

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Office of Administration

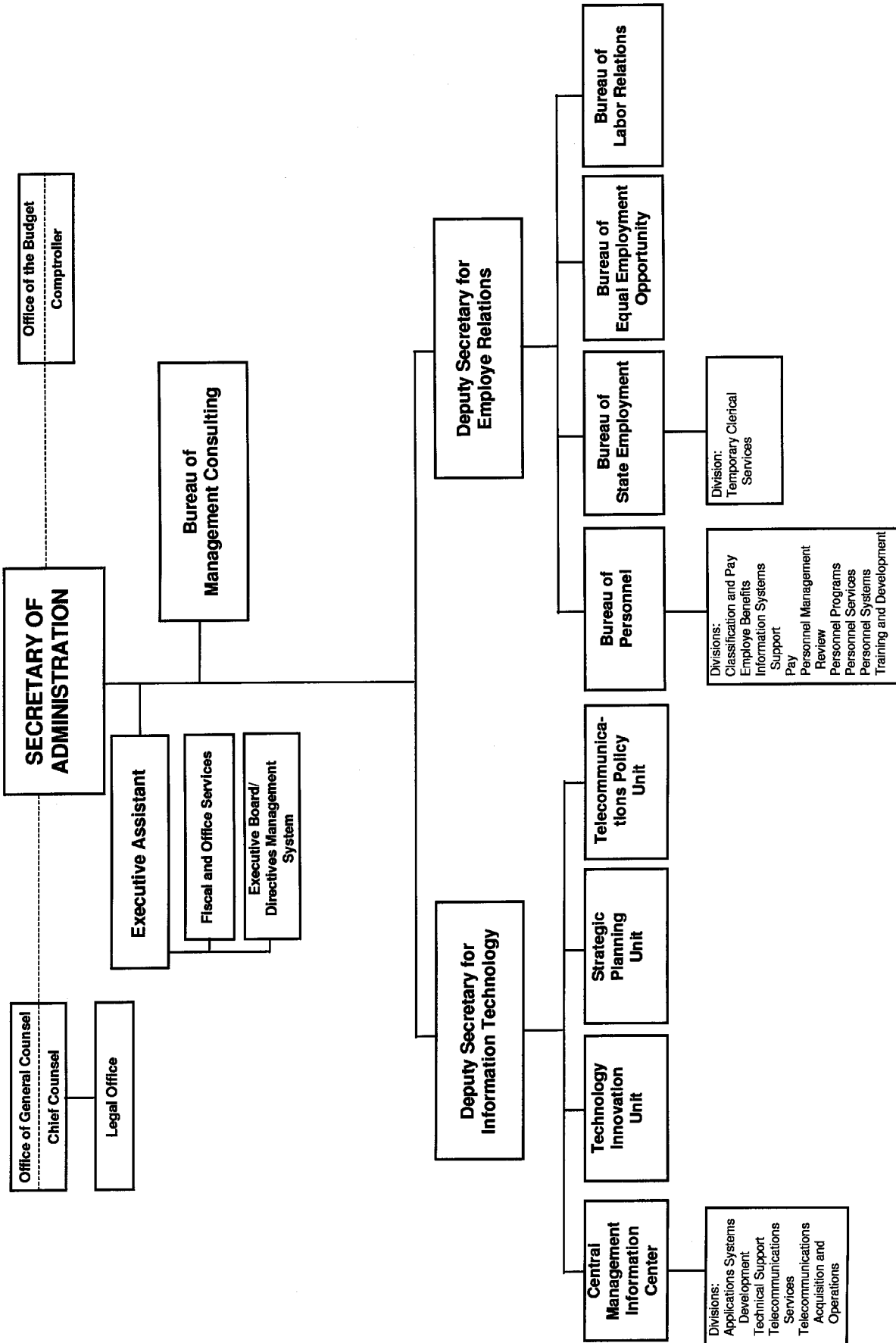
The Executive Board approved a reorganization of the Office of Administration effective March 19, 1997.

The following organization chart at 27 Pa.B. 1657 (April 5, 1997) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. The document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code).

[Pa.B. Doc. No. 97-509. Filed for public inspection April 4, 1997, 9:00 a.m.]

