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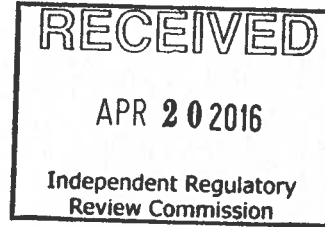
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**E-File**

April 19, 2017

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120



**Re: Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Amended Provisions of 66 Pa. C.S. Chapter 14  
Docket No. L-2015-2508421**

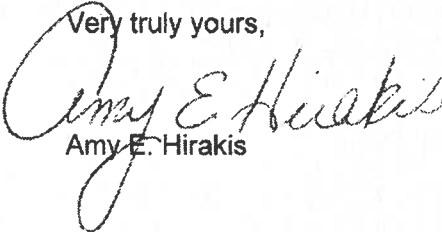
Dear Ms. Chiavetta:

Enclosed for filing on behalf of PPL Electric Utilities Corporation ("PPL Electric") is an original of PPL Electric's Comments in the above-captioned proceeding. These Comments are being filed pursuant to the Notice of Proposed Rulemaking issued on July 21, 2016 in the above captioned proceeding.

Pursuant to 52 Pa. Code § 1.11, the enclosed document is to be deemed filed on April 19, 2017, which is the date it was filed electronically using the Commission's E-filing system.

If you have any questions regarding these comments, please call me at (610)774-4254 or Melinda Stumpf – Manager, Regulatory Programs/Business Services at (484)634-3297.

Very truly yours,



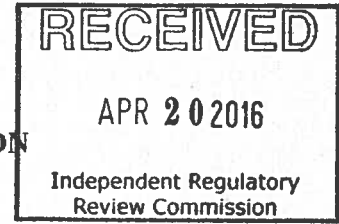
Amy E. Hirakis

Enclosures

cc via email: Tanya J. McCloskey, Esquire  
Mr. John R. Evans  
R. Kanaskie, Esquire  
Mr. Daniel Mumford  
Mr. Matthew Hrivnak  
Ms. Patricia Wiedt

3161

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



Rulemaking to Amend the Provisions of 52 Pa. :  
Code, Chapter 56 to Comply with the Amended :  
Provisions of 66 Pa. C.S., Chapter 14 : Docket No. L-2015-2508421  
:

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COMMENTS OF  
PPL ELECTRIC UTILITIES CORPORATION

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**I. INTRODUCTION**

On October 22, 2014, Governor Corbett signed into law HB 939, or Act 155 of 2014. Act 155, which became effective on December 22, 2014, reauthorized and amended Chapter 14 of the Public Utility Code (66 Pa.C.S. §§ 1401-1418), *Responsible Utility Customer Protection*. Chapter 14 is intended to protect responsible utility customers from rate increases due to uncollectible accounts and to provide utilities with the means to reduce their uncollectible accounts by establishing procedures for delinquent account collections.<sup>1</sup> On July 21, 2016, the Pennsylvania Public Utility Commission (“Commission”) entered the above-captioned Notice of Proposed Rulemaking Order (“NOPR”) to amend Chapter 56 of the Commission’s regulations to incorporate the amendments made to Chapter 14.

The NOPR proposes, *inter alia*, to revise Chapter 56 of the Commission’s regulations to amend certain definitions, clarify the 90-day deposit payment period, and incorporate the revised credit methodology and the expanded protection from abuse (“PFA”) provisions. The

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<sup>1</sup> See 66 Pa. C.S. § 1402(2)-(3).

Commission proposes to adopt the regulations set forth in Annex A to the NOPR, and pursuant to 71 P.S. § 745.5, the Commission seeks comments on these proposed regulations.

PPL Electric Utilities Corporation (“PPL Electric” or “Company”) appreciates the opportunity to provide comments to the Commission regarding the issues identified in the NOPR and to the proposed revisions to Chapter 56. The Company generally agrees with the Commission’s proposals contained in Annex A to the NOPR. PPL Electric, however, has identified areas in the proposed regulations where the Company believes further revisions or clarifications are needed. The Company’s Comments are as follows.

