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ASSEMBLY, No. 343

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman PETER J. BARNES, JR.

District 18 (Middlesex)

Assemblywoman BARBARA BUONO

District 18 (Middlesex)

SYNOPSIS

Allows ratepayers to designate third parties to receive public utility service termination notices.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT regarding public utility service termination notices and
2 supplementing chapter 3 of 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. Every public utility which provides electric, natural gas, water,
8 sewage disposal or telecommunications service shall permit a
9 residential ratepayer who receives service to designate a third party to
10 whom the public utility shall transmit a copy of any notice of
11 termination of service. The ratepayer shall notify the public utility that
12 a third party has been so designated. Such notification shall be
13 authorized on an appropriate form for recording this designation, and
14 shall be effective not later than 10 business days from the date of
15 receipt by the public utility. The notification shall contain, in writing,
16 an acceptance by the third party designee to receive copies of any
17 notices of termination of service of the ratepayer's utility services.

18 The transmission to the third party designee of a copy of the
19 termination of service notice shall be in addition to the original
20 document transmitted to the ratepayer. The copy of the termination
21 of service notice transmitted to the third party shall be governed by the
22 same law and policy provisions which govern the notice being
23 transmitted to the ratepayer.

24 Designation as a third party shall not constitute acceptance of any
25 liability on the part of the third party for payment of the public utility
26 bill.

27 The public utility shall notify every residential ratepayer annually in
28 writing of the availability of the third party designee notice procedures
29 and provide information on how the ratepayer can commence this
30 procedure, except that notice need not be provided once a ratepayer
31 has made a designation. A public utility may provide this required
32 annual notice to its residential ratepayers in any manner that the public
33 utility determines.

34
35 2. The board shall promulgate, in accordance with the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), such rules and regulations as may be necessary to effectuate the
38 purposes of this act.

39
40 3. This act shall take effect on the 120th day following enactment.

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STATEMENT

45 This bill supplements chapter 3 of Title 48 of the Revised Statutes
46 to permit every residential ratepayer of a public utility which provides

1 electric, natural gas, water, sewage disposal or telecommunications
2 service to designate a third party to whom the public utility shall
3 transmit a copy of any notice of termination of service.

4 Under the provisions of the bill, a public utility is required to notify
5 every residential ratepayer annually in writing of the availability of the
6 third party designee notice procedures and provide information on
7 how the ratepayer can participate in the program.

8 The ratepayer is required to notify the public utility of any third
9 party designation. The bill specifies that the notice designating a third
10 party must contain a written agreement on the part of that third party
11 indicating a willingness to receive a copy of any termination of service
12 notice the utility transmits to the participating ratepayer.

13 Finally, the bill provides that designation as a third party does not
14 constitute acceptance of any liability on the part of that party for
15 payment of any amounts due and payable to the utility.

16 Although the public utility statutes are silent on third party
17 notifications, the public utility chapter of the New Jersey
18 Administrative Code does require electric, gas, water, sewer and
19 telephone public utilities to notify annually all residential customers
20 that, upon request, any notice of a discontinuance of service may be
21 sent to a designated third party, as well as to the customer (see
22 paragraphs 1. and 2. of subsection (a) of N.J.A.C.14:3-7.12).

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 343

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 20, 2000

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 343 with committee amendments.

As amended, this bill supplements chapter 3 of Title 48 of the Revised Statutes to permit every residential ratepayer of a public utility which provides electric, natural gas, water, sewage disposal or local telecommunications service to designate a third party to whom the public utility shall transmit a copy of any notice of termination of service.

Under the provisions of the bill, a public utility is required to notify every residential ratepayer annually in writing of the availability of the third party designee notice procedures and provide information on how the ratepayer can participate in the program.

The ratepayer is required to notify the public utility of any third party designation. The bill specifies that the notice designating a third party must contain a written agreement on the part of that third party indicating a willingness to receive a copy of any termination of service notice the utility transmits to the participating ratepayer.

Finally, the bill provides that designation as a third party does not constitute acceptance of any liability on the part of that party for payment of any amounts due and payable to the utility.

Although the public utility statutes are silent on third party notifications, the public utility chapter of the New Jersey Administrative Code does require electric, gas, water, sewer and telephone public utilities to notify annually all residential customers that, upon request, any notice of a discontinuance of service may be sent to a designated third party, as well as to the customer (see paragraphs 1. and 2. of subsection (a) of N.J.A.C.14:3-7.12).

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 1814. The committee adopted an amendment to clarify that the provisions of the bill shall apply to providers of local telecommunications service since local service providers have the ability and authority to terminate service.

This bill was prefiled for introduction in the 2000-2001 session

pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

[First Reprint]

ASSEMBLY, No. 343

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman PETER J. BARNES, JR.

