROVAL

Check if applicable. No Attorney General approval or objection within 30 days after submission.

L-2014-2411278/57-308  
Proposed Rulemaking  
Re Paper Billing Fees  
52 Pa Code, Chapter 53

The Pennsylvania Public Utility Commission on December 4, 2014, adopted a proposed rulemaking order amending existing regulations to prohibit tariff provisions that charge customers a fee to receive a paper bill. The contact person is Assistant Counsel Terrence J. Buda, Law Bureau, 717 783-3459.

**EXECUTIVE SUMMARY**  
**L-2014-2411278/57-308**  
**PROPOSED RULEMAKING**

Proposed Rulemaking Re Amendment to 52 Pa. Code Chapter 53; Paper Billing Fees  
52 Pa. Code § 53.85

Section 1509 of the Public Utility Code imposes the obligation on all energy, water, wastewater and telecommunications utilities, including all varieties of telecommunications utilities certificated by the Commission, to send customers a monthly bill and it establishes the right of the customer to receive that bill. In addition, recovering costs regarding monthly bills allows for an excessive recovery of these costs and failing to provide customers with an itemized monthly bill free of charge constitutes unreasonable and inadequate service, actionable under Section 1501 of the Public Utility Code. 66 Pa. C.S. §§ 1501 and 1509. Pursuant to that authority and Section 501 of the Public Utility Code, the Pennsylvania Public Utility Commission (Commission) is amending its existing regulations in Chapter 53 (Tariffs for Noncommon Carriers) of the Pennsylvania Code to add Section 53.85 as a new section.

In an Opinion and Order entered June 7, 2010, the Commission initiated an investigation into the practice of charging a paper billing invoice fee (PBIF). On March 20, 2014, the Commission concluded the Investigation issued and an Order finding that imposing a separate line item charge to recover the costs for the provision of monthly paper bills is not consistent with the Public Utility Code, Commission regulations, long standing precedent, and well-established practices of Pennsylvania public utilities.

The contact persons for this final rulemaking are Terrence J. Buda, Assistant Counsel, Law Bureau (717) 783-3459, ([tbuda@pa.gov](mailto:tbuda@pa.gov)) and Melissa Derr, Technical Utility Services (717) 783-6171 ([mderr@pa.gov](mailto:mderr@pa.gov)). Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4597, [sdelbiondo@pa.gov](mailto:sdelbiondo@pa.gov).

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held December 4, 2014

Commissioners Present:

Robert F. Powelson, Chairman  
John F. Coleman, Jr., Vice Chairman  
James H. Cawley  
Pamela A. Witmer  
Gladys M. Brown

Rulemaking Re Amendment to  
52 Pa. Code Chapter 53; Paper Billing Fees

Docket No. L-2014-2411278

**PROPOSED RULEMAKING ORDER**

**BY THE COMMISSION:**

In accordance with Section 501 of the Public Utility Code, 66 Pa. C.S. § 501, the Commission formally commences its rulemaking process to amend its existing regulations in Chapter 53 (Tariffs for Noncommon Carriers) of the Pennsylvania Code. Specifically, the rulemaking proposes to add Section 53.85 as a new section and is attached in Annex A.

This matter came before the Commission when Cordia Communications Corporation (Cordia) filed, on October 1, 2008, a Petition for Designation as an Eligible Telecommunications Carrier (ETC) for applicable federal universal service funding purposes (Petition). The Office of Consumer Advocate (OCA) filed formal comments to Cordia's Petition, wherein the OCA disclosed that Cordia is charging a fee of \$1.25 to customers who elect to receive a paper bill.

In an Opinion and Order entered June 7, 2010, the Commission denied Cordia's petition without prejudice, directed the draft of a policy statement on ETC Standards, and initiated an investigation into the practice of paper invoice charges and whether tariff provisions of certain facility-based and non-facility-based telecommunication carriers for paper billing invoice fees (PBIFs) are inconsistent with the Public Utility Code, Commission billing regulations, and other relevant authority. *Petition of Cordia Communication Corp., for Designation as an Eligible Telecommunications Carrier under Section 214(e) of the Telecommunications Act of 1996 and 47 C.F.R. §§ 54.101, 201-207, P-2008-2014444* (June 7, 2010). Pending the results of the investigation, the Commission did not rule on Cordia's tariff in the June 7, 2010 Opinion and Order.

On May 14, 2010, Cavalier Telephone Mid-Atlantic, LLC (Cavalier) filed with the Commission revised local tariff pages for its Telephone Tariff Pa. P.U.C. No. 1, seeking to introduce a PBIF of \$3.95 for business customers who wish to receive paper invoices rather than electronic invoices (Tariff Supplement 35). On May 26, 2010, Cavalier filed revised intrastate interexchange tariff pages for its Tariff Pa. P.U.C. No. 2, seeking to introduce a PBIF for long-distance business customers who wish to receive paper invoices rather than electronic invoices (Tariff Supplement 3). FUS staff requested that Cavalier withdraw both proposed tariff supplements because of its belief that Cavalier was in violation of the law and regulations.

