

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 070475)

RESOLUTION

Calling upon the Water Department and the Philadelphia Gas Works (“PGW”) to comply with Bill No. 040564 (effective July 1, 2004) and Bill No. 040565 (effective July 1, 2004), which require certain information to be included in water and gas bills, and authorizing Council to retain counsel to file lawsuits to compel compliance if the Water Department and PGW continue to ignore the provisions of those Bills.

WHEREAS, Bill No. 040564 became law on July 1, 2004 when the Mayor did not veto the Bill by the first session of Council held not less than ten days after the Bill was certified to the Mayor for his approval. Bill No. 040564 requires the Philadelphia Gas Works (“PGW”) to “include with all monthly billing statements to customers information regarding the portion of the customer’s bill attributable to the cost of service provided or to be provided to other customers for which the company has determined it cannot or will not be able to collect payment”; and

WHEREAS, PGW takes the position that it may not comply with the provisions of Bill No. 040564 without the approval of the Pennsylvania Public Utility Commission (“PUC”). However, to date, PGW has failed to request approval of the PUC to include the information required by Bill No. 040564 in customer bills; and

WHEREAS, Bill No. 040565 became law on July 1, 2004 when the Mayor did not veto the Bill by the first session of Council held not less than ten days after the Bill was certified to the Mayor for his approval. Bill No. 040565 requires the Philadelphia Water Department to “include with all monthly billing statements to customers information regarding the portion of the customer’s bill attributable to the cost of service provided or to be provided to other customers for which the Department has determined it cannot or will not be able to collect payment”; and

WHEREAS, To date, the Water Department has failed to include the information required by Bill No. 040565 in customer bills; now therefore

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RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Council calls upon Water Department to take immediate action to comply with Bill No. 040565, and calls upon the PGW to take immediate action to request the approval of the PUC to include in customer bills the information required by Bill No. 040564.

FURTHER RESOLVED, That Council is authorized to retain counsel to file lawsuits to compel compliance with Bill No. 040564 and Bill No. 040565 if the Water Department and PGW continue to ignore the provisions of those Bills.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-fourth of May, 2007.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember O'Neill

Sponsored by: Councilmembers O'Neill, Rizzo, Greenlee, Savage, Goode, Kenney, Reynolds Brown, Krajewski, Miller, Campbell, DiCicco, Ramos, Blackwell, Council President Verna, Councilmembers Kelly and Clarke