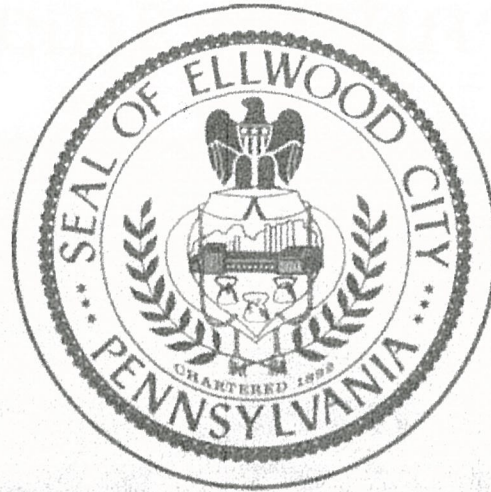


HOUSE BILL 2030



EFFECTS ON THE BOROUGH OF ELLWOOD CITY

Making Law Pennsylvania

LEGISLATION IN THE PA HOUSE OF REPRESENTATIVES



COMMONWEALTH OF PENNSYLVANIA HOUSE OF REPRESENTATIVES

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TITLE 8
BOROUGH AND INCORPORATED TOWNS

PART I. BOROUGHS

Articles in an electric plant or project.

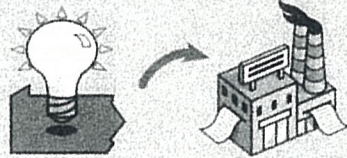
§ 24A02. General powers.

(a) **Electric plants and projects.**--A borough may, either singly or jointly, manufacture or purchase electricity for the use of its inhabitants and own, construct, acquire by lease, purchase or otherwise gain an interest in, operate and manage or cause to be operated and managed an electric plant or project located within or without this Commonwealth. In the exercise of these powers, a borough may join with any other borough, political subdivision, agency or instrumentality of the Federal Government, State government, political subdivision of another state, private corporation empowered to supply electricity, electric cooperative corporation formed under 15 Pa.C.S. Ch. 73 Subchs. A (relating to preliminary provisions) and B (relating to powers, duties and safeguards) or previously formed under the former act of June 21, 1937 (P.L.1969, No.389), known as the Electric Cooperative Corporation Act, or an electric cooperative corporation in another state.

development of electric power and energy.

(d) **Consent of borough to supply electricity.**--No person, partnership or corporation may introduce electric current for light, heat or power purposes, without the consent of the council, into the limits of any borough that is furnishing electric current to its inhabitants. This subsection shall not apply to any person, partnership or corporation manufacturing electricity exclusively for its own use.

The Life Cycle of Fictional House Bill 652



1 Birth of a Bill
The idea for Bill 652 came from a group of Pennsylvania legislators concerned to environmental issues.

Legal experts at the Legislative Reference Bureau write the proposal in the proper form for a bill.



The Third Day of Consideration
Members actively debate House Bill 652. Ultimately, they vote for its passage.

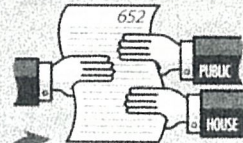
The Second Day of Consideration
The number and title of Bill 652 are again read to the members, who continue to prepare for discussion of the bill. Amendments may be offered at this time.



6 Leaving the Nest
House Bill 652 moves to the Senate where it is examined in committee, in caucus, and by members on the Senate Floor. The Senate passes the bill without amendments.

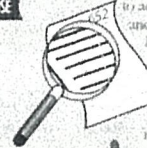


The Chief Clerk names the new proposal by assigning it a number.



2 Development
The Speaker assigns the bill to a Standing Committee. At the same time, the new bill is copied and distributed to House members and made available to the public.

3 Filter of Passage
House Bill 652 is examined by the Standing Committee on Environmental Resources and Energy, which votes to accept it as written and reports it to the House Floor. But first, the topic takes a brief detour into the caucus room for a second round of review.



The First Day of Consideration
Bill 652 debuts on the House Floor with an announcement by the clerk from the podium that the bill has been reported from committee. Members begin to inform themselves about the bill.

5 Entering a Wider World
Like all bills, 652 is considered by members on the House Floor on three separate days.



4 Peer Review
Majority and minority party members meet in separate caucus rooms. There, they review the content of House Bill 652 and decide whether to support or oppose it, as well as other bills scheduled for discussion on the House Floor.

7 The Final Interview
The bill arrives on the Governor's desk where the Governor signs it into law.

The Speaker of the House signs House Bill 652 on the House Floor and the President Pro Tempore of the Senate signs it in the Senate.



8 Joining the Team
House Bill 652 officially becomes law and is given an Act number.



bio graphy of a bill

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2030 Session of 2018

INTRODUCED BY BERNSTINE, SNYDER, TURZAI, METCALFE, DUNBAR, J. McNEILL, SIMMONS, EVANKOVICH, RADER, MUSTIO, TOOHL, SAYLOR, KEEFER, KLUNK, GROVE, NELSON, A. HARRIS, SOLOMON, SACCONI, SIMS, LEWIS, WARD, WALSH, DIGIROLAMO, EVERETT, PHILLIPS-HILL, DeLUCA AND ROEBUCK, FEBRUARY 8, 2018

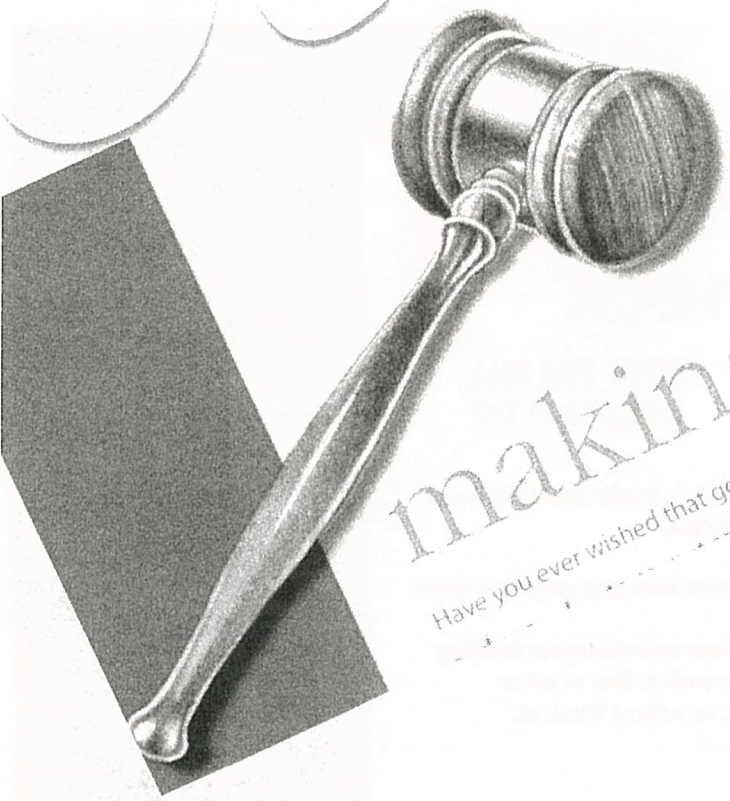
REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 8, 2018

AN ACT

Amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in manufacture and supply of electricity, further providing for specific powers and providing for security deposits, for payment agreements and for restrictions on termination; and making an editorial change.