Cavalier filed a Petition for Review and Answer to a Material Question (Petition for Review) on June 11, 2010. The question presented was: should Cavalier's proposed Tariff Supplements introducing a Paper Bill Invoice Fee for business customers be permitted to become effective on July 1, 2010. On June 21, 2010, Cavalier filed a Brief in Support of its Petition for Review, in which it reiterated and expanded upon the arguments made in its Petition for Review and Answer to a Material Question. In its Brief, Cavalier also noted that its proposed tariff supplements would apply only to

business customers, as distinguished from residential customers in the Cordia's ETC Petition.

In an Order entered July 29, 2010, the Commission, *inter alia*, permitted Cavalier's proposed tariff supplements to go into effect, subject to the results of a final Commission Order in *Investigation of Practice of Paper Invoice Charges (Investigation)* at Docket No. I-2010-2181481. *Pennsylvania Public Utility Commission v. Cavalier Telephone Mid-Atlantic, L.L.C.*, R-2010-2176403 and R-2010-2179527 (July 29, 2010). The Commission also ordered that the *Investigation* include additional issues referenced in the body of the Order. Finally, Cavalier's Petition for Review was granted in part, and denied in part, consistent with this Order, without prejudice to the right of Cavalier to raise the PBIF issues in the *Investigation* at Docket No. I-2010-2181481. *Id* at pages 6-7.

The Commission followed this with a Notice of Investigation secretarial letter, published August 14, 2010, in the Pennsylvania Bulletin (40 *Pa.B.* 4728). The Notice identified the PBIF issues and sought comment from interested parties. On September 8, 2010, as part of this *Investigation*, the Commission issued a secretarial letter that enclosed a questionnaire seeking information on paper billing practices of all telecommunication carriers.

The Notice sought comments about billing practices in general. Comments were sought from interested parties on the issues of "tariff parity," the legality of the application of paper billing fees for customers receiving bundled services, whether the paper billing fee is a price deregulated rate, and the effect of the ETA on the interpretation of Section 1509. Comments were received from Verizon Companies

(Verizon),<sup>1</sup> AT&T,<sup>2</sup> Cavalier, the OCA, the Pennsylvania Utility Law Project (PULP), and the Pennsylvania Telephone Association (PTA). OCA, Cavalier, Verizon, and AT&T also filed reply comments.

The Commission concluded, in the March 20, 2014 Order, that imposing a separate line item charge to recover the costs for the provision of monthly paper bills is not consistent with the Public Utility Code, Commission regulations, long standing precedent, and well-established practices of Pennsylvania public utilities. The Commission also concluded that recovering costs regarding monthly bills allows for an excessive recovery of these costs and failing to provide customers with an itemized monthly bill free of charge constitutes unreasonable and inadequate service, actionable under Section 1501. 66 Pa. C.S. § 1501.

On April 4, 2014, Verizon filed a Petition for Reconsideration of the Commission's March 20, 2014 Order. *See* 52 Pa. Code § 5.572. Verizon argued that the Order contravenes the plain language of the Public Utility Code and exceeds the Commission's legal authority. On July 24, 2014, the Commission denied Verizon's Petition for Reconsideration and found that the regulation of paperless billing is clearly within the bounds of the law and the Commission's legal authority.

The Commission's March 20, 2014 Order directed Law Bureau to prepare a narrowly focused Notice of Proposed Rulemaking addressing the paper billing fee issue. The Commission, therefore, formally commences its rulemaking process to amend its existing regulations by adding 52 Pa. Code § 53.85 to prohibit tariff provisions that

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<sup>1</sup> Verizon Companies' filed on behalf of Verizon Pennsylvania, Inc.; Verizon North Retain Co.; Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance; MCImetro Access Transmission Service, LLC d/b/a Verizon Access Transmission Services, and MCI Communications Services, Inc.

<sup>2</sup> AT&T filed on behalf of its three Pennsylvania-certificated entities-AT&T Communications of Pennsylvania, LLC, TCG Pittsburgh, and TGG New Jersey Inc. (collectively "AT&T").

charge customers a fee to receive a bill. The proposed regulation identified in Annex A is applicable to the entire telecommunications industry and implements the Commission's March 20, 2014 Order to prohibit the charging of a fee for paper bills. In addition, the language and location of the proposed regulation in Subpart C. Fixed Service Utilities shall make the prohibition applicable to all noncommon carrier public utility industries.