## **II. COMMENTS ON THE PROPOSED REVISIONS TO CHAPTER 56**

### **A. Section 56.32. Security and cash deposits.**

Section 1404(a) of the Public Utility Code was amended to require that deposits, if sought by a utility, be payable over a 90-day period in accordance with Commission regulations. To align Chapter 56 with this change, the Commission proposes to revise Section 56.32, which addresses deposits from applicants for service, to incorporate the 90-day time period for deposits and to add a new subsection that addresses an applicant’s failure to pay the cash deposit within the 90-day period.<sup>2</sup> Specifically, the proposed subsection (d) states that utilities will not be required to provide service if the applicant fails to pay the full amount of the deposit within the 90-day period.

PPL Electric is concerned that subsection (d) can be interpreted to provide applicants the full 90 days to pay any portion of the deposit. The Company submits that this would be a significant departure from its current practice, whereby the Company requests that the applicant pay the deposit in three installments and then commences the service termination process if the applicant fails to make any of the installment payments. PPL Electric avers that this practice

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<sup>2</sup> See NOPR, p. 11.

makes deposits more manageable for applicants, as the applicant does not have to come up with a large one-time lump sum payment. However, the proposed subsection (d) seems to remove the utility's discretion to break the deposit into multiple payments because applicants can simply reject a utility's payment arrangement in favor of making a lump sum payment at the end of the 90-day period.

PPL Electric submits that Section 1404(a) allows the Commission to adopt regulations that provide utilities with the option of requiring applicants to make payments throughout the 90-day period, as Section 1404(a) states that the deposit is to be paid in the 90-day period "*in accordance with Commission regulations.*"<sup>3</sup> Accordingly, PPL Electric proposes that the Commission adopt the following subsections that (1) clarify that utilities may request that applicants pay their deposits in installments over the 90-day period and (2) that utilities may initiate the service termination process if the applicant fails to make any of the installment payments:

(d) Cash deposit repayment options. A public utility may require up to 50 percent of the deposit up front, with the balance of the deposit due within 90 days of service.

(e) Failure to pay cash deposit. A public utility may initiate the service termination process if the applicant fails to make any deposit installment payment, as required.

The Commission also proposes adding the following subsection to address the situation when a utility is prohibited from requiring a cash deposit for service:

(e) Cash deposit prohibition. Notwithstanding subsection (a), a public utility may not require a customer that is confirmed to be eligible for a customer assistance program to provide a cash deposit.

PPL Electric believes that the qualifier "confirmed to be eligible for a customer assistance program" means that the utility has confirmation that the applicant is indeed income-

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<sup>3</sup> 66 Pa.C.S. § 1404(a) (emphasis added).

eligible for a customer assistance program. PPL Electric submits that confirmation should either be by the applicant providing verifiable income documents to the utility or agents of the utility, or by the applicant providing verification that he or she has been determined eligible for state benefits with income thresholds that are consistent with those of the utility's customer assistance programs. As such, PPL Electric proposes that the subsection addressing cash deposit prohibition be revised to: (1) clarify how a person is confirmed to be eligible for a customer assistance program and (2) replace "customer" with "applicant" since this provision applies to applicants. The Company proposes as follows:

Cash deposit prohibition. Notwithstanding subsection (a), a public utility may not require an applicant that is confirmed to be eligible for a customer assistance program to provide a cash deposit. An applicant is confirmed to be eligible for a customer assistance program by the utility if the customer provides verifiable income documents to the utility or agents appointed by the utility, or provides verification that he or she has been determined eligible for state benefits with income thresholds that are consistent with those of the utility's customer assistance programs.

**B. Section 56.38. Payment period for deposits by applicants.**

The Commission proposes to revise subsection (a) to incorporate the 90-day timeframe included in Section 1404(a) regarding deposits. PPL Electric submits that if the Commission determines to incorporate the 90-day payment period in Section 56.32, as the Commission proposes, subsection (a) should be removed from Chapter 56 as it would be repetitive.

