

ASSEMBLY, No. 1642

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman JEAN STANFIELD

District 8 (Atlantic, Burlington and Camden)

SYNOPSIS

Requires public utilities to provide customers notice of request for increase in rates; revises requirements related to hearings on proposed rate increases.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning public utility rate requests, amending P.L.1980,
2 c.179 and supplementing Title 48 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) a. Any public utility that has filed with the
8 Board of Public Utilities a tariff filing or petition for an adjustment
9 in existing tariffs which proposes to increase individual rates, joint
10 rates, tolls, or charges, or schedules thereof, shall provide notice of
11 any hearing to be held by the board, or by the Office of
12 Administrative Law, involving such filing or petition. Such notice
13 shall be provided at a reasonable time in advance of a hearing or
14 proceeding, as determined by board rules or regulations, and shall
15 be (1) conspicuously set forth in a written message that appears as
16 part of or accompanies the bills for service sent by the public utility
17 to each of its customers, and (2) publicized in the public notice
18 section of a newspaper having substantial readership, printed, and
19 published within each county in which the public utility provides
20 service. A public utility shall provide to customers who are not
21 provided monthly bills for service, or are provided such bills
22 electronically, the notification required pursuant to this section via
23 regular mail, or electronically if applicable, in a manner, consistent
24 with this subsection, to be determined by board rules or regulations.

25 The requirement of hearing notice to individual customers under
26 this subsection shall be in addition to the requirement of hearing
27 notice to municipalities and counties under subsection c. of section
28 34 of P.L.1962, c.198 (C.48:2-32.2).

29 b. For the purposes of this section, “public utility” means a
30 public utility as defined in R.S.48:2-13, providing gas, electric,
31 water, or sewer service.

32

33 2. Section 1 of P.L.1980, c.179 (C.48:2-32.4) is amended to
34 read as follows:

35 1. a. Prior to granting a public utility a proposed adjustment
36 which would result in an increase in individual rates, joint rates,
37 tolls, charges or schedules thereof, the Board of Public Utilities or
38 the Office of Administrative Law shall hold at least one public
39 hearing in the municipality affected by the proposed adjustment. If
40 more than one municipality is located in the service area affected by
41 the proposed adjustment, the public hearing shall be held in **[a**
42 **centrally located]** the municipality having the largest population in
43 the affected service area. If the municipalities of more than one
44 county are affected by the proposed adjustment, the public hearing
45 shall be held in the municipality of each county having the largest

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 population of any municipality in that county. Notice of any such
2 hearing shall be furnished in the manner provided for notices
3 generally pursuant to subsections c. and d. of section 34 of
4 P.L.1962, c.198 (C.48:2-32.2). In the case of a hearing held by the
5 Office of Administrative Law, proof of service of notice by a public
6 utility shall be furnished to that office.

7 b. The Board of Public Utilities or the Office of Administrative
8 Law shall receive the public's questions and comments concerning
9 the proposed adjustment during the public hearing conducted
10 pursuant to subsection a. of this section, during any hearing
11 conducted pursuant to section 2 of P.L.1983, c.454 (C.48:2-32.6).
12 The public utility proposing the adjustment, and the Board of Public
13 Utilities shall make reasonable efforts to address the questions and
14 comments received from the public at any such hearing.

15 (cf: P.L.1985, c.203, s.2)

16
17 3. This act shall take effect immediately.

20 STATEMENT

21
22 This bill requires that electric, gas, water, and sewer public
23 utilities regulated by the Board of Public Utilities (BPU) that have
24 petitioned the BPU for an increase in rates, shall provide notice to
25 individual customers of any hearing or proceeding to be held
26 concerning such a request. Such notice must be provided
27 reasonably in advance of the hearing or proceeding, as determined
28 by board rules or regulations, and shall be conspicuously set forth in
29 writing in or with the bills for service sent by the public utility, or
30 other written notice, to each of its customers and publicized in the
31 public notice section of a newspaper having substantial readership,
32 printed, and published within each county in which the public
33 utility provides service.

34 The bill amends the law concerning public hearings conducted in
35 relation to proposed rate increases by any public utility to provide
36 that such hearings shall be held in the municipality with the largest
37 population that may be affected by the increase. If the increase
38 would affect municipalities in more than one county, the hearings
39 would be held in the municipality with the largest population in
40 each affected county. In addition, the bill directs the BPU to
41 receive and address public questions and comments concerning the
42 proposed rate increase submitted during the public hearing.