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

Section 1. Chapter 24A of Title 8 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter heading to read:



making law
Have you ever wished that government would just step in

Misleading
Statements
Posted by
Representative
Bernstine

House Bill 2030 Fact Check

WHAT THE BILL DOES

- Lowers electric bills by forcing Ellwood Electric to pass on bulk savings to customers.
- Puts commonsense consumer protections in place for the elderly, children, poor, and disabled.
- Provides Ellwood City Borough residents with the same protections as 98.6% of other municipalities in Pennsylvania.

WHAT THE BILL DOES NOT DO

- Does not eliminates Ellwood Electric.
- Does not raise property taxes.
- Does not eliminate funding for police, fire, or other government services.

WHO SUPPORTS HB 2030:

AARP | PA Chamber of Commerce
Lawrence County Chamber of Commerce
Beaver County Chamber of Commerce | PA Manufacturers' Association
PA Association of Realtors | PA Catholic Alliance | SEIU32BJ
Americans for Prosperity

RESIDENTS IN ELLWOOD CITY BOROUGH PAY A 27% PREMIUM

-Lowers electric bills by forcing
Ellwood Electric to pass on bulk
savings to customers.

* * *

(2.1) To regulate the use of and the charge for
electricity furnished by the borough, if situate in more than
one county, for use by residents in those counties, subject
to the following:

(i) A borough may fix, establish, maintain and
collect or authorize by contract or otherwise the
establishment, levying and collection of the rates, fees,
rental or other charges, including connection charges, in
the area served by borough facilities at reasonable and
uniform rates to be determined exclusively by the borough
for the purpose of providing for the payment of the
expenses of the borough for the production and
distribution of electricity and the construction,
improvement, repair, maintenance and operation of the
borough's facilities and properties.

QUOTE FROM PUBLIC HEARING
STATE CAPITOL
FEBRUARY 13, 2018

MAJORITY CHAIRWOMAN HARPER:

"WHAT DOES YOUR BILL DO?"

REPRESENTATIVE BERNSTINE:

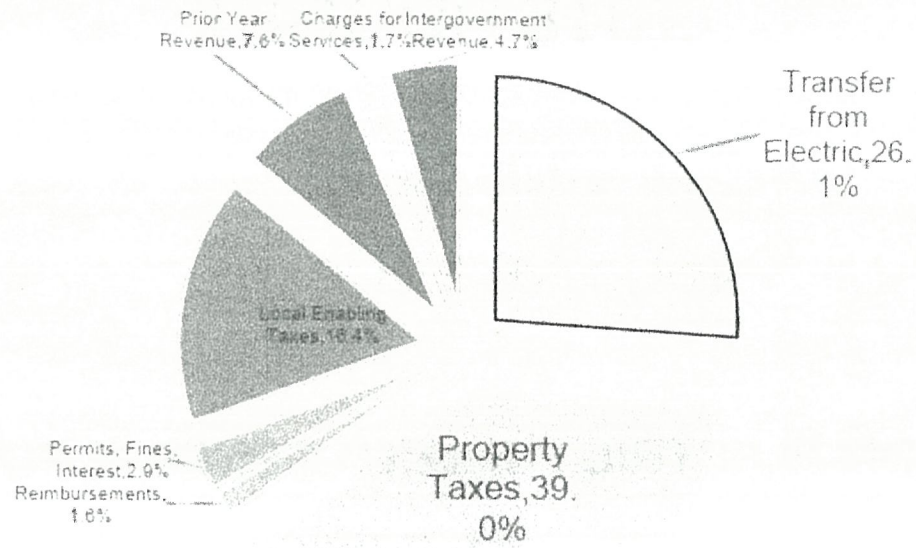
*"... IT DOES NOT ALLOW FOR THE
TRANSFER OF MONEY FROM THE
ELECTRIC FUND INTO THE GENERAL
FUND, THAT IS ONE COMPONENT."*

BOROUGH OF ELLWOOD CITY 2018 BUDGET

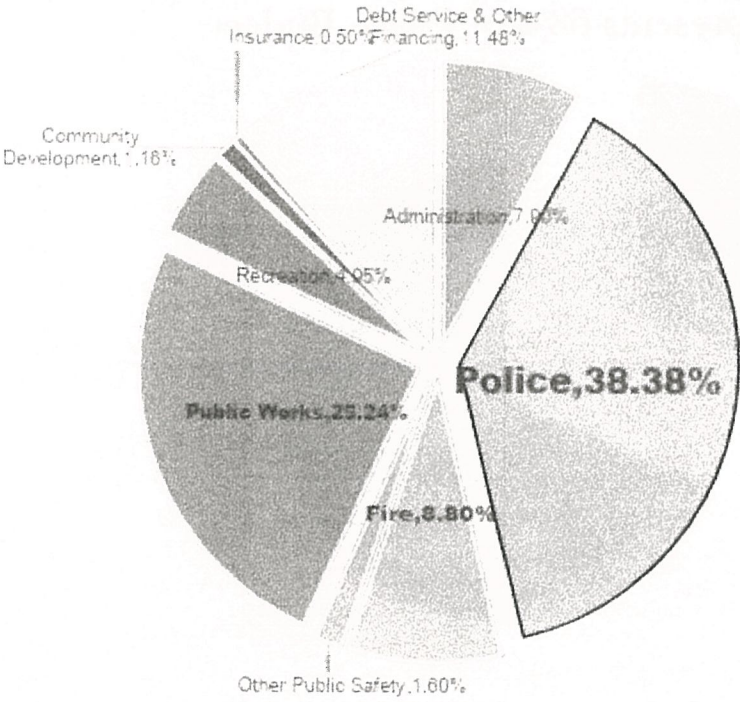
- GENERAL FUND BUDGET \$5,562,035
- ELECTRIC FUND BUDGET \$7,424,029