District 18 (Middlesex)

Assemblywoman BARBARA BUONO

District 18 (Middlesex)

Co-Sponsored by:

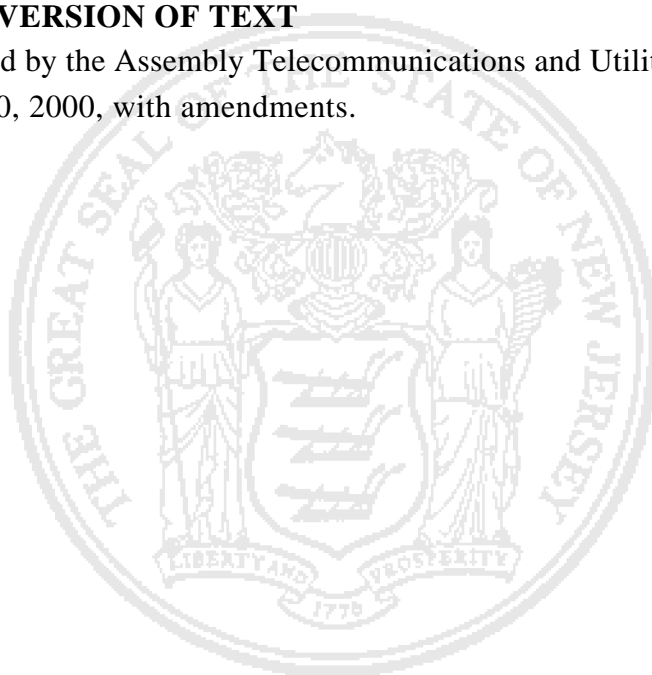
Senators Inverso and Bark

SYNOPSIS

Allows residential ratepayers to designate third parties to receive public utility service termination notices.

CURRENT VERSION OF TEXT

As reported by the Assembly Telecommunications and Utilities Committee on January 20, 2000, with amendments.



(Sponsorship Updated As Of: 9/22/2000)

1 AN ACT regarding public utility service termination notices and
2 supplementing chapter 3 of 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. Every public utility which provides electric, natural gas, water,
8 sewage disposal or ¹local¹ telecommunications service shall permit a
9 residential ratepayer who receives service to designate a third party to
10 whom the public utility shall transmit a copy of any notice of
11 termination of service. The ratepayer shall notify the public utility that
12 a third party has been so designated. Such notification shall be
13 authorized on an appropriate form for recording this designation, and
14 shall be effective not later than 10 business days from the date of
15 receipt by the public utility. The notification shall contain, in writing,
16 an acceptance by the third party designee to receive copies of any
17 notices of termination of service of the ratepayer's utility services.

18 The transmission to the third party designee of a copy of the
19 termination of service notice shall be in addition to the original
20 document transmitted to the ratepayer. The copy of the termination
21 of service notice transmitted to the third party shall be governed by the
22 same law and policy provisions which govern the notice being
23 transmitted to the ratepayer.

24 Designation as a third party shall not constitute acceptance of any
25 liability on the part of the third party for payment of the public utility
26 bill.

27 The public utility shall notify every residential ratepayer annually in
28 writing of the availability of the third party designee notice procedures
29 and provide information on how the ratepayer can commence this
30 procedure, except that notice need not be provided once a ratepayer
31 has made a designation. A public utility may provide this required
32 annual notice to its residential ratepayers in any manner that the public
33 utility determines.

34
35 2. The board shall promulgate, in accordance with the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), such rules and regulations as may be necessary to effectuate the
38 purposes of this act.

39
40 3. This act shall take effect on the 120th day following enactment.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ATU committee amendments adopted January 20, 2000.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 343

STATE OF NEW JERSEY

DATED: SEPTEMBER 14, 2000

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably Assembly Bill No. 343 (1R).

This bill supplements chapter 3 of Title 48 of the Revised Statutes to permit every residential ratepayer of a public utility which provides electric, natural gas, water, sewage disposal or local telecommunications service to designate a third party to whom the public utility shall transmit a copy of any notice of termination of service.

Under the provisions of the bill, a public utility is required to notify every residential ratepayer annually in writing of the availability of the third party designee notice procedures and provide information on how the ratepayer can participate in the program.

The ratepayer is required to notify the public utility of any third party designation. The bill specifies that the notice designating a third party must contain a written agreement on the part of that third party indicating a willingness to receive a copy of any termination of service notice the utility transmits to the participating ratepayer.

Finally, the bill provides that designation as a third party does not constitute acceptance of any liability on the part of that party for payment of any amounts due and payable to the utility.

Although the public utility statutes are silent on third party notifications, the public utility chapter of the New Jersey Administrative Code does require electric, gas, water, sewer and telephone public utilities to notify annually all residential customers that, upon request, any notice of a discontinuance of service may be sent to a designated third party, as well as to the customer (see paragraphs 1. and 2. of subsection (a) of N.J.A.C.14:3-7.12).