Further, PPL Electric believes that subsection (b) needs further clarification. Subsection (b) applies to "an *applicant* paying a deposit for the *reconnection* of service under § 56.41(2)."<sup>4</sup> As defined, "applicant" does not include a person who seeks to re-instate or reconnect service after a certain period of time.<sup>5</sup> Rather, an applicant seeks to establish service. Further, Section 56.41(2) applies to existing customers. If the intent of subsection (b) is to apply to current

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<sup>4</sup> NOPR, p. 13 (emphasis added).

<sup>5</sup> See 52 Pa. Code § 56.2.

customers who are seeking to reconnect service, then the Company proposes that this subsection be moved to Section 56.42, which addresses payment periods for deposits by customers, and that the word “applicant” be replaced with “customer.”

**C. Section 56.41. General rule.**

Section 56.41 addresses the circumstances around when a utility may require an existing customer to pay a deposit. The Commission proposes adding the following subsection (4) to Section 56.41 to address the situation when a utility is prohibited from requiring a cash deposit for service from a customer:

(4) Cash deposit prohibition. Notwithstanding subsection (1) (2) and (3), a public utility may not require a customer or an applicant that is confirmed to be eligible for a customer assistance program to provide a cash deposit.

First, PPL Electric notes that this section only applies to existing customers, and as such, the reference to “applicant” should be removed. Second, PPL Electric submits that the qualifier “confirmed to be eligible for a customer assistance program” means that the utility has actual confirmation that the customer is eligible for a customer assistance program. PPL Electric again submits that confirmation should either be by the customer providing verifiable income documents to the utility or agents of the utility, or by the customer providing verification that he or she has been determined eligible for state benefits with income thresholds that are consistent with those of the utility’s customer assistance programs. To clarify how a person is “confirmed to be eligible for a customer assistance program,” PPL Electric proposes that the Commission’s proposed subsection (4) be revised as follows:

(4) Cash deposit prohibition. Notwithstanding subsection (1) (2) and (3), a public utility may not require a customer that is confirmed to be eligible for a customer assistance program to provide a cash deposit. A customer is confirmed to be eligible for a customer assistance program by the utility if the customer provides verifiable income documents to the utility or agents appointed by the utility, or provides verification that he

or she has been determined eligible for state benefits with income thresholds that are consistent with those of the utility's customer assistance programs.

**D. Section 56.93. Personal contact.**

Section 1406(b) of Chapter 14, which addresses notice to customers of pending service termination, was amended to permit utilities to use electronic communication messaging to provide customers with notice of termination at least three days in advance of the scheduled termination.<sup>6</sup> Section 1406(b) requires that a utility obtain the customer's affirmative consent to use this method of contact for purposes of termination.<sup>7</sup> To align Chapter 56 with this amendment, the Commission proposes adding a subsection that identifies electronic communication as a method of personal contact for purposes of providing customers notice of a scheduled termination.<sup>8</sup> Although PPL Electric has not yet used electronic communications for this purpose, the Company does use electronic communications for many other purposes. PPL Electric has found that electronic communications, such as email, are a very effective way of providing customers with information about their accounts and service. Nowadays, it is very common for people to retain the same email address or telephone number for years, and with cell phones usually within arm's reach at all times, emails and text messages can reach their target audience immediately. Therefore, PPL Electric believes electronic communications will be an effective method to provide notice of pending termination to customers who agree to this form of communication.

The NOPR requests that parties provide comment on the privacy protections and customer consent practices that should be required in the context of electronic messaging.<sup>9</sup> PPL

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<sup>6</sup> See 66 Pa. C.S. § 1406(b)(1)(ii)(C).

<sup>7</sup> See *id.* § 1406(b)(1)(ii)(D).

<sup>8</sup> NOPR, p. 20.

<sup>9</sup> NOPR, p. 4.

Electric submits that Chapter 14 requires that the utility get affirmative consent to use a particular form of electronic communication, such as email or text messaging, for the purpose of providing notice of the pending termination. As such, PPL Electric submits that the Commission's proposed subsection 56.93(a)(3) captures the consent policy that utilities must comply with to use this method of communication in this context. In regards to privacy protections, PPL Electric recommends stakeholder discussions to identify best practices from those utilities already using electronic communications in developing the Commission's privacy guidelines.