- TRANSFER FROM ELECTRIC FUND TO GENERAL FUND
\$1,450,000

General Fund Revenues



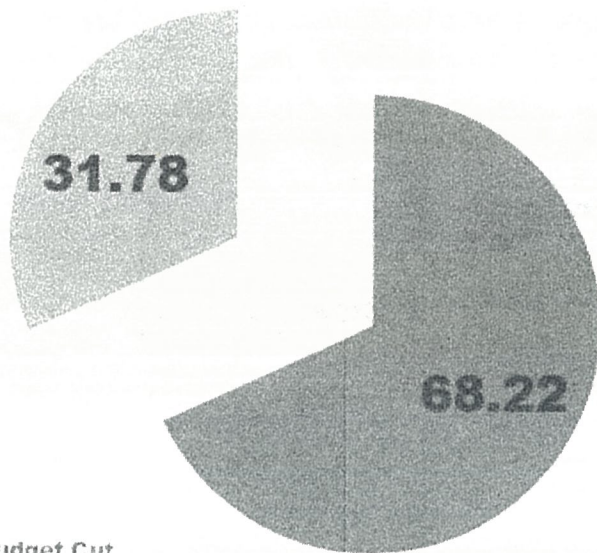
General Fund Expenses



Police Budget - \$2,125,560

Transfer - \$1,450,000

Represents 68% of Police Budget



■ 68% of Budget Cut

■ 32% of Budget Remaining

If General Fund Budget Loses Transfer of \$1,450,000 from Electric Fund

Option One:

- **Raise Tax Millage by 5.89 from 8.75 to 14.64**

Option Two:

- **Eliminate 68% of Police Department**

Option Three:

- **Eliminate Entire Public Works Department**

Option Four:

- **Combination of Options**
 - **Increase Property Taxes**
 - **Reduce Services**

**A Scenario if Borough Could Not Transfer
\$1,450,000 in 2019**

<i>Example of Programs and Services Effected:</i>	Estimated Savings	Runing Balance
No Part-Time Police Officers	81,430	81,430
Lay Off 3 Patrol Officers	172,089	253,518
Eliminate School Crossing Guards	53,822	307,340
Eliminate Animal Control	6,857	314,197
Eliminate Fire Fighters on Desk	111,952	426,149
Eliminate Contributions to Volunteer Fire Fighters	20,000	446,149
Eliminate Zoning & Code Enforcement	24,578	470,727
Eliminate Health Officer	3,573	474,300
Eliminate 6 of 11 Public Works Employees	306,322	780,622
Eliminate Employees Assigned to Maintain Parks, Playgrounds, Pool	78,010	858,632
Eliminate Materials for Pot Hole Repairs	46,000	904,632
Eliminate Playground Programs	14,199	918,831
Close Swimming Pool	110,600	1,029,431
Close Parks	101,925	1,131,356
No Contributions to Library, Community Center, ECR	46,450	1,177,806
Do Not Put Aside Money for Capital Reserves (Vehicles, etc.)	125,000	1,302,806
Don't Plan for Any Contingency	150,000	1,452,806

2018 ELECTRIC SALES

- CLASS

372	<i>Electric Energy Sales</i>
372.40	Residential Heat Rate
372.41	Residential Sales
372.42	Commercial Sales
372.43	Industrial Sales
372.45	Penalties
372.47	Rate Adjustment - Residential
372.48	Rate Adjustment - Small Com
372.49	Rate Adjustment - Industrial
372.50	Rate Adjustment - Large Com
Total	<i>Electric Energy Sales</i>

- ANTICIPATED REVENUE

102,000
3,353,000
1,700,000
550,000
101,000
746,748
225,433
211,344
225,433
7,214,959

Chart of Electric Bill Decreases as Compared with Property Tax Increases

Yellow Highlighted Values Based on Actual Customer's Bills

Match Your Usage to Your Assessed Valuation to See Your Results

Rate /Unit	Annual Usage:	2,500	3,500	4,500	5,500	6,500	7,500	8,500	9,200
11.00 month	Annual Customer Charge	132.00	132.00	132.00	132.00	132.00	132.00	132.00	132.00
0.11490 kWh	Base Rate	287.25	402.15	517.05	631.95	746.85	861.75	976.65	1,057.08
0.02879 kWh	Rate Adjustment	71.98	100.77	129.56	158.35	187.14	215.93	244.72	264.87
	Total Annual Electric Bill	491.23	634.92	778.61	922.30	1,065.99	1,209.68	1,353.37	1,453.95
20%	Electric Bill Savings	98.25	126.98	155.72	184.46	213.20	241.94	270.67	290.79

Millage	Assessed Valuation:	35,000	45,500	60,000	73,200	95,000	120,000	150,000	200,000
8.75 mills	Current Tax Bill	306.25	398.13	525.00	640.50	831.25	1,050.00	1,312.50	1,750.00
14.64 mills	Revised Tax Bill	512.40	666.12	878.40	1,071.65	1,390.80	1,756.80	2,196.00	2,928.00
	Additional Property Taxes	206.15	268.00	353.40	431.15	559.55	706.80	883.50	1,178.00
	Actual Customer's Results				(246.69)				

Example: If your property is assessed at 60,000 and your electric usage is 3,500 kWh annually

Electric Savings	126.98
Tax Increase	353.40
	(226.42)

HOUSE BILL 2030 THE SECOND COMPONENT

REPRESENTATIVE BERNSTINE:

"NOW, OUR LEGISLATION DOES NOT PUT THEM UNDER THE PUC, BUT IT PUTS VERY, VERY SIMILAR PIECES OF PROTECTIONS IN PLACE THAT THE PUC GRANTS TYPICAL RESIDENT. SO TWO COMPONENTS",

1. "ONE IS A CONSUMER PROTECTION SIDE"
2. "...DOESN'T ALLOW PEOPLE TO TRANSFER THAT MONEY FROM ELECTRIC FUND INTO THE GENERAL FUND AND USE IT AS A TAXATION TOOL."

PUC Responsible Utility Customer Protection Act

In 2014, The General Assembly passed and the Governor signed House Bill 939/Act 155 of 2014, to reauthorize the 10-year old "Responsible Utility Customer Protection Act." Chapter 14 of the Public Utility Code for another 10 years. The new law revised some Chapter 14 provisions related to low-income programs, Protection from Abuse Orders and medical certificate filings, and added some new regulations and reporting requirements. Chapter 14 rules apply to cash deposits; reconnection of service; termination of service; payment arrangements; and the filing of termination complaints by consumers for electric, gas and water. Under the law, a customer can only establish one payment arrangement with the PUC. The utility company has the discretion to offer more than one payment arrangement. The Public Utility Commission will work beginning in early 2015 to implement the new law with new and amended regulations, and continue to work with all parties to ensure compliance with the law, as well as protect the health and safety of Pennsylvanians. The Act protects responsible bill-paying customers from rate increases attributable to the uncollectible accounts of customers that can afford to pay their bills, but choose not to pay.

This fact sheet is designed to provide you with very important information regarding how the Act affects you and your utility service.

