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# WUC

Water Utility Council of the  
PA-Section, American Water  
Works Association (PA-AWWA)



## GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

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*PA- Section, American Water Works Association  
National Association of Water Companies  
Water Works Operators' Association of Pennsylvania*

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### PA General Assembly Swearing-In Day Information

According to the Pennsylvania Constitution, Article II, Section 4, "The General Assembly shall be a continuing body during the term for which its Representatives are elected. It shall meet at 12 o'clock noon on the first Tuesday of January each year"

The swearing-in ceremony for the 203rd Legislative Session of the General Assembly of Pennsylvania begins at noon on Tuesday, January 1, 2019.

Forty-three members of the Pennsylvania House of Representatives will be sworn in for the first time on January 1.

**Meet the 19 incoming House Republican members here:**

<http://www.pahousegop.com/Newmembers>

**Meet the 24 incoming House Democratic members here:**

<http://www.pahouse.com/newmembers>

House swearing-in proceedings will stream live here:

<http://www.house.state.pa.us/Video/HouseVideo.cfm>

At least six of the seven new members of the Pennsylvania Senate will be sworn in for the first time too. Democrat Lindsey Williams was elected in November, but the Republican majority is debating whether she should take office. There are questions about whether she meets the state constitutional requirement that senators must be "citizens and inhabitants" of Pennsylvania for four years before they're elected. Williams has already set up her offices and plans to be in Harrisburg to be sworn in. If Williams isn't seated, the lieutenant governor has 10 days to call for a special election, and Williams could run again. The Republican committees in that district would choose a Republican candidate. However, after sworn affidavits attesting to her residency were reviewed, it appears as though Senate Republicans will vote to seat Senate-Elect Williams.

The Senate Democrats are expected to welcome the following five new members to the caucus:

- **Senator Maria Collett** (<http://www.senatorcollett.com>),

- **Senator Tim Kearney** (<http://www.senatorkearney.com> ),
- **Senator Katie Muth** (<http://www.senatormuth.com> ),
- **Senator Steve Santarsiero** (<http://www.senatorstevesantarsiero.com> ), and
- **Senator Lindsey Williams** (<http://www.senatorlindseywilliams.com> ).

The Senate Republicans will welcome two new members to the caucus:

- **Senator Kristin Phillips-Hill** (<https://senatorkristincom/biography> ) and
- **Senator Judy Ward** (<https://senatorjudywardcom/biography> ).

Senate swearing-in proceedings will stream live here: <http://www.pasen.gov/Video/SenateVideo.cfm>

## **PUC Reminds Stakeholders about Nominations for Damage Prevention Committee; Deadline is January 18, 2019**

**O**n December 29, 2018, the Pennsylvania Public Utility Commission (PUC) today reminded stakeholders and concerned citizens across the state that it is currently accepting nominations for individuals to serve on the PUC's Damage Prevention Committee [http://www.puc.pa.gov/transport/gassafe/docs/PAOneCall/Damage\\_Prevention\\_Committee-Nom\\_Form.docx](http://www.puc.pa.gov/transport/gassafe/docs/PAOneCall/Damage_Prevention_Committee-Nom_Form.docx) (DPC) - a key element of enhanced efforts to safeguard underground utilities. The PUC will accept nominations until Jan. 18, 2019, for DPC representatives from each of the following industries:

1. Non-municipally owned or affiliated facility owner industries - including telephone and cable television - nominated by facility owners or affiliated organizations (two positions); and

2. Excavators - nominated by excavators or affiliated organizations (one position).

Nomination forms and instructions are available on the PUC Website [http://www.puc.pa.gov/utility\\_industry/transportation/pipeline\\_safety/pa\\_one\\_call\\_enforcement.aspx](http://www.puc.pa.gov/utility_industry/transportation/pipeline_safety/pa_one_call_enforcement.aspx) .

Appointments to the DPC will begin in 2019, with each member serving a three-year term After the term is completed, members are required to reapply for DPC membership.

Creation of the committee was authorized by Act 50 of 2017 [http://www.puc.pa.gov/about\\_puc/press\\_releases.aspx?ShowPR=3918](http://www.puc.pa.gov/about_puc/press_releases.aspx?ShowPR=3918) (Act 50), which enhances Pennsylvania's Underground Utility Line Protection Act - also known as the "One Call Law." Persons appointed to the DPC must have the appropriate level of expertise within the operation of Act 50.

Modeled after successful programs in other states, the focus of the committee [http://www.puc.pa.gov/utility\\_industry/transportation/pipeline\\_safety/pa\\_one\\_call\\_enforcement.aspx](http://www.puc.pa.gov/utility_industry/transportation/pipeline_safety/pa_one_call_enforcement.aspx) is a reduction in the number of "hits" on underground utilities. The DPC meets regularly to review alleged violations of the Act and make determinations as to the appropriate response including, but not limited to, the issuance of warning letters or administrative penalties.

In accordance with Act 50, membership on the DPC includes: non-municipal owned or affiliated facility owner industries, such as the electric, natural gas or petroleum pipelines, telephone, water or wastewater and cable television industries; excavators; municipal governments; and municipal authorities.

Visit the PUC's website at <http://www.puc.pa.gov/> for recent news releases and video of select proceedings. You can also follow us on Twitter, Facebook, LinkedIn, Instagram and YouTube. Search for the "Pennsylvania Public Utility Commission" or "PA PUC" on your favorite social media channel for updates on utility issues and other helpful consumer information.