**E. Section 56.97. Procedures upon customer or occupant contact prior to termination.**

The Commission proposes to amend Section 56.97 to add a new subsection that requires a utility to provide customers with information about its universal service programs to all customers or occupants who contact the utility regarding a proposed termination. PPL Electric recommends that this requirement only apply to customers or occupants that may be eligible for these programs. PPL Electric submits that when a customer contacts the Company to discuss a pending termination, its practice is to obtain the customer's income to determine whether the customer is indeed a candidate for its universal service programs. To avoid the situation of a utility having to provide information on these programs to customers whom the utilities know are not eligible, PPL Electric recommends amending the proposed subsection (a)(3) to require utility to provide this information unless the utility determines that the customer is not low income. Accordingly, PPL Electric proposes that Section 56.97(a) be revised as follows:

(a) If, after the issuance of the initial termination notice and prior to the actual termination of service, a customer or occupant contacts the public utility concerning a proposed termination, [an authorized public utility employee] the public utility shall fully explain:

\* \* \* \* \*



(3) Information regarding the public utility's universal service programs, including the customer assistance program, unless the customer or applicant provides household financial information that would deem the customer ineligible for program participation. The public utility shall refer potential program-eligible customers or applicants to the universal service program administrator of the public utility to determine eligibility and to apply for enrollment in a program.

**F. Section 56.111. General provision.**

PPL Electric supports the Commission's objective of balancing the needs of customers who have serious medical conditions with the needs of utilities in managing their overdue receivables. However, PPL Electric believes that additional revisions are necessary to best reach this balance.

First, PPL recommends that this section reference Section 56.114, which addresses the time frames and renewals of medical certificates.

Second, the Company proposes that the Commission revise Chapter 56 to require that medical certificates be submitted by the medical professional who issued the medical certificate. In PPL Electric's experience, having the medical professional send the medical certificate directly to the Company is the quickest method of obtaining the medical certificate, which benefits the customer. Moreover, by requiring the medical certificate to be submitted directly from the medical professional, utilities would also have better protection against attempts to misuse medical certificates.

Third, PPL Electric recommends retaining the "definitional information" that the Commission proposes removing from Section 56.111. The definitional information to be removed includes the provision that states that a medical certificate is only applicable if it is for a customer, an applicant seeking restoration of service, or a member of the household. Although Section 56.113 provides some information as to who qualifies for a medical certificate, the

current language in Section 56.111 provides added clarity to those seeking a medical certificate. Therefore, PPL Electric proposes that the Commission retain this language.

Fourth, the Company proposes that this section also specify that the medical certificate is only applicable if it is for a primary residence. Again, this provides clarity to the use of medical certificates and protects utilities from misuse or abuse of the medical certificate provision.

Additionally, since this provision applies to applicants, as well as customer, the provision should state that utilities may not refuse to *establish* service when a valid medical certificate is submitted. Currently the provision only references terminating service and restoring service.

The following revision incorporates PPL Electric recommendations regarding Section 56.111:

Provided the customer or applicant has not exceeded the medical certificate allotments, as outlined in § 56.114, [A]a public utility may not terminate service, or refuse to restore or establish service, to a premise[s] when a physician, [or] nurse practitioner, or physician assistant has submitted a valid medical certificate. The medical certificate must certify that the customer, applicant, or member of the household, whose primary residence is at risk for service termination, or has been terminated, [licensed physician or nurse practitioner has certified that the customer or an applicant seeking restoration of service under § 56.191 (relating to payment and timing) or a member of the customer's or applicant's household] is seriously ill or afflicted with a medical condition that will be aggravated by cessation of service. [The customer shall obtain a letter from a licensed physician verifying the condition and promptly forward it to the public utility.] The determination of whether a medical condition qualifies for the purposes of this section resides entirely with the physician, [or] nurse practitioner, or physician assistant and not with the public utility. A public utility may not impose any qualification standards for medical certificates other than those specified in this section.

Finally, regarding the Commission's proposal to amend the emergency medical provisions of Chapter 56 (52 Pa. Code §§ 56.111-118) to include the term "physician assistant" as found in Chapter 14 at Section 1406(f), the Company notes that it has already revised its procedures to adopt this requirement.

