

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 34.**  
**PUBLIC UTILITIES.**

**CHAPTER 11.**  
**SERVICE, VALUATION, ACCOUNTS.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 11. SERVICE, VALUATION, ACCOUNTS.

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# CHAPTER 11. SERVICE, VALUATION, ACCOUNTS.

## **§ 34-1101. UTILITY SERVICE AND CHARGES TO BE JUST AND REASONABLE; CERTIFICATION REQUIRED.**

(a) Every public utility doing business within the District of Columbia is required to furnish service and facilities reasonably safe and adequate and in all respects just and reasonable. The charge made by any public utility for a facility or service furnished, rendered, or to be furnished or rendered, shall be reasonable, just, and nondiscriminatory. Every unjust, unreasonable, or discriminatory charge for the facility or service is prohibited and unlawful. Every public utility is required to obey the lawful orders of the Commission created by this subtitle.

(b) No public utility shall furnish a service or facility, directly or indirectly, without first proceeding and proving to the satisfaction of the Public Service Commission ("Commission") that the present and future public convenience and necessity requires that the service be provided or the facility be offered. Upon application of a public utility for a certificate of present and future public convenience and necessity pursuant to this subsection, the Commission, upon a hearing and notice to the public, shall issue an order granting or denying the application, in whole or in part, stating the reasons for the action. The Commission may prescribe terms and conditions upon a grant of an application for a certificate of present and future public convenience and necessity as the Commission, in its discretion, decides are necessary to further the present and future public convenience and necessity. The Commission is authorized to promulgate any rules necessary to implement this subsection.

(c) Every public utility that was regulated by the Commission and that furnished a service or facility within the District of Columbia as of June 27, 1989 is deemed to have been granted a certificate of public convenience and necessity.

(d) The Commission is authorized to promulgate any rules necessary to implement this section.

(Mar. 4, 1913, 37 Stat. 977, ch. 150, § 8, par. 2; Sept. 20, 1989, D.C. Law 8-29, § 2, 36 DCR 4742; Oct. 19, 1989, D.C. Law 8-47, § 2, 36 DCR 5786.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-501.

1973 Ed., § 43-301.

#### *Legislative History of Laws*

Law 8-29 was introduced in Council and assigned Bill No. 8-297. The Bill was adopted on first and second readings on May 30, 1989 and June 13, 1989, respectively. Signed by the Mayor on June 27, 1989, it was assigned Act No. 8- 52 and transmitted to both Houses of Congress for its review.

Law 8-47 was introduced in Council and assigned Bill No. 8-321, which was referred to the Committee on Public Services. The Bill was adopted on first and second readings on June 27, 1989 and July 11, 1989, respectively. Signed by the Mayor on August 1, 1989, it was assigned Act No. 8-80 and transmitted to both Houses of Congress for its review.

#### *Miscellaneous Notes*

Deregulation of streetlighting service: Section 130 of H.R. 3067, amended by H.R. 99-419, incorporated in Pub. L. 99-190 by § 101(c), the D.C. Appropriation Act, 1986, provided that the Public Service Commission is authorized to order and to approve the deregulation of streetlighting service to the District of Columbia as provided in its opinion and order in Formal Case No. 813, dated July 12, 1984 (Order No. 8056), § 43-402 [§ 1-204.93, 2001 Ed.], this section, and § 43-1207 [§ 34-1407, 2001 Ed.], and provided that the provisions of this opinion and order regarding deregulation of streetlighting service are hereby ratified and declared to be in effect as of July 12, 1984 and shall continue to be in effect until revoked or rescinded.