Your utility company can SHUT OFF your service if you FAIL to do the following:

- ✓ PAY YOUR BILL
- ✓ FOLLOW THROUGH ON PAYMENT ARRANGEMENTS
- ✓ PAY A DEPOSIT, IF REQUIRED
- ✓ ALLOW THE COMPANY ACCESS TO ITS EQUIPMENT

Before your service is shut off, your utility company will take the following steps:

- Send you a 10-Day Notice. Once you get the notice, the utility company has up to 60 days to shut off your service.
- Attempt to contact you three days prior to your shut-off date.
- During winter months (December 1 through March 31), if the utility company cannot reach you at the time of termination, they will leave a 48-hour notice at your residence.

Medical Certification

Your utility service will not be shut off if you or someone living in your home is certified as seriously ill by a licensed physician, physician's assistant or nurse practitioner. The utility company will require you to provide a letter from a licensed physician, physician's assistant or nurse practitioner, stating that shutting off your utility service will harm the ill person in the home.



The initial medical certification can be up to 30 days, with renewals possible.

You are still responsible to pay your bill even if there is a medical certificate for someone in your home.

The utility company can SHUT OFF YOUR SERVICE WITHOUT GIVING YOU NOTICE for the following reasons:

- ✓ STEALING UTILITY SERVICE
- ✓ GETTING SERVICE THROUGH FRAUD
- ✓ TAMPERING WITH YOUR METER
- ✓ UNSAFE SERVICE CONDITIONS
- ✓ GIVING THEM A BAD CHECK TO STOP TERMINATION

YOUR UTILITY SERVICE CAN BE SHUT OFF ANY WEEKDAY, EXCEPT FRIDAY.

If your service is shut off, the utility company will leave a notice telling you what you need to do to get your service restored.

Winter Termination

Your utility service can be shut off during the winter months (December 1 through March 31) without the PUC's prior approval if you fail to be a responsible utility customer, and provided that your household's income exceeds 250 percent of the federal poverty level (for customers of the Philadelphia Gas Works, the income exceeds 150 percent of the federal poverty level). The utility company will give you notice first and allow you the opportunity to contact them to make arrangements to avoid termination. If your income is low, you may qualify for special programs and termination protections. Please call your utility to see if you qualify.

2018 Monthly Federal Poverty Income Guidelines

Size of Household	150% of Poverty	250% of Poverty
1	\$1,518	\$2,529
2	\$2,058	\$3,429
3	\$2,598	\$4,329
4	\$3,138	\$5,229
For each additional person, add	\$540	\$900

Note: Monthly Federal Poverty Income Guidelines are updated every January.

If your service is shut off in the winter (December 1 through March 31), your utility service will be restored within 24 hours after you pay the bill and meet any other conditions of the utility company. Your service will be restored within three to seven days after you pay the bill and meet any other conditions of the utility company during the remaining months.

If your service is shut off, any adult who lived at the residence will be responsible to pay all or part of the overdue bill if that adult wants service restored in their name. Adult occupants include those over 18 years of age who lived with you during the time the outstanding balance accrued. If the utility company determines that an adult lived at the property by checking names on your mortgage, deed, lease or information from a credit reporting service, that adult will be responsible to pay all or part of the overdue bill. Payment to restore your service will depend on your household income and payment history.

In order to obtain new service or to reconnect service:

- You may be required to pay a deposit and a reconnect fee
- If you have broken two or more prior payment arrangements, the utility company can require you to pay the full balance of your bill.
- Your utility company may require you to provide proof of income.



The utility company can require you to pay a deposit if:

- You do not have good credit or if you do have good credit, but have a bad payment history with the utility company.
- You are shut off for an overdue bill.
- If you miss or pay your bill late for two consecutive payments or three times in a 12-month period, you may have to pay a deposit.
- If you are eligible for a Customer Assistance Program (CAP), the utility should not require a deposit.

The amount of your deposit may be equal to two average monthly bills.

UNDER THE LAW, A CUSTOMER CAN ONLY ESTABLISH ONE PAYMENT ARRANGEMENT WITH THE PUC. THE UTILITY COMPANY, HOWEVER, DOES HAVE THE DISCRETION TO OFFER MORE THAN ONE PAYMENT ARRANGEMENT TO THE CUSTOMER.

- You must first contact your utility company to file a complaint or request payment arrangements. You have the right to decline the company's payment arrangement. While the PUC previously could use discretion in setting the terms of payment arrangements, under the Act, the PUC is provided with set payback periods based upon income level.
- If you break a payment arrangement you made with the company, the PUC may establish a payment arrangement using the pre-set payback amounts based upon income levels outlined in the Act. If you break a PUC payment arrangement, the PUC cannot help you unless your income level changed or you have a significant change in circumstances, such as:
 - Onset of chronic or acute illness that results in a significant loss of income.
 - Catastrophic damage to residence that resulted in significant cost to customer.
 - Loss of customer's residence.
 - Increase in the customer's number of dependents in the household.
- The utility company will work with you and explain programs that may help you depending on your income or hardship situation.
- If the outstanding balance that you owe includes unpaid charges from participation in a Customer Assistance Program (CAP), the law does not allow the PUC to establish a payment arrangement on your behalf. For those eligible to participate in a CAP, the CAP payment is usually the lowest monthly payment a utility company or the PUC can arrange for you. Your utility company determines your CAP payment by your household income and size.
- Third Party Notification** - The third-party notification program provides additional protection against utility service shut-off. The program protects individuals who may either be away from their home for an extended time period or those who may not understand the utility company's guidelines. The program allows consumers to choose another person to receive copies of shut-off notices that are sent to them for non-payment of overdue utility bills. That person (family member or close friend) are made aware of situation before shut-off. The third party is not responsible for paying the bill. For more information about Third Party Notification contact your utility company.
- If you have a Protection from Abuse (PFA) order or a court order that provides clear evidence of domestic violence, you may receive special protections. If you need help, please contact your utility.

FOR FURTHER INFORMATION, CONTACT THE PUBLIC UTILITY COMMISSION:

-Provides Ellwood City Borough residents with the same protections as 98.6% of other municipalities in Pennsylvania.

Section 3. Chapter 24A of Title 8 is amended by adding a subchapter to read:

SUBCHAPTER B

ELECTRICITY PROVIDED TO RESIDENTS

IN MORE THAN ONE COUNTY

Sec.

24A11. Scope.

24A12. Security deposits.

24A13. Payment agreements.

24A14. Restrictions on termination.

