

Subpart D. CONSUMER AFFAIRS

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CHAPTER 91. CONSUMER ADVISORY COUNCIL

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Authority

The provisions of this Chapter 91 issued under the Public Utility Code, 66 Pa.C.S. § 501, unless otherwise noted.

Source

The provisions of this Chapter 91 adopted April 15, 1977, 7 Pa.B. 1034, unless otherwise noted.

§ 91.1. Creation of the Council.

The Consumer Advisory Council to the Pennsylvania Public Utility Commission is hereby created, and shall be known in this subpart as the Council.

§ 91.2. Purposes of the Council.

The purpose of the Council shall be to advise the Commission upon matters relating to the protection of consumer interests as those interests are affected by the Commission's exercise of its jurisdiction as provided by law. Nothing in this chapter shall prevent or discourage advice on any subject which will aid the Commission in pursuance of its regulatory duties.

Source

The provisions of this § 91.2 amended December 30, 1994, effective December 31, 1994, 24 Pa.B. 6568. Immediately preceding text appears at serial page (172425).

Cross References

This section cited in 52 Pa. Code § 91.3 (relating to powers and duties of the Council).

§ 91.3. Powers and duties of the Council.

- (a) The Council shall consider all matters within the scope of § 91.2 (relating to purposes of the council) which arise from:
 - (1) Consumer inquiry or request;

- (2) Commission inquiry or request; or
- (3) The proceedings, deliberations, or motions of the Council itself.
- (b) The Council shall make periodic reports to the Commission regarding the activities of the Council and its recommendations as to how the Commission may better serve the public and, particularly, the interest of ratepayers.
- (c) The Council, in considering matters within its jurisdiction, may conduct investigations and may solicit and receive comments from interested parties and the general public.
- (d) The Council shall hold regular meetings not less than quarterly in such places as it may deem appropriate in the performance of its duties.
- (e) All meetings of the Council shall be open to the public and shall be preceded by reasonable notice of the date, time, and place thereof. Notice of all Council meetings shall be made to the media through the Public Information Office of the Commission.
- (f) Copies of all Council actions shall be filed with the Secretary and the Bureau of Consumer Services.

§ 91.4. Composition of the Council.

- (a) *Terms and numbers of members and officers.* Terms and numbers of members and officers shall conform with the following:
 - (1) *Terms.* Members of the Council shall serve a 2-year term but may be reappointed thereafter without limit. An officer of the Council shall serve for a term of 2 years. A Chairperson may not act for more than 2 consecutive terms.
 - (2) *Number of members and officers.* The members of the Council shall select the following from one of their number:
 - (i) A chairperson.
 - (ii) Other officers as the Council deems appropriate.
- (b) *Quorum.* For all purposes, a quorum of the Council shall consist of one more than half of the members then appointed.
- (c) *Qualifications and appointment of Council members.* Qualifications and appointment of Council members shall conform with the following:
 - (1) The Council shall be composed of persons who, as a group, reflect a reasonable geographic representation of this Commonwealth and shall include low-income individuals, members of minority groups and various classes of consumers.
 - (2) A person may not serve as a member of the Council if that person does one of the following:
 - (i) Occupies an official relation to a public service company or public utility.
 - (ii) Holds or is a candidate for a paid appointive or elective office of the Commonwealth.

(3) The Commission will appoint members of the Council as appropriate to comply with this chapter. Additional members shall be appointed by each of the following persons:

- (i) The Governor.
- (ii) The Lieutenant Governor.
- (iii) The Majority Chairperson of the Senate Consumer Protection and Professional Licensure Committee.
- (iv) The Minority Chairperson of the Senate Consumer Protection and Professional Licensure Committee.
- (v) The Majority Chairperson of the House Consumer Affairs Committee.
- (vi) The Minority Chairperson of the House Consumer Affairs Committee.

(4) An individual listed in paragraph (3) who appoints a member of the Council may, during his term in the position named, revoke the appointment and name another person to the position.

(5) The appointee of an individual listed in paragraph (3) shall continue to serve even if the individual appointing him no longer holds the office listed unless the successor in office to that individual revokes the appointment and names a different person to complete the remainder of the term.

Source

The provisions of this § 91.4 amended December 30, 1994, effective December 31, 1994, 24 Pa.B. 6568. Immediately preceding text appears at serial pages (172426) and (98739) to (98740).

§ 91.5. Salaries and expenses of the Council and its members.

The members of the Council shall serve without compensation but shall be entitled to reimbursement for all necessary expenses actually incurred in the discharge of their duties, including travel; and, subject to budgetary restrictions, the Commission will provide the Council reasonable amounts of staff assistance. All costs covered by this section will be borne by the Commission.

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