## **§ 34-1102. USE OF EQUIPMENT OF OTHER COMPANIES; APPLICATION TO COMMISSION TO REQUIRE SUCH USE IN EVENT OF DISAGREEMENT.**

Every utility doing business in the District of Columbia having tracks, conduits, subways, poles, wires, switchboards, exchanges, works, or other equipment shall, for a reasonable compensation, permit the use of the same by any other public utility whenever public convenience and necessity require such use, and such use will not result in irreparable injury to the owners or other users of such equipment; nor in any substantial detriment to the service to be rendered by such owners or other users. In case of failure to agree upon such use, or the conditions or compensation for such use, any public utility or any person, firm, copartnership, association, or corporation interested may apply to the Commission, and if after investigation the Commission shall ascertain that public convenience and necessity require such use and that it would not result in irreparable injury to the owners or other user of such equipment nor in any substantial detriment to the service to be rendered by such owners or other users of such equipment, it shall by order direct that such use be permitted and prescribe the conditions and compensation for such joint use. Such use so ordered shall be permitted and such conditions and compensation so prescribed shall be the lawful conditions and compensation to be observed, followed, and paid, subject to recourse to the courts upon the complaint of any interested party, as hereinafter provided, which provisions, so far as applicable, shall apply to any action arising on such complaint so made. Any such order of the Commission may be from time to time revised by the Commission upon application of any interested party or upon its own motion after hearing and notice by order in writing.

(Mar. 4, 1913, 37 Stat. 977, ch. 150, § 8, par. 3.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-502.

1973 Ed., § 43-302.

## **§ 34-1103. COMMISSION TO COMPEL COMPLIANCE WITH LAWS AND ORDINANCES.**

The Commission shall have power, after hearing and notice by order in writing, to require and compel every public utility to comply with the provisions of this subtitle, and with other laws of the United States applicable, and any municipal ordinance or regulation relating to said public utility, and to conform to the duties upon it thereby imposed or by the provisions of its own charter, if any charter has or shall be granted it; provided, that nothing herein contained shall be held to relieve any public utility, its officers, agents, or servants, from any punishment, fine, forfeiture, or penalty for violation of any such law, ordinance, regulation, or duty imposed by its charter, nor to limit, take away, or restrict the jurisdiction of any court or other authority which on March 4, 1913, had or which may thereafter have power to impose any such punishment, fine, forfeiture, or penalty.

(Mar. 4, 1913, 37 Stat. 977, ch. 150, § 8, par. 4.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-503.

1973 Ed., § 43-303.

## **§ 34-1104. PROPOSED CHANGES IN LAW TO BE SUBMITTED TO COMMISSION; HEARINGS; RECOMMENDATIONS TO CONGRESS.[REPEALED]**

(Mar. 14, 1985, D.C. Law 5-153, § 3(a), 31 DCR 6440.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-504.

#### *Legislative History of Laws*

Law 5-153 was introduced in Council and assigned Bill No. 5-225, which was referred to the Committee on Public Services and Cable Television. The Bill was adopted on first and second readings on October 30, 1984, and November 7, 1984, respectively. Disapproved by the Mayor on November 30, 1984, the Bill was

reenacted by the Mayor on November 30, 1984, the Bill was reenacted by the Council on December 4, 1984, assigned Act No. 5-217 and transmitted to both Houses of Congress for review.

### **§ 34-1105. COMMISSION TO ASCERTAIN COST OF CONSTRUCTION, REPLACEMENT VALUE, OUTSTANDING STOCK; INFORMATION TO BE PRINTED IN ANNUAL REPORT.**

The Commission shall ascertain, as soon and as nearly as practicable, the amount of money expended in the construction and equipment of every public utility, including the amount of money expended to procure any right-of-way; also the amount of money it would require to secure the right-of-way, reconstruct any roadbed, track, depots, cars, conduits, subways, poles, wires, switchboards, exchanges, offices, works, storage plants, power plants, machinery, and any other property or instrument not included in the foregoing enumeration used in or useful to the business of such public utility, and to replace all the physical properties belonging to the public utility. It shall ascertain the outstanding stock, bonds, debentures, and indebtedness, and the amount, respectively, thereof, the date when issued, to whom issued, to whom sold, the price paid in cash, property, or labor therefor, what disposition was made of the proceeds, by whom the indebtedness is held, so far as ascertainable, the amount purporting to be due thereon, the floating indebtedness of the public utility, the credits due the public utility, other property on hand belonging to it, the judicial or other sales of said public utility, its property or franchises, and the amounts purporting to have been paid, and in what manner paid therefor, and the taxes paid thereon. The Commission shall also ascertain in detail the gross and net income of the public utility from all sources, the amounts paid for salaries to officers and the wages paid to its employees, and the maximum hours of continuous service required of each class. Whenever the information required by this section is obtained it shall be printed in the annual report of the Commission. In making such investigation the Commission may avail itself of any information in possession of any department of the government of the United States or of the Mayor of the District of Columbia.