Accordingly, under sections 501 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501 and 1501; sections 201 and 2020 of the Act of July 31, 1968, P.L. 769 No. 240, 45 P.S. §§ 1201-1202, and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2, and 7.5; section 204(b) of the Commonwealth Attorneys Act, 71 P.S. 732.204(b); section 745.5 of the Regulatory Review Act, 71 P.S. § 745.5; and section 612 of the Administrative Code of 1929, 71 P.S. § 232, and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231-7.234, we are considering adopting the proposed regulations set forth in Annex A, attached hereto; **THEREFORE,**

**IT IS ORDERED:**

1. That a proposed rulemaking be opened to consider the regulations set forth in Annex A.

2. That the Secretary shall submit this proposed rulemaking Order and Annex A to the Office of Attorney General for review as to form and legality and to the Governor's Budget Office for review of fiscal impact.

3. That the Secretary shall submit this proposed rulemaking Order and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.

4. That the Secretary shall submit this proposed rulemaking Order and Annex A and deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

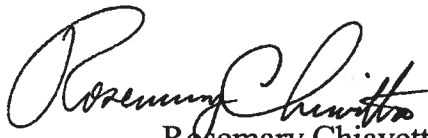
5. That an original of any written comments referencing the docket number of the proposed regulations be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265.

6. That a copy of this Proposed Rulemaking Order and Annex A shall be served on the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and The Office of Small Business Advocate.



7. That the contact person for this proposed rulemaking is Terrence J. Buda, Assistant Counsel, Law Bureau (717) 787-5000. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, 717-772-4597.

**BY THE COMMISSION**

  
Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: December 4, 2014

ORDER ENTERED: December 4, 2014

**ANNEX A**  
**TITLE 52. PUBLIC UTILITIES**  
**PART I. PUBLIC UTILITY COMMISSION**  
**Subpart C. FIXED SERVICE UTILITIES**  
**CHAPTER 53. TARIFFS FOR NONCOMMON CARRIERS**

\* \* \* \* \*

§ 53.85. Paper billing fees.

A public utility may not impose a supplemental fee, charge or other rate for furnishing a paper bill or invoice for the services provided by the public utility.



COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
400 NORTH STREET  
HARRISBURG, PA 17120

February 27, 2015

ROBERT F. POWELSON  
CHAIRMAN

The Honorable John F. Mizner  
Chairman, Independent Regulatory Review Commission  
14th Floor, HARRISTOWN II  
333 Market Street  
Harrisburg, PA 17101

**Re: L-2014-2411278/57-308; Re Paper Billing Fees  
52 Pa. Code, Chapter 53**

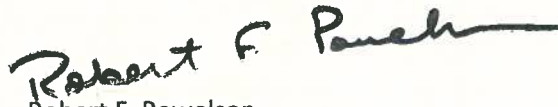
Dear Chairman Mizner:

Enclosed please find one copy of the proposed rulemaking and the Regulatory Analysis Form prepared in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." Pursuant to Section 5(a) of the Regulatory Review Act of June 30, 1989 (P.L. 73, No. 19) (71 P.S. §§745.1-745.15), the Commission is submitting today a copy of the proposed rulemaking and Regulatory Analysis Form to the Chairman of the House Committee on Consumer Affairs and to the Chairman of the Senate Committee on Consumer Protection and Professional Licensure.

The purpose of this proposal is to amend existing regulations to prohibit tariff provisions that charge customers a fee to receive a paper bill. The contact person is Assistant Counsel Terrence J. Buda, Law Bureau, 717 783-3459.

The proposal has been deposited for publication with the Legislative Reference Bureau.

Sincerely,

  
Robert F. Powelson

Enclosures

cc: The Honorable Robert M. Tomlinson  
The Honorable Lisa Boscola  
The Honorable Robert Godshall  
The Honorable Peter J. Daley, II  
Legislative Affairs Director Perry  
Chief Counsel Pankiw  
Assistant Counsel Buda  
Regulatory Coordinator DelBiondo

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT  
TO THE REGULATORY REVIEW ACT

ID Number: L-2014-2411278/57-308

Subject: Proposed Rulemaking Re Paper Billing Fees  
52 Pa. Code Chapter 53

Pennsylvania Public Utility Commission

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TYPE OF REGULATION

- Proposed Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted.
- Final Regulation
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor

FILING OF REPORT

<u>Date</u>	<u>Signature</u>	<u>Designation</u>
2/27/15	Jane M. Heald	HOUSE COMMITTEE (Godshall) Consumer Affairs
2-27-15	Dee Lopez	SENATE COMMITTEE (Tomlinson) Consumer Protection and Professional Licensure
2/27/15	K Cooper	Independent Regulatory Review Commission
		Attorney General
2/27/15	Courne Inant	Legislative Reference Bureau