**G. Section 56.113. Medical certifications.**

PPL Electric disagrees with the proposed requirement that a utility must post its medical certificate form on its website if the utility develops its own form. PPL Electric is concerned that posting the form on its webpage could lead to the misuse of the form, such as forgery.

PPL Electric also recommends removing the current requirement that medical certificates include the anticipated length of the affliction, as required by Section 56.113(3). The Company avers that this reference may be misinterpreted to suggest that the duration of the infliction affects the time period of a medical certificate. Indeed, a medical certificate is valid for 30 days regardless of the anticipated length of the affliction. Further, the Company recommends that the medical professional certifying the medical certificate include his or her license identification number as an additional measure against fraud or abuse. As such, PPL Electric proposes that Section 56.113 be modified as follows:

[Certifications initially may be written or oral, subject to the right of the public utility to verify the certification by calling the physician or nurse practitioner or to require written verification within 7 days. Certifications, whether written or oral, must include the following:] All medical certifications must be in writing. Public utilities may develop a medical certificate form. The public utility's medical certificate may not be mandatory. Medical certificates may be electronically transmitted and electronic signatures are valid. A medical certificate must include the following:

(1) The name and address of the customer or applicant in whose name the account is registered.

(2) The name and address of the afflicted person and relationship to the customer or applicant.

[(3) The nature and anticipated length of the affliction.]

[(4) The specific reason for which the service is required.]

[(5)](3) The name, office address and telephone number of the certifying physician, or nurse practitioner or physician assistant.

(4) The license ID and signature of the certifying physician, nurse practitioner or physician assistant.

**H. Section 56.163. Commission informal complaint procedure.**

The Commission proposes revising Section 56.163 to require utilities, at the request of the complainant or Commission staff, to provide the complainant with a copy of the documents that they submit to the Commission staff in response to an informal complaint.<sup>10</sup> This revision is not a result of a Chapter 14 amendment, but to provide due process to the complainant.<sup>11</sup> PPL Electric disagrees with this proposal due to potential privacy issues and the impact that this proposal will have on the informal complaint process and the utility's internal process.

Although the proposed revision includes a requirement that utilities redact any information from these documents that could compromise the privacy or personal security of any individual other than the complainant, PPL Electric is concerned that if the complainant is not the customer of record, that there is great potential that personal information could be released through this process. PPL Electric submits that redaction is not an effective or efficient solution to protect personal information. To redact, utilities will need to have personnel review every document for potential personal information and redact such information prior to providing the complainant with a copy. The documents that utilities provide to Commission staff for each informal complaint include, but are not limited to, a report and account statements. To put this in perspective, between 2014 and 2016, PPL Electric had an average of 16,000 consumer complaints per year. If the Commission's proposal is adopted, PPL Electric would likely need to increase personnel simply to manage this process.

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<sup>10</sup> See NOPR, p. 29.

<sup>11</sup> See *id.*, p. 9.

Furthermore, PPL Electric submits that the redactions themselves will likely result in complaints and delays in the informal complaint process, as it is highly probable that complainants will challenge the redactions made by the utilities. Such challenges will require Commission staff to intervene and result in delays in the process. If utilities are required to redact, the utilities must be provided with clear guidance from the Commission regarding what information must be redacted to protect all parties involved.

### **III. COMMENTS REGARDING PROTECTION FROM ABUSE PROVISIONS**

The NOPR seeks comments relating to the amendment to Chapter 14 that expanded the PFA provisions to include a “court order issued by a court of competent jurisdiction in this Commonwealth, which provides clear evidence of domestic violence against the applicant or customer.”<sup>12</sup> PPL Electric is appreciative that the Commission is addressing this issue in the NOPR. However, PPL Electric is concerned that the broad language of the new PFA provisions puts the utility in the role of interpreting court orders and determining what constitutes “clear evidence” of domestic violence. Absent clear direction from the Commission, PPL Electric believes that this broad language could lead to customer complaints any time a utility determines that a customer’s court order does not constitute “clear evidence” of domestic violence. Moreover, specific guidelines will help ensure that victims of domestic violence are properly identified by the utilities.