As reported by the committee, Assembly Bill No. 343 (1R) is identical to Senate Bill No. 1534 which was also reported by this committee today.

P.L. 2000, CHAPTER 148, *approved November 9, 2000*
Assembly, No. 343 (*First Reprint*)

1 **AN ACT** regarding public utility service termination notices and
2 supplementing chapter 3 of 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. Every public utility which provides electric, natural gas, water,
8 sewage disposal or ¹local¹ telecommunications service shall permit a
9 residential ratepayer who receives service to designate a third party to
10 whom the public utility shall transmit a copy of any notice of
11 termination of service. The ratepayer shall notify the public utility that
12 a third party has been so designated. Such notification shall be
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17 notices of termination of service of the ratepayer's utility services.

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21 of service notice transmitted to the third party shall be governed by the
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25 liability on the part of the third party for payment of the public utility
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28 writing of the availability of the third party designee notice procedures
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30 procedure, except that notice need not be provided once a ratepayer
31 has made a designation. A public utility may provide this required
32 annual notice to its residential ratepayers in any manner that the public
33 utility determines.

34

35 2. The board shall promulgate, in accordance with the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), such rules and regulations as may be necessary to effectuate the
38 purposes of this act.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ **Assembly ATU committee amendments adopted January 20, 2000.**

1 3. This act shall take effect on the 120th day following enactment.

2

3

4

5

6 _____

7 Allows residential ratepayers to designate third parties to receive
public utility service termination notices.

CHAPTER 148

AN ACT regarding public utility service termination notices and supplementing chapter 3 of Title 48 of the Revised Statutes.

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

C.48:2-29.42. Third party designation to receive transmission of public utility service termination.

1. Every public utility which provides electric, natural gas, water, sewage disposal or local telecommunications service shall permit a residential ratepayer who receives service to designate a third party to whom the public utility shall transmit a copy of any notice of termination of service. The ratepayer shall notify the public utility that a third party has been so designated. Such notification shall be authorized on an appropriate form for recording this designation, and shall be effective not later than 10 business days from the date of receipt by the public utility. The notification shall contain, in writing, an acceptance by the third party designee to receive copies of any notices of termination of service of the ratepayer's utility services.

The transmission to the third party designee of a copy of the termination of service notice shall be in addition to the original document transmitted to the ratepayer. The copy of the termination of service notice transmitted to the third party shall be governed by the same law and policy provisions which govern the notice being transmitted to the ratepayer.

Designation as a third party shall not constitute acceptance of any liability on the part of the third party for payment of the public utility bill.

The public utility shall notify every residential ratepayer annually in writing of the availability of the third party designee notice procedures and provide information on how the ratepayer can commence this procedure, except that notice need not be provided once a ratepayer has made a designation. A public utility may provide this required annual notice to its residential ratepayers in any manner that the public utility determines.

C.48:2-29.43 Rules, regulations.

2. The board shall promulgate, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations as may be necessary to effectuate the purposes of this act.

3. This act shall take effect on the 120th day following enactment.

Approved November 9, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: November 9, 2000

Governor today signed the following legislation:

A-1162, sponsored by Assemblyman Arnone (R-Monmouth) and Senator Ciesla (R-Monmouth/Ocean), exempts private marinas from the requirement to have first aid and lifeguard personnel on duty.

A-343, sponsored by Assembly Members Barnes (D-Middlesex) and Buono (D-Middlesex) and Senators Inverso (R-Mercer/Middlesex) and Bark (R-Atlantic/Burlington/Camden), allows ratepayers to designate third parties to receive public utility service termination notices.

A-517, sponsored by Assemblyman Bodine (R-Atlantic/Burlington/Camden), updates the law governing the New Jersey Firemen's Home.

A-853, sponsored by Assembly Members Bagger (R-Middlesex/Morris/Somerset/Union) and Augustine (R-Middlesex/Morris/Somerset/Union), authorizes appointment of four alternates to combined planning and zoning boards.

S-838, sponsored by Senators Martin (R-Essex/Morris/Passaic) and Allen (R-Burlington/Camden) and Assembly Members Buono (D-Middlesex) and Barnes (D-Middlesex), establishes a minimum period of school district eligibility for early childhood and demonstrably effective program aids and provides a budget cap exclusion for such aids. The bill incorporates recommendations made by the Governor in a conditional veto.

S-676, sponsored by Senators Robertson (R-Essex/Passaic) and Connors (R-Atlantic/Burlington/Ocean) and Assembly Members Myers (R-Warren/Hunterdon/Mercer), extends the civil service veterans' preference to certain persons who served in Operation Uphold Democracy in Haiti. The bill incorporates recommendations made by the Governor in a conditional veto.