**Source:** PUC Press Release, 12/28/2018

# New PUC Report Shows Continued Improvement in PA Households Starting Winter Without Heat-Related Utilities; Struggling Consumers Urged to Call About Heating Aid

On December 27, 2018, the Pennsylvania Public Utility Commission (PUC) released the results of its annual Cold Weather Survey

[http://www.puc.pa.gov/General/publications\\_report/pdf/Cold\\_Weather\\_Results\\_2018.pdf](http://www.puc.pa.gov/General/publications_report/pdf/Cold_Weather_Results_2018.pdf), which showed that more than 18,500 households across the state which had utility service terminated during the calendar year are entering the winter season without heat-related utility service or using unsafe heating sources. That figure is approximately 4% lower than last year (754 fewer households starting the winter without heat), and 16% lower (3,484 fewer households) than the winter of 2016 - with improvements noted by more than half of the state's major electric and natural gas distribution companies.

The annual Cold Weather Survey, along with the mid-winter resurvey, serves as a "snapshot" to help gauge utility and PUC outreach about heating assistance programs. The survey tracks the number of households whose heat-related utility service was terminated during the year, and who remain without service at the start of the winter.

As a result of the direct contact that occurs between utilities and consumers during the survey process, 38,335 households had their heat-related utility service reconnected with a payment arrangement in 2018. More extensive data about utility service - including terminations; reconnections; the number of low-income and payment-troubled customers; and the size and scope of various customer assistance programs - is available in the PUC's annual Universal Service Report

[http://www.puc.pa.gov/filing\\_resources/universal\\_service\\_reports.aspx](http://www.puc.pa.gov/filing_resources/universal_service_reports.aspx).

The 2018 Cold Weather Survey showed the following (as of Dec. 1):

- 5,653 residences are without safe electric heating, including 5,454 households without electric service and 199 households that are heating with potentially unsafe heating sources.
- 12,888 residences are without safe natural gas heating, including 12,027 households without natural gas service and 861 households that are heating with potentially unsafe heating sources.
- Additionally, 10,342 residences where electric service was terminated and 3,564 residences where natural gas service was terminated now appear to be vacant.

**Note:** Some households may be without both electric and natural gas service, resulting in a double-counting of some households.

The PUC remains concerned about the thousands of households who struggle to stay warm and safe during the winter. Residents experiencing financial difficulties are encouraged to contact their utilities and/or the PUC for information about numerous programs available to help them restore and maintain their utility service.

"With the coldest months of the year still ahead, it remains critically important for consumers without heat-related utility service to learn about the options available to allow them to reconnect service," said PUC Chairman Gladys M. Brown. "We urge those residents to take advantage of the numerous programs available to help them restore utility service in order to stay connected, warm and safe this winter."

According to the PUC's most recent Universal Service Report [http://www.puc.pa.gov/General/publications\\_report/pdf/EDC\\_NGDC\\_UniServ\\_Rpt2017.pdf](http://www.puc.pa.gov/General/publications_report/pdf/EDC_NGDC_UniServ_Rpt2017.pdf), those assistance programs help support more than 302,000 electric customers and over 150,000 natural gas customers and are valued at more than \$385 million per year.

As part of the annual "Prepare Now" campaign, the Commission continues its appeal to utilities to increase their efforts [http://www.puc.pa.gov/NaturalGas/pdf/PrepareNow/2018 Prepare Now Letter.pdf](http://www.puc.pa.gov/NaturalGas/pdf/PrepareNow/2018%20Prepare%20Now%20Letter.pdf) to educate consumers about resources that may be available, such as grants under the federal Low Income Home Energy Assistance Program (LIHEAP) - which is administered by the Pennsylvania Department of Human Services (DHS) - with information available through local County Assistance Offices or via the LIHEAP hotline at 1-866-857-7095.

The PUC emphasizes that consumers without utility service should understand their rights and responsibilities, including additional options that may be available for those who are seriously ill or are facing other unique circumstances, such as a protection from abuse order. Consumers should call their utility first to make arrangements to pay their bill. If they are unable to reach an agreement with the utility, the PUC may be able to provide assistance. The PUC can be reached toll-free at 1-800-692-7380.

#### About the Cold Weather Survey

Every year, the state's electric and natural gas distribution companies under the PUC's jurisdiction are required to survey residential properties where service has been terminated and has not been reconnected during this calendar year. Every December, the PUC releases the survey results.

As part of the survey, the utility or its representative makes four attempts to contact consumers who are known to be without heat-related utility service. The attempts may include telephone calls, letters and personal visits to the residence and are done on different days of the week and at different times of the day. If the first three contacts are unsuccessful, the PUC requests that the fourth attempt be an in-person visit to the residence.

Homes using potentially unsafe heating sources are reported separately in the survey because of additional risks in those situations. According to the National Fire Protection Association, potentially unsafe sources of heat include kerosene heaters, kitchen stoves or ovens, electric space heaters,

fireplaces and connecting extension cords to neighbors' homes.

The Pennsylvania Public Utility Commission balances the needs of consumers and utilities; ensures safe and reliable utility service at reasonable rates; protects the public interest; educates consumers to make independent and informed utility choices; furthers economic development; and fosters new technologies and competitive markets in an environmentally sound manner.

Visit the PUC's website at <http://www.puc.pa.gov/> for recent news releases and video of select proceedings. You can also follow us on Twitter, Facebook, LinkedIn, Instagram and YouTube. Search for the "Pennsylvania Public Utility Commission" or "PA PUC" on your favorite social media channel for updates on utility issues and other helpful consumer information.

**Source:** PUC Press Release, 12/27/2018

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***This newsletter provides general information, not legal advice as to any specific matter. It should not be used as a substitute for appropriate legal advice.***