
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 805 Session of
2015

INTRODUCED BY BOSCOLA, MENSCH, YUDICHAK, BROWNE, ARGALL,
ALLOWAY, AUMENT, HUTCHINSON, SCHWANK AND VULAKOVICH,
MAY 14, 2015

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MAY 14, 2015

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in restructuring of electric utility
3 industry, further providing for energy efficiency and
4 conservation program.

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

7 Section 1. Section 2806.1(b)(1)(ii) of Title 66 of the
8 Pennsylvania Consolidated Statutes is amended and the section is
9 amended by adding a subsection to read:

10 § 2806.1. Energy efficiency and conservation program.

11 * * *

12 (b) Duties of electric distribution companies.--

13 (1) * * *

14 (ii) A new plan shall be filed with the commission
15 every [five years or as otherwise required by the
16 commission] three years, unless a shorter duration is
17 required by the commission. The plan shall set forth the
18 manner in which the company will meet the required

1 reductions in consumption under subsections (c) and (d).

2 * * *

3 (j.1) Large customer opt-out.--Any customer that is part of
4 the large commercial class or industrial class, as defined in
5 the electric distribution company's initial plan under this
6 section, shall have the ability to opt-out of participation in
7 the plan as follows:

8 (1) For each new plan filed pursuant to subsection (b)
9 (1)(ii), the electric distribution company shall provide each
10 large commercial customer and industrial customer with the
11 option to forgo participation in the plan. This option shall
12 apply regardless of whether the customer purchases default
13 service or supply from an alternate supplier. The customer
14 may exercise this option for any or all accounts in this
15 Commonwealth, including accounts that do not fall within the
16 large commercial classification or industrial classification
17 prior to the effective date of each plan.

18 (2) A customer that forgoes participation in the plan
19 will not be eligible to receive funding or other measures
20 contained in the plan for the opt-out accounts during the
21 applicable phase.

22 (3) A customer that forgoes participation in the plan
23 will not be required to pay the cost recovery charge under
24 subsection (k) for the opt-out accounts.

25 (4) The electric distribution company may adjust its
26 consumption and peak demand reduction goals, as well as its
27 budget, under its plan to reflect the customers that have
28 exercised the option to forgo participation in the plan.

29 (5) Within 180 days of the effective date of this
30 subsection, the commission shall promulgate guidelines or

1 regulations to administer this subsection.

2 * * *

3 Section 2. This act shall take effect in 60 days.