GOVERNOR'S OFFICE OF ADMINISTRATION



Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION [52 PA. CODE CH. 69]

[M-00960829]

Public Input Hearings Rate Proceedings

The Pennsylvania Public Utility Commission (Commission) on July 18, 1996, adopted an order to renumber the statement of policy from its location at § 3.163 to the appropriate chapter of 52 Pa. Code along with other statements of policy in Chapter 69 (relating to general orders, policy statements and guidelines on fixed utilities). The contact person is Susan D. Colwell, Assistant Counsel, Law Bureau (717) 783-3459.

Public meeting held
July 18, 1996

Commissioners present: John M. Quain, Chairperson; Lisa Crutchfield, Vice Chairperson; John Hanger; David W. Rolka; and Robert K. Bloom

Order

By the Commission:

In docket number L-930076, we revised Chapters 1, 3 and 5 of 52 Pa. Code. During our study of the rules of practice and procedure, we noticed that a statement concerning our own policies regarding public input hearings in rate proceedings had been placed with the regulations we have implemented to guide the procedures of other parties appearing before us. We have taken advantage of the opportunity to remove the policy statement from its location at § 3.163 within the docket number updating those procedural regulations.

We believe, however, that the information contained within is too important to leave out altogether. Therefore, we are reaffirming our commitment to public input in rate proceedings by taking the text of the policy statement and placing it in Chapter 69 along with our other policy statements.

Only minor changes have been made to the text, reflecting the name change of the Consumer Services Bureau to the Bureau of Consumer Services, the addition of the Commission's Office of Trial Staff and the Office of Small Business Advocate by name in subsection (d)(3), and a grammatical change for easier understanding. Otherwise, our commitment to provide a forum for public input in rate cases remains unchanged.

Accordingly, under sections 501, 504—506, 1301 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501, 504—506, 1301 and 1501, and the Commonwealth Documents Law (45 P.S. § 1201 et seq.), the Commission proposes the renumbering of the policy statement pertaining to public input hearings in rate cases as described above and set forth in Annex A,

Therefore, It is Ordered That:

1. The Commission's statements of policy, 52 Pa. Code Chapter 69, are amended by adding § 69.321 to read as set forth in Annex A.

2. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

3. The Secretary shall deposit this order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and the statement of policy shall be effective upon publication.

JOHN G. ALFORD,
Secretary

Fiscal Note: 57-182. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES

PUBLIC INPUT HEARINGS IN RATE PROCEEDINGS

§ 69.321. Public input hearings in rate proceedings—statement of policy.

(a) Prior to the holding of an initial hearing in a rate case, information received by the Commission indicating public concern shall be directed to the Bureau of Consumer Services of the Commission. This information will be made available to the Office of Administrative Law Judge.

(b) If the Commission determines that substantial public interest in a rate proceeding has been shown, at least one public input hearing will be held in the utility's service area.

(c) To allow an opportunity for the complete airing of concerns expressed or issues raised by consumers, public input sessions should be held as early as is practical during the course of the proceeding.

(d) At the start of each public input hearing, the presiding officer will provide a short, clear and specific statement describing the ratemaking process; the history of the particular case to date; future progress of the case; and an explanation of the following consumers' options at the hearing:

(1) To testify formally in the case, upon oath or affirmation, and be subject to cross-examination.

(2) To make unsworn or unaffirmed statements at the hearing. These statements may be "off the record" and will not be subject to cross-examination, will not be transcribed by the court stenographer and will not be considered by the presiding officer in the recommended decision.

(3) Not to testify at the public input session but to provide information to the Commission's Office of Trial Staff attorney assigned to the case, the Consumer Advocate and the Small Business Advocate for possible use by them in the hearings at their discretion.

(e) On-the-record testimony, to the extent it is relevant, material and competent, will be considered as evidence by the presiding officer and the Commission, subject to the customary rules of procedure and evidence.

(f) The presiding officer will make every attempt to give consumers full opportunity to provide input into the case.

(g) At least one representative from the Commission should be present at each public input session to deal

with individual service problems a consumer may have with the utility.

(h) Utilities will be encouraged to provide representatives to answer questions consumers may have with respect to the pending case.

(i) If the actions of a participant in a public input session are determined by the presiding officer to be obstructive to the orderly conduct of the proceedings and adverse to the public interest, the presiding officer may adjourn or continue the public input session.

[Pa.B. Doc. No. 97-510. Filed for public inspection April 4, 1997, 9:00 a.m.]