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VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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 Secretary Chiavetta:

In response to the Pennsylvania Public Utility Commission's Notice of Rulemaking Order entered July 21, 2016, in the above-captioned docket, Pennsylvania-American Water Company is submitting the enclosed Comments.

Should you have any questions concerning this filing, please contact me.

Thank you.

Sincerely,

Susan Simms Marsh

Enclosure

**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. : Docket No. L-2015-2508421
C.S. Chapter 14 :**

**COMMENTS OF
PENNSYLVANIA-AMERICAN WATER COMPANY**

I. INTRODUCTION AND GENERAL COMMENTS

On October 22, 2014, Governor Tom Corbett signed into law HB 939, or Act 155 of 2014, which reauthorized and amended Chapter 14 of the Public Utility Code (66 Pa. C.S. §§ 1401-1419). The Act became effective on December 22, 2014. The law, which reauthorized and amended the Responsible Utility Consumer Protection Act, is applicable to water distribution utilities and wastewater utilities. The Responsible Utility Consumer Protection Act continues to serve as the mechanism for the modernization of utility customer service and collections rules and procedures. Moreover, the law provides public utility companies with an “equitable means” to reduce uncollectible accounts and assist in preventing chronic and habitual delinquent ratepayers from being a burden on those ratepayers who pay their utility bills in a timely manner.

On July 21, 2016, the Pennsylvania Public Utility Commission (“Commission”) entered a Notice of Proposed Rulemaking Order (“NOPR”) at the above-captioned docket inviting interested parties to provide comments on amending existing regulations in Chapter 56 of the *Pennsylvania Code* at 52 Pa. Code §§ 56.1 et seq. (relating to standards and billing practices for residential utility service) to comply with the amended provisions of 66 Pa.C.S. Chapter 14. The NOPR was published in the Pennsylvania Bulletin on February 17, 2017.

PAWC appreciates the PUC extensive efforts to prepare the notice of proposed rulemaking and the Company offers the following comments:

II. COMMENTS

Subchapter A. PRELIMINARY PROVISIONS FOR UTILITIES AND CUSTOMERS SUBJECT TO CHAPTER 14 OF THE PUBLIC UTILITY CODE

§ 56.2. Definitions.

Physician assistant.

The Commission is proposing to add to the regulations a definition for physician assistant and require the individual to be licensed by the State Board of Medicine in the Commonwealth. PAWC supports the definition and the use of an objective standard to form the basis of the definition that is based upon 49 Pa.C.S. § 18.51(b) (relating to the role of physician assistant) and consistent with the Commonwealth's licensing laws and regulations.

§ 56.93. Personal contact.

Consistent with the Act 144 amendments to Chapter 14, the Commission proposes to add to Chapter 56, "*Contact by e-mail, text message or other electronic messaging format consistent with the Commission's privacy guidelines and approved by Commission order. The electronic notification option is voluntary and shall only be used if the customer has given prior consent approving the use of a specific electronic message format for the purpose of notification of a pending termination.*" The Commission seeks comments on material that should be included in its privacy guidelines as well as the specific estimated cost and/or savings associated with compliance with these proposed changes, including any legal, accounting, or consulting procedures, which may be required, and explain how the dollar estimates were derived.

PAWC supports the use of electronic messaging. From health providers to Uber, electronic messaging is prevalent in today's society. The General Assembly has decided to provide for electronic messaging for public utility companies to provide the personal contact to customers. Act 155 did not specify how the customer is to provide "prior consent". Absent specificity in the law as to any form of consent, PAWC recommends prior consent include oral and written form. For new customers, oral consent, after education and explanation, can be obtained during the application phase for a request for utility service.

With regard to materials that should be included in the Commission privacy guidelines, PAWC recommends such guidelines be consistent with existing privacy laws.

III. CONCLUSION

Pennsylvania-American Water Company appreciates the opportunity to present comments on the Notice of Proposed Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Amended Provisions of 66 Pa.C.S. Chapter 14 and requests that the Commission consider its comments on these issues.

Respectfully submitted,



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