(Mar. 4, 1913, 37 Stat. 978, ch. 150, § 8, par. 6.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 43-505.

1973 Ed., § 43-305.

##### *Change in Government*

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

### **§ 34-1106. PROPERTY TO BE VALUED AS OF TIME OF EVALUATION.**

The Commission shall value the property of every public utility within the District of Columbia actually used and useful for the convenience of the public at the fair value thereof at the time of said valuation.

(Mar. 4, 1913, 37 Stat. 978, ch. 150, § 8, par. 7.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 43-506.

1973 Ed., § 43-306.

### **§ 34-1107. VALUATION; NOTICE AND HEARING; STATEMENT OF VALUATION TO BE FILED.**

Before final determination of such value the Commission shall, after notice of not less than 30 days to the public utility, hold a public hearing as to such valuation in the manner hereinafter provided for a hearing,

which provisions, so far as applicable, shall apply to such hearing. The Commission shall, within 10 days after such valuation is determined, serve a statement thereof upon the public utility interested, and shall file a like statement with the District committees in Congress.

(Mar. 4, 1913, 37 Stat. 978, ch. 150, § 8, par. 8.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-507.

1973 Ed., § 43-307.

**§ 34-1108. REVALUATION.**

The Commission may at any time, on its own initiative, make a revaluation of the property of any public utility.

(Mar. 4, 1913, 37 Stat. 978, ch. 150, § 8, par. 9.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-508.

1973 Ed., § 43-308.

**§ 34-1109. UNIFORM ACCOUNTS TO BE RENDERED; SEPARATE ACCOUNT OF OTHER BUSINESS MAY BE REQUIRED.**

Every public utility shall keep and render to the Commission, in the manner and form prescribed by the Commission, uniform accounts of all business transacted. Every public utility engaged directly or indirectly in any other business than that of the conduct of a street railway, or the production, transmission, or furnishing of heat, light, water, or power, or the conveyance of telegraph or telephone messages, shall, if required by the Commission, keep and render separately to the Commission in like manner and form the accounts of all such other business, in which case all the provisions of this subtitle shall apply with like force and effect to the books, accounts, papers, and records of such other business.

(Mar. 4, 1913, 37 Stat. 978, ch. 150, § 8, par. 10.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-509.

1973 Ed., § 43-309.

**§ 34-1110. COMMISSION TO PRESCRIBE FORMS OF BOOKS AND RECORDS.**

The Commission shall prescribe the forms of all books, accounts, papers, and records required to be kept, and every public utility is required to keep and render its books, accounts, papers, and records accurately and faithfully in the manner and form prescribed by the Commission, and to comply with all directions of the Commission relating to such books, accounts, papers, and records. Insofar as practicable for the purposes of this subtitle, the form prescribed shall be the form accepted by the Interstate Commerce Commission.

(Mar. 4, 1913, 37 Stat. 979, ch. 150, § 8, par. 11.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-510.

1973 Ed., § 43-310.

**§ 34-1111. COMMISSION TO FURNISH BLANK FORMS.**

The Commission shall cause to be prepared suitable blanks for carrying out the purposes of this subtitle,

and shall when necessary furnish such blanks to each public utility.

(Mar. 4, 1913, 37 Stat. 979, ch. 150, § 8, par. 12.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-511.

