

<b>Regulatory Analysis Form</b>		<b>This space for use by IRRC</b>
(1) Agency  Pennsylvania Public Utility Commission		RECEIVED 1999 DEC 23 AM 9:27 BUSH REGULATORY REVIEW COMMISSION
(2) I.D. Number (Governor's Office Use)  L-00980136/57-203		IRRRC Number: 2028
(3) Short Title  Annual Resource Planning Report Filing Requirements		
(4) PA Code Cite  52 Pa. Code Sections 57.141-57.154	(5) Agency Contacts & Telephone Numbers  Primary Contact: Blaine J. Loper, Bureau of Conservation, Economics and Energy Planning 717-787-3810 (technical)  Secondary Contact: Carl Hisiro, Law Bureau, 717-783-2812 (legal)	
(6) Type of Rulemaking (check one)  <input type="checkbox"/> Proposed Rulemaking <input checked="" type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached?  <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor
(8) Briefly explain the regulation in clear and nontechnical language.  The final rulemaking amends the Commission's existing reporting requirements to reflect the changes brought upon by competition in the electric generation segment of the electric utility industry. Reporting requirements include forecasts of energy demand, peak load and number of connected customers, generating capability, scheduled imports and exports and transmission line projections.		
(9) State the statutory authority for the regulation and any relevant state or federal court decisions.  66 Pa. C.S. Sections 501, 524, 1501, 1504 and 2809.		

### Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

Yes. 66 Pa. C.S. Section 524.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

Monitoring an electric distribution company's ability to provide reliable service to its customers continues to be an important function of the Commission. It is the Commission's responsibility to ensure that the companies maintain reliable service within a competitive environment. Information required by the regulation assists the Commission in performing this function.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

If the Commission does not require the annual submission of data, it will be unable to properly monitor the reliability, security and adequacy of the electric system. Deficiencies in generation or transmission facilities may result in an increase in the frequency and magnitude of service interruptions, adversely affecting homes and businesses.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Customers of electric service, whether citizens of Pennsylvania or visitors to Pennsylvania, will benefit by having safe and reliable service.

### Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

No person or entity will be adversely affected by this regulation.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All electric distribution companies under the Commission's jurisdiction (11 companies) will be required to comply with the regulation.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

On September 3, 1998, the Commission issued an Advance Notice of Proposed Rulemaking which was published in the Pennsylvania Bulletin on September 19, 1998, (28 Pa.B. 4724) with a 30-day comment period. Comments were received from the Pennsylvania Electric Association, the Office of Consumer Advocate, NorAm Energy Management, Inc. and the Mid-Atlantic Power Supply Association. On January 14, 1999, the Commission adopted a Proposed Rulemaking Order which was published in the Pennsylvania Bulletin on April 17, 1999 (29 Pa.B. 2025), with a 60-day comment period. Comments were received from the Pennsylvania Electric Association, the Office of Consumer Advocate and the Independent Regulatory Review Commission.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

Since the rulemaking will substantially reduce existing reporting requirements for all electric distribution companies, some savings will be realized by these companies.

### **Regulatory Analysis Form**

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

Not applicable.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

Commission staff will continue to review the information submitted and submit its report to the General Assembly. The time spent on this project is expected to be reduced.

## Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings						
<b>COSTS:</b>						
Regulated Community						
Local Government						
State Government						
Total Costs						
<b>REVENUE LOSSES:</b>						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

Not measurable at this time.

### Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Not applicable.				

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The benefits of reliable electric service to the public outweigh any minimal costs.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Not applicable.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No alternative was considered.

### Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Several states have a similar type of reporting requirement. The amendments to an existing regulation will not put Pennsylvania at a competitive disadvantage with other states, especially since the regulatory changes will generally decrease the reporting burdens on the electric distribution companies.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The rulemaking will amend an existing regulation by reducing the reporting burden of the electric distribution companies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No.

## **Regulatory Analysis Form**

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements?  
Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

Yes. Existing reporting requirements will be reduced. Specifically, information regarding capital investments, energy costs, expansions of existing facilities and siting of new generating facilities will no longer be required. New requirements include reporting on regional load and capacity information related to the electric distribution company's control area and the area in which its regional reliability council operates. The reporting horizon will be reduced from 20 years to 5 years. Reporting formats have been developed for use in reporting information required by this regulation.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

Not applicable.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

Anticipated effective date for compliance is May 1, 2000.

(31) Provide the schedule for continual review of the regulation.

Once the regulation becomes effective, the Commission will continuously monitor the effectiveness of this regulation by review of the annual resource planning reports filed with the Commission.



**FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)

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LEGISLATIVE SECRETARY  
REVIEW COMMISSION

# 2028

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General.