Accordingly, PPL Electric offers the following definitions that it believes could give utilities some guidance when determining whether a court order provides clear evidence of domestic violence, and proposes that the Commission incorporate these definitions in the guidance it issues to utilities on this issue:

- “clear evidence” defined as a statement or finding contained in the court order that the

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<sup>12</sup> See 66 Pa. C.S. § 1417.

customer or member of the household is a victim of domestic violence;

- “domestic violence” defined as violence between family members, as defined in 23 Pa.C.S.A. § 6102, relating to PFAs (*i.e.*, spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood); and
- “court of competent jurisdiction” is defined as a magisterial district court, court of common pleas, or appellate court.

#### **IV. OTHER COMMENTS**

PPL Electric also offers the following additional proposals regarding Chapter 56 unrelated to amendments to Chapter 14, but which PPL Electric believes are appropriate to include in this rulemaking:

First, Section 56.35(b)(1) provides that the 4-year statute of limitations on seeking to collect an outstanding balance from an applicant does not apply if the balance includes amounts that the utility was not aware of because of fraud or theft on the part of the applicant. For further clarity, PPL Electric proposes that “fraud” be defined as part of this rulemaking and, to that end, offers the following definition:

Fraud - Deceitful actions used by individuals to acquire and/or maintain utility service. This includes the use of false identities and the making of false or misleading statements for the purpose of avoidance of bill payment.

Second, due to technological advancements, PPL Electric submits that the words “personnel” and “employee” should be removed from sections of Chapter 56 in instances where an employee is no longer necessary to fulfill a function or service mandated by the specific regulation. Instances where an employee is no longer required for the utility to fulfill its duty

under the regulation include Sections 56.36, 56.97, 56.286, and 56.337. To reflect this, PPL

Electric recommends the following amendments to these sections:

§ 56.36. Written procedures.

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(b) A public utility shall establish written procedures for determining the credit status of an applicant and for determining responsibility for unpaid balances in accordance with § 56.35 (relating to payment of outstanding balance). The written procedures must specify that there are separate procedures and standards for victims with a protection from abuse order. A public utility [employee] processing applications or determining the credit status of applicants shall be supplied with or have ready access to a copy of the written procedures of the public utility. A copy of these procedures shall be maintained on file in each of the business offices of the public utility and made available, upon request, for inspection by members of the public and the Commission and be included on the public utility's web site.

\* \* \* \* \*

(2) Informing applicants of procedures. The [P]public utility [personnel] shall fully explain the credit and deposit procedures of the public utility to each customer or applicant for service.

§ 56.97. Procedures upon customer or occupant contact prior to termination.

(a) If, after the issuance of the initial termination notice and prior to the actual termination of service, a customer or occupant contacts the public utility concerning a proposed termination, [an authorized public utility employee] the public utility shall fully explain:

- (1) The reasons for the proposed termination.
- (2) All available methods for avoiding a termination, including the following:
  - (i) Tendering payment in full or otherwise eliminating the grounds for termination.
  - (ii) Entering a payment agreement.
  - (iii) Paying what is past-due on the most recent previous company negotiated or Commission payment agreement.
  - (iv) Enrolling in the public utility's customer assistance program or its equivalent, if the public utility has these programs and the customer is eligible for the program.
- (3) The medical emergency procedures.

(b) The public utility[, through its employees,] shall exercise good faith and fair judgment in attempting to enter a reasonable payment agreement or otherwise equitably resolve the matter. Factors to be taken into account when attempting to enter into a reasonable payment agreement include the size of the unpaid balance, the ability of the customer to pay, the payment history of the customer and the length of time over which the bill accumulated. Payment agreements for heating customers shall be based upon budget billing as determined under § 56.12(7) (relating to meter reading; estimated billing; customer readings). If a payment agreement is not established, the company shall further explain the following:

(1) The right of the customer to file a dispute with the public utility and, thereafter, an informal complaint with the Commission.