1973 Ed., § 43-311.

**§ 34-1112. UTILITIES TO HAVE OFFICES IN THE DISTRICT OF COLUMBIA; BOOKS AND RECORDS TO BE KEPT IN THE DISTRICT; RECORDS MAY BE KEPT AT GENERAL OFFICE OF UTILITY.**

Each public utility shall have an office within the District of Columbia in which it shall keep all such books, accounts, papers, and records as shall be required by the Commission to be kept within the District of Columbia. No books, accounts, papers, or records required by the Commission to be kept within the District of Columbia shall be at any time removed from the District of Columbia, except upon such condition as may be prescribed by the Commission; provided, that public utilities operating in the District of Columbia and elsewhere who have their general or executive offices outside of the District, may continue to keep their books, accounts, records, and so forth, at their executive or general offices, such public utilities being required, however, to produce before the Commission such books, accounts, records, and papers from time to time as the Commission may order.

(Mar. 4, 1913, 37 Stat. 979, ch. 150, § 8, par. 13.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-512.

1973 Ed., § 43-312.

**§ 34-1113. ACCOUNTS TO BE CLOSED ANNUALLY; VERIFIED BALANCE SHEET TO BE FILED WITH COMMISSION; COPY OF BALANCE SHEET TO CONGRESS.**

The accounts shall be closed annually on the 31st day of December, and a balance sheet of that date promptly taken therefrom. On or before the 1st day of February following such balance sheet, together with such other information as the Commission shall prescribe, verified by an owner or officer of the public utility, shall be filed with the Commission, and a copy thereof transmitted to Congress.

(Mar. 4, 1913, 37 Stat. 979, ch. 150, § 8, par. 14.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-513.

1973 Ed., § 43-313.

**§ 34-1114. EXAMINATION AND AUDIT OF ACCOUNTS; ALLOCATION OF ITEMS TO ACCOUNTS; AUTHORITY OF AGENTS, ACCOUNTANTS, AND EXAMINERS.**

The Commission shall provide for the examination and audit of all accounts, and all items shall be allocated to the accounts in the manner prescribed by the Commission. The agents, accountants, or examiners employed by the Commission shall have authority, under the direction of the Commission, to inspect and examine any and all books, accounts, papers, records, and memoranda kept by such public utility.

(Mar. 4, 1913, 37 Stat. 979, ch. 150, § 8, par. 15.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-514.



### **§ 34-1115. DEPRECIATION ACCOUNT; RATES OF DEPRECIATION; APPLICATION OF DEPRECIATION FUND.**

Every public utility shall carry a proper and adequate depreciation account. The Commission shall ascertain and determine what are the proper and adequate rates of depreciation of the several classes of property of each public utility. These rates shall be such as will provide the amounts required over and above the expense of maintenance to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to such rates so ascertained and determined by the Commission. The Commission may make changes in such rates of depreciation from time to time as it may find to be necessary. The Commission shall also prescribe rules, regulations, and forms of accounts regarding such depreciation which the public utility is required to carry into effect. The Commission shall provide for such depreciation in fixing the rates, tolls, and charges to be paid by the public. All moneys in this fund may be expended in keeping the property of such public utility in repair and good and serviceable condition for the use to which it is devoted, or invested, and, if invested, the income from the investments shall also be carried in the depreciation fund. This fund and the proceeds thereof shall be used for no other purpose than as provided in this section, unless with the consent and by order of the Commission.

(Mar. 4, 1913, 37 Stat. 979, ch. 150, § 8, par. 16.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 43-515.

1973 Ed., § 43-315.

### **§ 34-1116. COMMISSION TO KEEP INFORMED OF NEW CONSTRUCTION; CONSTRUCTION ACCOUNT.**

The Commission shall keep itself informed of all new construction, extensions, and additions to the property of all public utilities, and shall prescribe the necessary forms, regulations, and instructions to the officers and employees of all public utilities for the keeping of construction accounts, which shall clearly distinguish all operating expenses and new construction.