BOROUGH OF ELLWOOD CITY

1046.08 GUARANTEE OF PAYMENT.

(a) Payment of Bills. The rate is net. The net amount is due and payable within twelve days of the date of the bill. If the net amount is not paid on or before the date shown on the bill for payment of the net amount, the charges become delinquent and are subject to a five percent late payment charge per month. In addition, a charge of five dollars shall be added to the bill if a delinquent notice is mailed to the customer. The following schedule applies:

12th day - Net

13th day - Penalty Applied

15th day - Delinquent Notice Mailed and a \$5.00 Charge Added to Bill

20th day - Delinquent Notice (Doorknob) (applicable December 1 through March 31)

25th day - Shut-Off

(Ord. 2270. Passed 10-23-00; Ord. 2378. Passed 12-27-05; Ord. 2453. Passed 9-20-10.)

(b) Extended Payment Plans. When a residential customer reports within ten days from receipt of notice of delinquency that payment in full cannot be made by the due date because of financial hardship, he or she must appear in the Borough Offices and apply for an extended payment plan. Extended payment plans shall be subject to the following conditions:

(1) An extended payment plan schedule for payment shall not exceed ninety days beyond the date the full amount was originally due.

(2) Extended payment plans shall not be layered or accumulated in a manner that will spread payments, including current and delinquent amounts due, over a period of ninety days after the due date. If all amounts (current and past delinquencies) are not paid in full, the account will be terminated and collection shall be accomplished by an action in assumpsit or any other legal means available to the Borough.

(3) It is to be understood and made clear to persons receiving extended payment plans that current bills must also be paid and cannot be made part of an extended payment plan from a previous period. Also, a second extended payment plan shall not be granted while one is still in effect, or until the first plan is fulfilled by payment in full.

(Ord. 2211. Passed 4-29-97.)

(4) If the residential customer is a tenant or person other than the owner of the property, then any extended payment plan shall be subject to the property owner's and/or landlord's written approval of the extended payment plan with the Borough.

(Ord. 2245. Passed 11-16-98.)

BOROUGH OF ELLWOOD CITY – ELECTRIC ORDINANCE

1046.33 TERMINATION OF SERVICE; UNAUTHORIZED CONNECTIONS.

(a) Service shall be terminated or, service may be restricted, for one or more of the following reasons:

- (1) Nonpayment of the account on or before the due date;
 - (2) Unreasonable refusal to permit access to meters, service connections and other property of the utility for the purpose of maintenance, repair or meter reading;
 - (3) Unauthorized use of the electric service delivered on or about the affected premises;
 - (4) Failure to comply with the material terms of settlement or payment agreements;
 - (5) Fraud or material misrepresentation of identity for the purpose of obtaining the service;
- or
- (6) Tampering with meters or other electrical equipment belonging to the Borough.

(Ord. 2228. Passed 3-16-98; Ord. 2378. Passed 12-27-05.)

(b) The Borough reserves the right to suspend service, after reasonable notice, to any customer whose use of the service is such as to cause disturbance to the Borough's transmission and/or distribution system, if, in the Borough's judgment, the customer's installation or equipment is defective or dangerous or does not comply with reasonable safety requirements, thus resulting in hazardous conditions or unsatisfactory service to the Borough's customers.

(c) Unauthorized connections to the Borough's supply facilities may be terminated by the Borough without notice. Use of service without notifying the Borough or enabling it to read its meter will render the user liable for any amount due for service supplied to the premises from the time of the last reading of the meter as shown on the records of the Borough.

(Ord. 2211. Passed 4-29-97.)

1046.34 DAYS WHEN TERMINATION BY BOROUGH PROHIBITED.

Service may be terminated by the Borough, except on the following days:

- (a) Saturday or Sunday;
- (b) On a bank holiday; or
- (c) On a holiday observed by the Borough or on the day preceding such holiday. A holiday observed by the Borough shall mean any day on which the business offices of the Borough are closed to observe a legal holiday.
- (d) When your income is below 250% of the federal poverty guidelines (applicable from December 1 through March 31.)

1046.35 PROCEDURES PRIOR TO TERMINATION.

(a) Prior to the termination of service, the Borough shall mail or deliver written notice to the customer, and a copy to the owner in case of a nonowner-occupied premises, at least ten days prior to the date of the proposed termination. If a customer or user calls or writes the Electric Department, complaining of an overcharge or other problem with the account, an authorized representative of the Borough shall do one or more of the following:

- (1) Conduct an investigation, including, but not limited to, a meter check on the subject premises;
- (2) Check utility billings for possible errors in the computation of the bill;
- (3) Check for leakage or illegal connections.

(b) If the Borough Manager or his or her authorized representative finds merit to the dispute, the Borough Manager may make an adjustment of the bill with the customer or user. If the Borough Manager or his or her representative finds that the dispute as to an overcharge or other problem with the account has no merit, he or she shall communicate this decision to the customer or user by certified mail, return receipt requested, by personal delivery or by posting on the premises a notice of the Borough's intent to disconnect. The notice of the decision shall specify that if the account is not paid on or before five days from the date of receipt of the notice, the utility service shall be disconnected.

(Ord. 2211. Passed 4-29-97; Ord. 2270. Passed 10-23-00.)

1046.36 POSTING OF PREMISES.

A notice of termination, in the form of a red tag (applicable December 1 through March 31), shall be conspicuously posted within five days prior to the date that service is scheduled to be terminated. If the termination is due to the breaking of payment arrangements, the notice (applicable December 1 through March 31) shall be posted within twenty-four hours of termination.

(Ord. 2211. Passed 4-29-97; Ord. 2378. Passed 12-27-05.)

1046.37 RECONNECTION CHARGES.

Service disconnected by the Borough under the provisions of this chapter will be restored only upon payment in advance of a fee, which shall be determined from time to time by resolution of Council, in addition to all arrearages due from the customer, except when it is necessary to remove service wires to effect discontinuance of service. In the latter case, service will be restored only upon payment to the Borough of all costs of discontinuance and restoration in addition to all such arrearages.

(Ord. 2211. Passed 4-29-97.)

ELLWOOD CITY BOROUGH
APPLICATION FOR CREDIT EXTENSION

1). Customer Name(s): _____

Service Address: _____

Mailing Address: (if different than above) _____

Phone: (____) _____ - ____ Alt 1. (____) _____ - ____ Alt. 2. (____) _____ - ____

City _____ State _____ Zip: _____

List Other Adults in Residence: _____

Select: _____ Home Owner _____ Renter *

* If a renter/tenant, you must have Landlord approval to enter into this payment plan. The Landlord Authorization form can be found at: www.ellwoodcityborough.com and must accompany this form.

2). Credit Extension (Check All That Apply) _____ ELECTRIC and /or _____ SEWAGE

BALANCE DUE _____ AS OF _____ 20____

PAYMENT PLAN REQUESTED:

Payment 1: \$ _____ to be paid on _____

Payment 2: \$ _____ to be paid on _____

Payment 3: \$ _____ to be paid on _____

3). I, _____, agree to pay all future Utility Bills in full on or before the current due date and pay all previous balance(s) in accordance with the terms stated above.