(2) The procedures for resolving disputes and informal complaints, including the address and telephone number of the Commission: Public Utility Commission, Box 3265, Harrisburg, Pennsylvania 17105-3265, (800) 692-7380.

(3) The duty of the customer to pay any portion of a bill which the customer does not dispute.

§ 56.286. Written procedures.

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A public utility shall establish written procedures for determining the credit status of an applicant. A public utility [employee] processing applications or determining the credit status of applicants shall be supplied with or have ready access to a copy of the written procedures of the public utility. A copy of these procedures shall be maintained on file in each of the business offices of the public utility and made available, upon request, for inspection by members of the public and the Commission and be included on the public utility's web site.

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(2) Informing applicants of procedures. The public [U]tility [personnel] shall fully explain the credit and deposit procedures of the public utility to each customer or applicant for service.

§ 56.337. Procedures upon customer or occupant contact prior to termination.

(a) If, after the issuance of the initial termination notice and prior to the actual termination of service, a customer or occupant contacts the public utility concerning a proposed termination, [an authorized public utility employee] the public utility shall fully explain:

(1) The reasons for the proposed termination.



- (2) All available methods for avoiding a termination, including the following:
  - (i) Tendering payment in full or otherwise eliminating the grounds for termination.
  - (ii) Entering a payment agreement.
  - (iii) Paying what is past-due on the most recent previous company negotiated or Commission payment agreement.
  - (iv) Enrolling in the public utility's customer assistance program or its equivalent, if the public utility has these programs and the customer is eligible for the program.
- (3) The medical emergency procedures.
  - (b) The public utility[, through its employees,] shall exercise good faith and fair judgment in attempting to enter a reasonable payment agreement or otherwise equitably resolve the matter. Factors to be taken into account when attempting to enter into a reasonable payment agreement include the size of the unpaid balance, the ability of the customer to pay, the payment history of the customer and the length of time over which the bill accumulated. Payment agreements for heating customers shall be based upon budget billing as determined under § 56.12(7) (relating to meter reading; estimated billing; customer readings). If a payment agreement is not established, the company shall further explain the following:
    - (1) The right of the customer to file a dispute with the public utility and, thereafter, an informal complaint with the Commission.
    - (2) The procedures for resolving disputes and informal complaints, including the address and telephone number of the Commission: Public Utility Commission, Box 3265, Harrisburg, Pennsylvania 17105-3265, (800) 692-7380.
    - (3) The duty of the customer to pay any portion of a bill which the customer does not dispute.

Third, under the winter termination procedures set forth in Chapter 56, landlords are protected from termination for non-payment during the period of December 1st through March 31st.<sup>13</sup> PPL Electric submits that landlord ratepayers are only covered by the winter termination provision of Chapter 14 if the household's income is at or below 250% of the federal poverty level.<sup>14</sup> In fact, Chapter 14 explicitly provides that the Commission shall not prohibit an electric distribution utility or natural gas distribution utility from terminating service in accordance with

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<sup>13</sup> See 52 Pa. Code § 56.100(f).

<sup>14</sup> See 66 Pa. C.S. § 1406(e)(1).

this section to customers with household incomes exceeding 250% of the Federal poverty level.<sup>15</sup> PPL Electric proposes that Section 56.100(f) be revised to align with Chapter 14 as part of this rulemaking.

Fourth, Subchapter G of Chapter 56, which addresses "Restoration of Service," references both customers and applicants. However, applicants request to establish service; they do not seek to restore service. Therefore, to align the definition of applicant with the provisions of this section, PPL Electric suggests adding language that clarifies that Subchapter G can apply to applicants who are seeking to establish an account at a location where the utility is not currently providing service, as well as customers who are looking to restore service.

#### V. CONCLUSION

PPL Electric appreciates this opportunity to provide its Comments to the Commission regarding revisions to Chapter 56 with the new requirements mandated by Chapter 14. PPL Electric submits that its proposed recommendations set forth above balance the needs of consumers and utilities, while incorporating the requirements of Chapter 14.

Respectfully submitted,



Kimberly A. Klock (ID #89716)

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Date: April 19, 2017

Counsel for PPL Electric Utilities Corporation

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<sup>15</sup> See *id.*