(Mar. 4, 1913, 37 Stat. 980, ch. 150, § 8, par. 17.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 43-516.

1973 Ed., § 43-316.

### **§ 34-1117. SLIDING SCALE OF RATES AND DIVIDENDS.**

Nothing in this subtitle shall be taken to prohibit a public utility, with the consent of the Commission, from providing a sliding scale of rates and dividends according to what is commonly known as the Boston sliding scale, or other financial device that may be practicable and advantageous to the parties interested. No such arrangement or device shall be lawful until it shall be found by the Commission, after investigation, to be reasonable and just and not inconsistent with the purposes of this subtitle. Such arrangement shall be under the supervision and regulation of the Commission. The Commission shall ascertain, determine, and order such rates, charges, and regulations, and the duration thereof, as may be necessary to give effect to such arrangement, but the right and power to make such other and further changes in rates, charges, and regulations as the Commission may ascertain and determine to be necessary and reasonable, and the right to alter or amend all orders relative thereto, is reserved and vested in the Commission notwithstanding any such arrangement and mutual agreement.

(Mar. 4, 1913, 37 Stat. 980, ch. 150, § 8, par. 18.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 43-517.

1973 Ed., § 43-317.

**§ 34-1118. UTILITIES TO FURNISH ACCOUNTS AND REPORTS; INFORMATION TO BE INCLUDED; NOTICE OF CERTAIN FILINGS TO BE SERVED ON PEOPLE'S COUNSEL; DISCLOSURE OF INFORMATION AND DOCUMENTS BY INVESTIGATED UTILITY.**

(a) Each public utility shall furnish to the Commission in such form and at such times as the Commission shall require, such accounts, reports, and information as shall show in itemized detail; depreciation; salaries and wages; legal expenses; taxes and rentals; quantity and value of material used; receipts from residuals, by-products, services, or other sales; total and net costs; net and gross profits; dividends and interest; surplus or reserve; prices paid by consumers; and in addition such other items, whether of a nature similar to those hereinbefore enumerated or otherwise, as the Commission may prescribe, in order to show completely and in detail the entire operation of the public utility in furnishing its product or service to the public.

(b) A notice of filing of all reports, applications, petitions, tariffs, and all other documents that affect the interests of users of the products of or services furnished by public utilities under the jurisdiction of the Commission that are filed by any public utility with the Commission or with federal and District of Columbia agencies, courts, and commissions shall be concurrently served on the Office of the People's Counsel at the time of filing and shall include the subject and purpose of the filing.

(c) In connection with any investigation or proceeding under § 34- 804(d)(1), (3), or (4), as amended by the Utility Regulatory Assessment Clarification Act of 1984, the Office shall have the right to obtain from the public utility investigated all information and documents reasonably relevant and material to the investigation or proceeding. Should any public utility refuse or fail to produce the reasonably relevant information or documents in a timely manner, the Office may, by motion, petition the Commission to issue an order compelling its production. When necessary to protect the disclosure of trade secrets and other confidential research, development, or commercial information, the Commission may, where appropriate, issue a protective order placing conditions on the release of the information.

(Mar. 4, 1913, 37 Stat. 980, ch. 150, § 8, par. 19; Mar. 14, 1985, D.C. Law 5-153, § 3(b), 31 DCR 6440.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-518.

1973 Ed., § 43-318.

*Legislative History of Laws*

For legislative history of D.C. Law 5-153, see Historical and Statutory Notes following § 34-706.

*References in Text*

The "Utility Regulatory Assessment Clarification Act of 1984," referred to in the first sentence of subsection (c) of this section, is D.C. Law 5-153.

**§ 34-1119. ANNUAL REPORT OF COMMISSION.**

The Commission shall publish annual reports showing its proceedings relating to all the public utilities of each kind in the District of Columbia, and such other occasional reports as it may deem advisable. The Commission shall also publish in its annual reports the value of all property actually used and useful for the convenience of the public, of every public utility as to whose rates, charges, service, or regulations any hearing has been held by the Commission or the value of whose property has been ascertained by it under the provisions of this subtitle.

