

48:3-2.1 AND 2.2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 48:3-2.1; 48:3-2.2

(Public utilities-- overpayments due to billing errors-- pay interest to customers)

LAWS OF: 1987

CHAPTER: 211

Bill No: A1497

Sponsor(s): Charles and others

Date Introduced: Pre-filed

Committee: Assembly: Energy and Natural Resources

Senate: Energy and Environment

Amended during passage: Yes

Amendments during passage denoted passage denoted by asterisks.

Date of Passage: Assembly: October 20, 1986

Senate: April 30, 1987

Date of Approval: July 23, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 1497

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman CHARLES

AN ACT concerning public utilities and supplementing Title 48 of the Revised Statutes.

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

1 1. A public utility shall pay **or credit** interest at a rate pre-
2 scribed by the Board of Public Utilities on any overpayment made
3 by a **residential** customer due to a billing error, unless the over-
4 payment is fully refunded or credited to the customer's account
5 within **[60 days of the overpayment]** **two billing cycles after*
6 *written notification by the customer to the utility of **[an]***
7 ***the** alleged error. For the purposes of this act, "billing error"*
8 ***[shall mean]** ****means**** a charge to a residential customer*
9 *in excess of that approved by the board for the type of service*
10 *supplied to that customer****,**** or in excess of the ****charge due for***
10A *the****** service supplied to that customer as measured or recorded*
11 *by meter or other device, except that neither the amount of an*
12 *estimated bill in and of itself, nor the amount due on a budget*
13 *account installment****,**** shall constitute a billing error**. The board
14 shall set and from time to time revise the interest rate in accordance
15 with appropriate prevailing marketplace interest rates.

1 2. The board shall require each public utility to annually provide
2 written notice of the provisions of this act to each of its **residen-*
3 *tial** customers.

1 3. This act shall take effect immediately.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted October 2, 1986.

**—Senate committee amendments adopted February 19, 1987.

PUBLIC UTILITIES

Requires interest on billing overpayments.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported (amended), the bill includes the changes required by technical review which has been performed.

ASSEMBLY, No. 1497

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION
By Assemblyman CHARLES

ASSEMBLY, No. 2520

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 20, 1984

By Assemblymen CHARLES, DORIA, VAINIERI, CUPROWSKI
and LA ROCCA

AN ACT concerning public utilities and supplementing Title 48 of
the Revised Statutes.

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

1 1. A public utility shall pay interest at a rate prescribed by the
2 Board of Public Utilities on any overpayment made by a customer
3 due to a billing error, unless the overpayment is fully refunded
4 or credited to the customer's account within 60 days of the
5 overpayment. The board shall set and from time to time revise the
6 interest rate in accordance with appropriate prevailing market-
7 place interest rates.

1 2. The board shall require each public utility to annually provide
2 written notice of the provisions of this act to each of its customers.

1 3. This act shall take effect immediately.

STATEMENT

This bill requires public utilities to pay interest on overpayments made by customers due to billing errors, unless the overpayment is refunded or credited to the customer within 60 days. The interest rate would be set by the Board of Public Utilities.

ASSEMBLY ENERGY AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1497

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 2, 1986

The Assembly Energy and Natural Resources Committee favorably reports Assembly Bill No. 1497 with Assembly committee amendments. This bill would require public utilities to pay customers interest, at a rate determined by the Board of Public Utilities, on overpayments attributable to billing errors, which overpayments were not refunded or credited within 60 days of the overpayment.

The committee amended the bill to: authorize the interest to be credited to the customer's bill as an alternative to a cash payment; limit such interest payments to residential customers; change the grace period from 60 days after the overpayment to two billing cycles after the customer notifies the utility that the bill is allegedly in error; and clarifies that charges on estimated bills are not in and of themselves billing errors, nor are amounts due on budget account installments.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1497

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 19, 1987

The Senate Energy and Environment Committee favorable reports Assembly Bill No. 1497 with Senate committee amendments.

Assembly Bill No. 1497 would require utility companies to pay or credit interest on any overpayment made to a residential customer due to a billing error, unless the overpayment is refunded or credited to the customer within two billing cycles after the customer notifies the utility of the overpayment. The rate of interest would be set by the Board of Public Utilities, and the bill also clarifies that estimated bills, or budget payments, will not be considered overpayments. This bill also requires the BPU to require utilities to annually inform their residential customers of their right to interest on overpayments.

The committee made purely technical amendments to the bill.