Signature: _____ Date: _____

Print Name: _____

Mail all forms to: 525 Lawrence Avenue, Ellwood City, PA, 16117 or

FAX form to: 724-758-2716 or

Form can also be left at Utility Drop Box (Rear of Borough Building)

ANY QUESTIONS? Please phone 724-758-5576

Utility Collection Dept. Hours: M-F-Thurs: Office Hours 7:30 am to 3:00Pm, Service Window 9:00Am to 3:00Pm

Wednesday: 7:00am to 5:00Pm, Service Window 9:00Am to 4:30Pm

Friday: Service Window Closed: Please call for assistance.

Customers may submit payments to the borough using the US Postal Service, place payments in the Borough Drop Box. Pay at the Service Window at the hours listed or Pay On-Line through a secure site on a 24-7 basis. On-Line Options may be found at www.ellwoodcityborough.com

Personal Touch from Local Utility Billing Office:

Customers needing financial assistance with bill payments are given the following information:

- 1. Encouraged to apply for LIHEAP**
- 2. Provided with contact information of those who offer financial help:**
 - a. Social Services**
 - b. Salvation Army**
 - c. United Way**
 - d. Dollar Fund**
 - i. The Borough contributes \$1,000 to this fund annually**
 - e. Suggestions given to contact churches**
- 3. Refunds have been provided to Landlords if a past tenant returns for service. The Borough collects the amount the Landlord had paid on their behalf before new service is reestablished. Those monies are returned to Landlord.**
- 4. Going above and beyond to give customers final warning that services are about to be terminated.**
 - a. The Code Red emergency contact system is used to call those customers on the shut off list.**
 - b. Customers are reached if they provided a valid phone number.**

Utility Information

Borough Electric Online Payment Services

The Borough of Ellwood City offers its electric customers an easy and secure system to pay their bills online. The system allows customers to pay via credit card or debit card, make quick and easy transactions, set up an auto-pay, receive electronic reminders, receive e-statements, and view the safe balance due, and access payment history and account details.

BILL PAY WITH ACCOUNT LOGIN: www.paydici.com/ellwoodcity-pa-utilities

BILL PAY WITHOUT LOGIN: www.paydici.com/ellwoodcity-pa-utilities/pay

Quickpay allows you to make a one-time payment without storing any payment information or logging into your account.

If you are interested in the online bill pay services, use the first link above to register for an account. Logging in allows you to view and download your statements, set up autopay or make a one-time payment as well as view your payment history on your dashboard. You also have the ability to select the paperless option and receive notification that your bills are available to view and download electronically if you so choose.

If you have not paid your bill in a timely manner and are scheduled for termination of services or services have already been terminated, **DO NOT** pay through the Online Payment System. You must come into the Municipal Building to pay any resulting fees in order to have your service restored.

- [Ellwood City Borough Residential Payment Plans Options](#)
- [Tenant Utility Payment Plan Information](#)
- [Landlord Utility Payment Information](#)
- [Utility Budget Payment Plan 2017](#)

Phone: 724-758-5576 or 724-758-5577

Article III, Pennsylvania Constitution

Section 32

Text of Section 32:

Certain Local and Special Laws

The General Assembly shall pass no local or special law in any case which has been or can be provided for by general law and specifically the General assembly shall not pass any local or special law

- 1 Regulating the affairs of counties, cities, townships, wards, boroughs, or school districts
- 2 Vacating roads, town plats, streets or alleys
- 3 Locating or changing county seats, erecting new counties or changing county lines
- 4 Erecting new townships or boroughs, changing township lines, borough limits or school districts
- 5 Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury
- 6 Exempting property from taxation
- 7 regulating labor, trade, mining or manufacturing.
8. Creating corporations, or amending, renewing or extending the charters thereof

Nor shall the General Assembly indirectly enact any special or local law by the partial repeal of a general law, but laws repealing local or special acts may be passed.

Misleading
Statements
Posted by
Representative
Bernstine

House Bill 2030 Fact Check

WHAT THE BILL DOES

- Lowers electric bills by forcing Ellwood Electric to pass on bulk savings to customers.
- Puts commonsense consumer protections in place for the elderly, children, poor, and disabled.
- Provides Ellwood City Borough residents with the same protections as 98.6% of other municipalities in Pennsylvania.

WHAT THE BILL DOES NOT DO

- Does not eliminates Ellwood Electric.
- Does not raise property taxes.
- Does not eliminate funding for police, fire, or other government services.

WHO SUPPORTS HB 2030:

AARP | PA Chamber of Commerce
Lawrence County Chamber of Commerce
Beaver County Chamber of Commerce | PA Manufacturers' Association
PA Association of Realtors | PA Catholic Alliance | SEIU32BJ
Americans for Prosperity

RESIDENTS IN ELLWOOD CITY BOROUGH PAY A 27% PREMIUM

Reality Check

- 69% of General Fund Costs are Wages and Benefits
 - Legal Obligations Due to Labor Contracts
- Is it Realistic to Eliminate Entire Departments or Severely Cut Personnel?
 - Would Council Fully Eliminate Police and Fire Protection?
 - May Result in Litigation for Unfair Labor Practices
 - Would Council Eliminate Materials for Road Maintenance/Snow Removal?
- Would Electric Bills actually be reduced by 20%?
 - House Bill does not obligate a reduction in rates if electric capital improvements are made
 - Reserve Funds are needed to Maintain System
- The Borough models the PUC Guidelines for Consumer Protection
- Residents have easy access to local government
 - Opportunity to voice opinions as visitors at council meetings
- Utility Customers have easy access to Utility Billing Office Staff
 - Personal assistance given to customers to help with bill payments
- Landlords have options
 - Do credit check on tenants
 - Include utilities in rent
 - Secure a higher deposit

Reality Check

The Electric Fund and Sewage Funds are Enterprise Funds

Enterprise Funds Generally Accepted Accounting Principles requires state and local governments to use the enterprise fund type to account for “business-type activities” – activities similar to those found in the private sector. Business type activities include services primarily funded through user charges.

**Would you operate a business in which
you could not make a profit?**

Reality Check

- The Borough has entered into a multi-year contract for the purchase of power
- The Borough could not be immediately released to sell the Electric Department
- The Borough would be placed in a position to maintain a business without making a profit

VOTE NO ON HB 2030

Pennsylvania state lawmakers should reject HB 2030. This misguided legislation aims to resolve a single issue in a single community in Lawrence and Beaver Counties, northwest of Pittsburgh. However, its passage could ultimately lead to an upheaval impacting all political subdivisions and public service projects across the commonwealth.