(Mar. 4, 1913, 37 Stat. 980, ch. 150, § 8, par. 20.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-519.

1973 Ed., § 43-319.

**§ 34-1120. COMMISSION TO FIX ADEQUATE AND SERVICEABLE STANDARDS; REGULATIONS FOR TESTING PRODUCTS, SERVICE, AND METERS.**

The Commission shall ascertain and fix adequate and serviceable standards for the measurement of quality, pressure, initial voltage, or other condition pertaining to the supply of the product or service rendered by any public utility, and prescribe reasonable regulations for examining and testing such product or service and for the measurement thereof. It shall establish reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters and appliances for measurements, and every public utility is required to carry into effect all orders issued by the Commission relative thereto.

(Mar. 4, 1913, 37 Stat. 980, ch. 150, § 8, par. 21.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-520.

1973 Ed., § 43-320.

## **§ 34-1121. EXAMINATION AND TEST OF APPLIANCES.**

The Commission shall provide for the examination and testing of any and all appliances used for the measuring of any product or service of a public utility. Any consumer or user may have any such appliance tested upon payment of the fees fixed by the Commission. The Commission shall declare and establish reasonable fees to be paid for testing such appliances on the request of the consumers or users, the fee to be paid by the consumer or user at the time of his request, but to be paid by the public utility and repaid to the consumer or user if the appliance be found defective or incorrect to the disadvantage of the consumer or user.

(Mar. 4, 1913, 37 Stat. 980, ch. 150, § 8, par. 22.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-521.

1973 Ed., § 43-321.

## **§ 34-1122. MATERIAL AND EQUIPMENT FOR TESTS; ENTRY ON PREMISES OF UTILITIES FOR PURPOSE OF TESTS.**

The Commission may purchase such materials, apparatus, and standard measuring instruments for such examination and tests as it may deem necessary. The Commission, its agents, experts, or examiners, shall have power to enter upon any premises occupied by any public utility for the purpose of making the examinations and tests provided for in this subtitle, and to set up and use on such premises any apparatus and appliances and occupy reasonable space therefor.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 23.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-522.

1973 Ed., § 43-322.

## **§ 34-1123. SCHEDULE OF RATES TO BE FILED; EXISTING RATES TO REMAIN IN FORCE UNTIL CHANGED.**

Every public utility shall file with the Commission, within a time to be fixed by the Commission, schedules, which shall be open to public inspection, showing all rates, tolls, and charges which it has established and which are in force at the time for any service performed by it within the District of Columbia, or for any service in connection therewith or performed by any public utility controlled or operated by it. The rates, tolls, and charges shown on such schedules shall not exceed the rates, tolls, and charges allowed by law on March 4, 1913, and shall be the lawful rates, tolls, and charges within the District of Columbia, and shall remain and be in force until set aside by the Commission.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 24.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 43-523.

1973 Ed., § 43-323.

#### **§ 34-1124. RULES AND REGULATIONS AFFECTING RATES TO BE FILED.**

Every public utility shall file with and as a part of such schedule all rules and regulations that in any manner affect the rates charged or to be charged for any service.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 25.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 43-524.

1973 Ed., § 43-324.

#### **§ 34-1125. COPY OF RATE SCHEDULE TO BE AVAILABLE FOR PUBLIC INSPECTION.**

A copy of so much of said schedules as the Commission shall deem necessary for the use of the public shall be printed in plain type and kept on file in every station and office of such public utility where payments are made by the consumers or users, open to the public, in such form and place as to be readily accessible to the public and so as to be conveniently inspected.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 26.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 43-525.

1973 Ed., § 43-325.

#### **§ 34-1126. SCHEDULE OF JOINT RATES TO BE FILED.**

Where a schedule of joint rates or charges is, or may be, in force between 2 or more public utilities, such schedule shall in like manner be printed and filed with the Commission, and so much thereof as the Commission shall deem necessary for the use of the public shall be filed in every such station or office, as provided in § 34-1125.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 27.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 43-526.

