

City of Philadelphia



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

(Resolution No. 030451)

RESOLUTION

Memorializing the intent of the Council of the City of Philadelphia not to seek enforcement of Bill Nos. 030123 and 030138 (relating to the PGW senior citizen discount) if the City, by July 7, 2003, requests the Pennsylvania Public Utility Commission (“PUC”) to approve a senior citizen discount program under which all senior households with incomes at or below 250% of the federal poverty level would qualify for the discount, and if the City undertakes a comprehensive outreach program to notify potentially eligible households of the discount and the procedure that needs to be followed to receive the discount; and authorizing the President of City Council to retain counsel to institute appropriate litigation before the PUC and/or any Court of appropriate jurisdiction to implement and enforce Bill Nos. 030123 and 030138 if the City fails to file such request by July 7, 2003.

WHEREAS, On April 10, 2003, City Council passed Bill Nos. 030123 and 030138, reaffirming its commitment to continue the existing PGW senior citizen discount, and requiring that whenever a proposed rate filing is made to the Public Utility Commission (“PUC”) on behalf of PGW, such proposed rate filing must include a proposal to continue the discount afforded to senior citizens under the same terms that the senior citizen discount was last approved by the Philadelphia Gas Commission; and

WHEREAS, The Mayor returned Bill Nos. 030123 and 030138 to Council without his signature, allowing them to become law; and

WHEREAS, The Administration now proposes that by July 7, 2003, PGW will request the PUC to approve a senior citizen discount with a means test that is not as strict as the means test originally proposed by the Administration and submitted to the PUC for approval; in particular, under this proposal, any senior household with an income at or below 250% of the federal poverty level would qualify for the senior discount; and

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WHEREAS, Council believes that the important interests Council sought to protect by its enactment of Bill Nos. 030123 and 030138 will be served in large measure by the Administration's proposal; in particular, approximately three-fourths of all senior households would be eligible for the discount; and

WHEREAS, The sense of Council is that this proposal is preferable to the cost, delay and uncertainty that would result if Council were required to commence litigation to enforce Bill Nos. 030123 and 030138; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Council of the City of Philadelphia hereby memorializes its intent not to seek enforcement of Bill Nos. 030123 and 030138 (and to amend or repeal those ordinances) if the City, by July 7, 2003, requests the PUC to approve a senior citizen discount program under which all senior households with incomes at or below 250% of the federal poverty level would qualify for the discount (in addition to those households receiving the discount on a non-means-tested basis as of September 1, 2003, who would continue to receive the discount), and if the City, assuming the PUC approves such proposal, undertakes a comprehensive outreach program to notify potentially eligible households of the discount and the procedure that needs to be followed to receive the discount.

FURTHER RESOLVED, That if the City fails to file such a request with the PUC by July 7, 2003, the Council hereby authorizes the President of City Council to retain counsel to institute appropriate litigation before the PUC and/or any Court of appropriate jurisdiction to implement and enforce Bill Nos. 030123 and 030138, and to ensure that the Senior Citizen Discount as it now exists continues to be made available to all residents of Philadelphia who reach age sixty-five.

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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 fifth of June, 2003.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Blackwell for Council President Verna

Sponsored by: Council President Verna, Councilmembers Blackwell, Clarke, Reynolds Brown, Rizzo, Miller, DiCicco, Goode, Tasco and O'Neill