In the short term, significant tax increases and/or significant reduction in local services will take place in Ellwood City. This includes layoffs of police officers and other public service professionals, a reduction in funding for volunteer firemen and the delay of critical improvements of local infrastructure.

In the long run, it will lead to an increase in costs for all public projects across the state. In Ellwood City, customers should expect a decrease in service quality and a higher tax burden.

HB 2030 is the product of a local dispute in Ellwood City. Since the local issue first arose, a new council has been elected and long term resolution is already underway. Passage of the bill sets the precedent that a local disagreement can be resolved by passing statewide legislation.

REASONS TO VOTE NO ON HB 2030

Major cuts and layoffs- HB 2030 would immediately cut approximately \$1,400,000 from Ellwood City's operating budget, removing a quarter of the Borough's annual budget. Without this money, Ellwood City would be unable to adequately fund police services, street repair, storm sewers or the volunteer fire department.



The Ellwood City Police Patrol Car, which is currently used for police services and the volunteer fire department.

Damaged credit ratings throughout PA- HB 2030 will increase the cost for all local government services in Pennsylvania by forcing credit agencies to consider that local governments are at risk of having their revenue streams destroyed by the state legislature. In the eyes of creditors, that threat would be applied to all political subdivisions that collect tax revenue, issue bonds and require public financing of projects within the state.



Ellwood City Public Customers Area (2018) address

Revokes the right of self-governance- HB 2030 allows state lawmakers to single out one Pennsylvania borough by preventing them from balancing their own municipal budget and seizing control of their right to self-governance.

Major tax increases- HB 2030 will force Ellwood City borough leaders to cut services and increase property taxes by as much as 70 percent in the next fiscal year. This will force the borough into financial instability and threaten the livelihood of the entire community.

Pennsylvania has a long history of relying on local government to make important decisions and vesting power in local elected officials and local voters to determine what is best for their community.

WE STRONGLY URGE YOU TO OPPOSE HB 2030.

For more information please contact:

Vance Oakes - PMEA president
Borough Manager, Grove City

(724) 458-7060

vance@grovecityonline.com

Joe Juliana - Legislative Counsel

(610) 861-0400

(610) 554-1313

Juliana@jmuliana.com



About Ellwood City:

Chartered in 1892

Population of approx. 7,600

Electric department formed in 1892

Approx. 4,050 customers

Budget cuts imposed by HB 2030: \$1.4 million

Council opposes change to electricity fund laws, says property taxes would skyrocket if bill passes

SATURDAY, APRIL 20, 2014 62.0° A FEW CLOUDS

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PRESS & JOURNAL

By Dan Miller

danmiller@pressandjournal.com

717-944-4628

Middletown Borough Council on April 3 went on record opposing legislation introduced in the state House that would prohibit the borough from using money derived from selling electricity to subsidize the general fund.

Middletown residents would face a property tax increase of "over 100 percent" if House Bill 1405 introduced by Republican Rep. Aaron Bernstine of Ellwood City becomes law. Mayor James H. Curry III said before council voted 7-0 to oppose the legislation.

The council resolution also applies to House Bill 2030, a companion bill Bernstine has introduced that applies only to municipalities that sell electricity in multiple counties.

House Bill 2030 on March 13 passed the State Government Committee by a 12-8 vote.

The bill is not scheduled for a full House vote. However, Borough Manager Ken Klinepeter told council that the House passing 2030 would make it "very likely" that House Bill 1405 — which would affect Middletown — would "eventually pass."

The Local Government Committee held a hearing on HB 1405 on Feb. 13. No committee vote or any other activity has been scheduled on 1405 since then.

Bernstine and his office did not respond to requests for comment.

Middletown is one of 35 boroughs where residents and businesses buy their electricity from the municipality, instead of from a private utility.

Middletown for years has annually transferred money from its electric fund to balance the borough's general fund budget.

Council in 2017 transferred \$1.6 million from the electric fund to the general fund to balance the budget — an amount equal to raising the property tax by 6.5 mills.

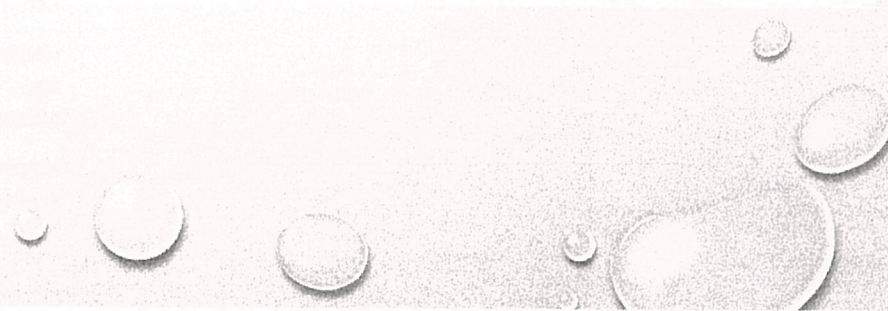
The borough's property tax mill rate of 5.631 has remained unchanged since 2008.

Bernstine contends residents and businesses in so-called public power municipalities pay more for electricity than people served by private utilities, because the boroughs keep their rates artificially high to subsidize their general fund.

Residents and businesses in these boroughs also cannot shop to purchase electricity from a provider of their choice, which House Bill 1405 would also allow, Bernstine has said.

Advocates of public power say residents have more input into rate-setting decisions that are made by the local borough council.

Using electric fund proceeds to balance the budget is fairer, as a larger number of residents pay for electricity compared to those who own property and are subject to the property tax, these advocates say.



PRESS & JOURNAL

Bill that might lead to Middletown borough tax hike passes state House

By Dan Miller

danmiller@pressandjournal.com

717-944-4628

The state House of Representatives voted 106-89 on April 17 to approve legislation placing restrictions on the electric system run by Ellwood City borough in western Pennsylvania.

Middletown officials worry the legislation is "the first domino" toward passing legislation that would prohibit Middletown and other boroughs with their own electric systems from transferring revenue from these systems to the general fund.

This could lead to a borough property tax increase of more than 100 percent, officials have said, to make up for the \$1.6 million that council transferred from the electric system to balance the 2018 general fund budget.

Borough Manager Ken Klinepeter during council's April 17 meeting urged councilors and residents contact state Sen. Mike Folmer and ask he vote no on the Ellwood City legislation — House Bill 2030 — if and when it comes to a Senate vote.

Rep. Tom Mehoffie was among the 89 "no" votes on House Bill 2030.

House Bill 1405 — the legislation that would ban Middletown and other boroughs from transferring money from their electric companies — was introduced by Rep. Aaron Bernstine of Ellwood City, who also introduced House Bill 2030.

No committee or House votes have been taken on 1405. However, Klinepeter told council he expects Bernstine to reintroduce 1405 if 2030 is passed by the Senate and becomes law.