1973 Ed., § 43-326.

#### **§ 34-1127. CHANGE IN SCHEDULE; NOTICE.**

No change shall be made in any schedule, including schedules of joint rates, except upon 10 days notice to the Commission, and all such changes shall be plainly indicated upon existing schedules, or by filing new schedules in lieu thereof 10 days prior to the time the same are to take effect; provided, that the Commission, upon application of any public utility, may prescribe a less time within which a reduction may be made.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 28.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 43-527.

1973 Ed., § 43-327.

## **§ 34-1128. NEW SCHEDULES TO BE FILED; SUMMARIES OF RATES TO BE PROVIDED UPON REQUEST.**

(a) Copies of all new schedules shall be filed, as hereinbefore provided, in every station and office of such public utility where payments are made by consumers or users 10 days prior to the time the same are to take effect, unless the Commission shall prescribe a less time.

(b) Summaries of all rate schedules, including all rates, explanations, and conditions of service, applicable as to the type of service received by a ratepayer shall be provided as of right by the public utility to any ratepayer upon request and without expense to the ratepayer.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 29; Mar. 14, 1985, D.C. Law 5-153, § 3(c), 31 DCR 6440.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-528.

1973 Ed., § 43-328.

#### *Legislative History of Laws*

For legislative history of D.C. Law 5-153, see Historical and Statutory Notes following § 34-1103.

## **§ 34-1129. UTILITY NOT TO RECEIVE GREATER OR LESS COMPENSATION THAN FIXED IN SCHEDULE.**

It shall be unlawful for any public utility to charge, demand, collect, or receive a greater or less compensation for any service performed by it within the District of Columbia, or for any service in connection therewith, than is specified in such printed schedules, including schedules of joint rates, as may at the time be in force, or to demand, collect, or receive any rate, toll, or charge not specified in such schedules. The rates, tolls, and charges named therein shall be the lawful rates, tolls, and charges until the same are changed as provided in this subtitle.

(Mar. 4, 1913, 37 Stat. 981, ch. 150, § 8, par. 30.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-529.

1973 Ed., § 43-329.

## **§ 34-1130. COMMISSION MAY PRESCRIBE CHANGES IN FORM OF SCHEDULE.**

The Commission may prescribe such changes in the form in which the schedules are issued by any public utility as may be found to be expedient.

(Mar. 4, 1913, 37 Stat. 982, ch. 150, § 8, par. 31.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 43-530.

1973 Ed., § 43-330.

#### *Temporary Amendments of Section*

For temporary (225 day) amendment of section, see § 107 of Child Support and Welfare Reform Compliance Temporary Amendment Act of 1999 (D.C. Law 13-57, March 7, 2000, law notification 47 DCR 1979).

#### *Temporary Addition of Section*

For temporary (225 day) addition of § 43-531 [1981 Ed.], see § 9 of Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998 (D.C. Law 12-103, May 8, 1998, law notification 45 DCR 3254).

For temporary (225 day) addition of § 43-531 [1981 Ed.], see § 9 of Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998 (D.C. Law 12-210, April 13, 1999, law notification 46 DCR 3832).

For temporary addition of § 43-531 [1981 Ed.], see § 9 of the Child Support and Welfare Reform Compliance Emergency Amendment Act of 1997 (D.C. Act 12-222, December 23, 1997, 44 DCR 114).

For temporary addition of § 43-531 [1981 Ed.], see § 9 of the Child Support and Welfare Reform Compliance Congressional Review Emergency Amendment Act of 1998 (D.C. Act 12-309, March 20, 1998, 45 DCR 1923), § 9 of the Child Support and Welfare Reform Compliance Second Emergency Amendment Act of 1998 (D.C. Act 12- 439, August 12, 1998, 45 DCR 6110), § 9 of the Child Support and Welfare Reform Compliance Legislative Review Emergency Amendment Act of 1998 (D.C. Act 12-503, October 27, 1998, 45 DCR 8495), and § 9 of the Child Support and Welfare Reform Compliance Second Congressional Review Emergency Amendment Act of 1998 (D.C. Act 12-600, January 20, 1999, 46 DCR 1239).