REPRESENTATIVE MEHAFFIE: - Middletown Borough and
oyalton Borough. The question I have is, as coming
nto this, I was previously an elected official at
he local level. We run on a calendar year, as
oroughs do also. If this is enacted within 60 days
nd that is taken out of their budget, how do you
xpect them to cover the difference? Now, in
iddletown Borough, they I think move about \$1.6
illion over into their budget --

REPRESENTATIVE BERNSTINE: Wow.

REPRESENTATIVE MEHAFFIE: - from this. That's a
onsiderable amount of money. You can make cuts and
here's no doubt about it. You can make cuts, but the
uts you need to make are usually going to be
ervices, and those services are usually police and
ublic works. So if you don't have people out
lowing your snow or making arrests or doing the
rotections that they need, I see this as being very
roblematic in this bill if passed because you
annot raise taxes in the middle of the year. That
as to be identified and done at the end of the
ear, which would be enacted in the beginning of the
ear, and then that would be done through the
axation through the counties or the local tax
ollectors, whoever collects that money, so they
an't collect any more tax revenue at that point if
eed be.

I know that this would be at least doubling these two
municipalities in taxes if they had to cover this
difference other than cuts, but as you know there's a
lot of different ways that other municipalities
across the State, first-class municipalities have
something called a business privilege tax that taxes
at a rate on gross revenues. So you can talk about
egregious and you can talk about, you know, people
digging in and doing
things in these local boroughs that you feel is
hurting people, but if you go to other communities
and other municipalities, every one of them has some
kind of taxation, whether it be a business privilege
tax -- I'm just giving you a for instance. So I'm
just curious what do you think about that and where do
you think as far as that goes?

Statement from Democratic Chair:

Freeman, Robert <RFreeman@pahouse.net>

Honorable Robert Freeman, Democratic Chairman

Dear Ms. Santagata,

Thank you for your email regarding HB 2030 and HB 1405. I appreciate your concerns regarding this proposed legislation and its impact on Ellwood City. Chairman Harper and I made a concerted effort to defeat HB 2030 on the floor of the House. While we came close, the bill passed by a slim margin. We both recognized the flaws in this bill and tried to get our colleagues in the House to recognize the unfair way in which Ellwood City would be treated by this legislation. Unfortunately, to no avail. I hope this measure can be defeated in the Senate but I am uncertain as to its fate at this time.

I wish you and the officials of Ellwood City well in your efforts to defeat HB 2030.

Sincerely,

Rep. Bob Freeman



PA State Rep. Kate Harper

Rep Bernstine's bill was given a hearing before the House Local Government Committee. At the hearing he presented witnesses in favor of his bill and the Boroughs Association and Municipal electric association testified against the bill noting that it would surely raise property taxes substantially if passed. The boroughs use electric revenues to pay for services like police. Within a week Rep Bernstine had a similar bill put into the State Government Committee and voted out. It has since passed the House. And Elwood City Borough has hired a lawyer to fight it.

How You Can Help





Call Pennsylvania
Senators

Ask that they
NOT
Support House Bill 2030

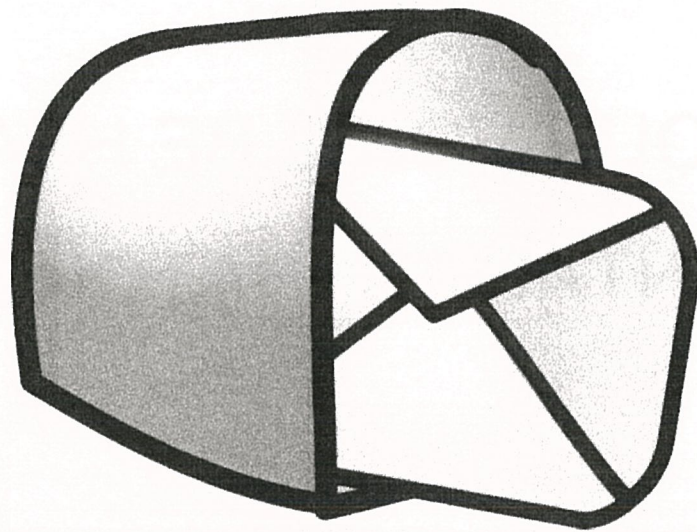


Send



- State your name and address
- Ask that they oppose House Bill 2030

MAIL A LETTER OR POSTCARD



**THESE ARE THE PEOPLE WHO
WILL DECIDE ELLWOOD'S
FATE!**

LET YOUR VOICE BE HEARD
CONTACT SENATORS

Members of the Senate

Republicans — 34
Democrats — 16



Alloway, Richard L. (R)
District 33



Argali, David G. (R)
District 29



Aument, Ryan P. (R)
District 36



Baker, Lisa (R)
District 20



Bartolotta, Camera (R)
District 45



Blake, John P. (D)
District 22



Boscola, Lisa M. (D)
District 18



Brewster, James B. (D)
District 45



Brooks, Michele (R)
District 50



Gardner, John R. (R)
District 27



Greenleaf, Stewart J.
(R)
District 12



Haywood, Art (D)
District 4



Hughes, Vincent J. (D)
District 7



Hutchinson, Scott E.
(R)
District 21



Killen, Thomas H. (R)
District 9



Langerholc, Wayne (R)
District 35



Laughlin, Daniel (R)
District 43



Leach, Daylin (D)
District 17



Scavella, Mario M. (R)
District 46



Schwank, Judith L. (D)
District 11



Stefano, Patrick J. (R)
District 32



Street, Sharif (D)
District 3



Tartaglione, Christine
M.
Dis



Tomlinson, Robert M.
(R)
District 6



Vogel, Elder A. (R)
District 47



Vulakovich, Randy (R)
District 38



Wagner, Scott (R)
District 28



Browne, Patrick M. (R)
District 16



Gorman, Jake (R)
District 34



Costa, Jay (D)
District 43



DiSanto, John (R)
District 15



Dinniman, Andrew E.
(D)
District 19



Eichelberger, John H.
(R)
District 30



Farnese, Lawrence M.
(D)
District 1



Folmer, Mike (R)
District 48



Fontana, Wayne D. (D)
District 42



Martin, Scott (R)
District 13



McGargle, Thomas J.
(R)
District 26



McIlhinney, Charles T.
(R)
District 10



Mensch, Bob (R)
District 24



Rafferty, John C. (R)
District 44



Regan, Mike (R)
District 31



Reschenthaler, Guy (R)
District 37



Sabatino, John P. (D)
District 5



Scarnati, Joseph B. (R)
District 25



Ward, Kim L. (R)
District 39



White, Donald C. (R)
District 41



Williams, Anthony H.
(D)
District 8



Yaw, Gene (R)
District 23



Yudichak, John J. (D)
District 14