For temporary repeal of D.C. Law 12-103, see § 13 of the Child Support and Welfare Reform Compliance Second Emergency Amendment Act of 1998 (D.C. Act 12- 439, August 12, 1998, 45 DCR 6110).

For temporary amendment of section see § 3(1) of the Public Service Commission Independent Procurement Authority Emergency Amendment Act of 1999 (D.C. Act 13- 52, April 6, 1999, 46 DCR 3638).

For temporary (90-day) amendment of section, see § 109 of the Child Support and Welfare Reform Compliance Emergency Amendment Act of 1999 (D.C. Act 13-126, August 4, 1999, 46 DCR 6606).

For temporary (90-day) addition of § 43-530.1 [1981 Ed.], see § 109 of the Child Support and Welfare Reform Compliance Emergency Amendment Act of 1999 (D.C. Act 13-126, August 4, 1999, 46 DCR 6606).

For temporary (90-day) amendment of section, see § 109 of the Child Support and Welfare Reform Compliance Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-177, November 2, 1999, 46 DCR 9678).

For temporary (90-day) addition of § 43-530.1 [1981 Ed.], see § 109 of the Child Support and Welfare Reform Compliance Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-177, November 2, 1999, 46 DCR 9678).

For temporary (90-day) amendment of section, see § 109 of the Child Support and Welfare Reform Compliance Congressional Review Emergency Amendment Act of 1999 (D.C. Act 13-241, January 11, 2000, 47 DCR 581).

For temporary (90-day) addition of § 43-530.1 [1981 Ed.], see § 109 of the Child Support and Welfare Reform Compliance Congressional Review Emergency Amendment Act of 1999 (D.C. Act 13-241, January 11, 2000, 47 DCR 581).

For temporary (90 day) amendment of section, see § 109 of the Child Support and Welfare Reform Compliance Emergency Amendment Act of 2000 (D.C. Act 13-446, November 7, 2000, 47 DCR 9213).

## **§ 34-1131. INFORMATION PROVIDED IN ASSOCIATION WITH A CHILD SUPPORT ORDER.**

A public utility shall provide to the organizational unit of the District government, or any successor organizational unit, that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), in response to an administrative subpoena issued pursuant to § 46-229.03(a)(2), financial or other information concerning a customer that is necessary to establish, modify, or enforce a support order.

(Mar. 4, 1913, 37 Stat. 982, ch. 150, § 8, par. 31A, as added Apr. 3, 2001, D.C. Law 13-269, § 109, 48 DCR 1270.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Temporary Addition of Section*

For temporary (225 day) addition, see § 109 of Child Support and Welfare Reform Compliance Temporary Amendment Act of 2000 (D.C. Law 13-207, March 31, 2001, law notification 48 DCR 3238).

#### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 109 of the Child Support and Welfare Reform Compliance Emergency Amendment Act of 2000 (D.C. Act 13-446, November 7, 2000, 47 DCR 9213).

For temporary (90 day) addition of section, see § 109 of Child Support and Welfare Reform Compliance Congressional Review Emergency Amendment Act of 2001 (D.C. Act 14-5, February 13, 2001, 48 DCR 2440).

#### *Legislative History of Laws*

Law 13-269, the "Child Support and Welfare Reform Compliance Amendment Act of 2000," was introduced in Council and assigned Bill No. 13-254, which was referred to the Committee on Human Services. The Bill

was adopted on first and second readings on November 8, 2000, and December 5, 2000, respectively. Signed by the Mayor on January 8, 2001, it was assigned Act No. 13-559 and transmitted to both Houses of Congress for its review. D.C. Law 13-269 became effective on April 3, 2001.