BY

(DEPUTY ATTORNEY GENERAL)

DATE OF APPROVAL

☐ Check if applicable  
Copy not approved. Objections attached

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

Pennsylvania Public Utility Commission  
(AGENCY)

DOCUMENT/FISCAL NOTE NO. L-980136/57-203

DATE OF ADOPTION December 2, 1999

BY

*James J. McNulty*

James J. McNulty

TITLE

( SECRETARY )

Copy below is hereby approved as to form and legality. Executive or independent Agencies.

BY

*Bohdan R. Pankiw*

Bohdan R. Pankiw  
Chief Counsel

12-2-99

DATE OF APPROVAL

☐ Check if applicable. No Attorney General approval or objection within 30 days after submission.

L-980136/57-203  
Final Rulemaking  
Amending Annual Resource Report  
Filing Requirements  
52 Pa. Code, Chapter 57

The Pennsylvania Public Utility Commission on December 2, 1999 adopted a final rulemaking to amend annual resource report filing requirements appropriate within a competitive generation market. The contact persons are Carl Hisiro, Law Bureau, (717) 783-2812 and Blaine Loper, Bureau of CEEP, (717) 787-3810.

**EXECUTIVE SUMMARY**  
**L-00980136**  
**FINAL RULEMAKING**  
**AMENDING ANNUAL RESOURCE PLANNING REPORT**  
**FILING REQUIREMENTS**

Section 524(a) of the Public Utility Code (“Code”), 66 Pa. C.S. § 524(a), requires electric utilities to submit to the Commission information concerning plans and projections for meeting future customer demand. The Commission’s regulations under 52 Pa. Code § 57.141(a), promulgated pursuant to section 524(c) of the Code, require each jurisdictional electric utility to submit, on or before May 1 of each year, an Annual Resource Planning Report (“ARPR”) which contains information required under section 524(a).

In view of the enactment of the *Electricity Generation Customer Choice and Competition Act* (“Act”), 66 Pa. C.S. §§ 2801-2812, the Commission is amending its existing reporting requirements which are appropriate within a competitive generation market. On September 3, 1998, the Commission issued an Advance Notice of Proposed Rulemaking to solicit comments from electric utilities, electric generation suppliers, power marketers and other interested parties. The notice was published in the *Pennsylvania Bulletin* on September 19, 1998 (28 Pa.B. 4724) with a 30-day comment period. On January 14, 1999, the Commission adopted a Proposed Rulemaking Order which was published in the *Pennsylvania Bulletin* on April 17, 1999, (29 Pa.B. 2025) with a 60-day comment period.

The amendments reduce the reporting horizon for energy demand, connected peak load and number of customers from 20 to 5 years and, in a number of areas, revise the types of information that will be required. Information regarding capital investments, energy costs, expansions of existing facilities and

siting of new generating facilities will no longer be required. These amendments reflect the changes brought upon by competition in the electric generation segment of the industry.

The contact persons are Blaine Loper, Bureau of Conservation, Economics and Energy Planning, (717) 787-3810 (technical) and Carl Hisiro, Law Bureau, (717) 783-2812 (legal).

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held December 2, 1999

**Commissioners Present:**

John M. Quain, Chairman  
Robert K. Bloom, Vice Chairman  
Nora Mead Brownell  
Aaron Wilson, Jr.  
Terrance J. Fitzpatrick, Abstaining

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DEC 08 1999

PA P.U.C.  
LAW BUREAU

**Rulemaking Re: Amending Annual  
Resource Planning Report Filing  
Requirements, 52 Pa. Code §§ 57.141-57.154**

**Docket No. L-00980136**

**FINAL RULEMAKING ORDER**

**BY THE COMMISSION:**

On January 14, 1999, the Commission adopted an order proposing to amend its regulations relating to resource planning filing requirements imposed upon electric utilities.<sup>1</sup> The Commission proposed these amendments in response to the recent deregulation of the electric generation segment of the industry.<sup>2</sup>

Comments were received from the Pennsylvania Electric Association ("PEA"), the Office of Consumer Advocate ("OCA") and the Independent

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<sup>1</sup> 29 Pa.B. 2025 (April 17, 1999).

<sup>2</sup> *Electricity Generation Customer Choice and Competition Act*, 66 Pa. C.S. §§ 2801-2812.

Regulatory Review Commission (“IRRC”). This final order discusses the comments received and sets forth, in Annex A, final amendments to the Commission’s regulations regarding electric utility resource planning.

### ***General Comments***

The commentators generally support the changes proposed by the Commission in view of the fact that electric generation has been deregulated and is now subject to a competitive market.

OCA submits that the proposed amendments focus on obtaining the information and data necessary for the Commission to perform its oversight responsibility, under Chapter 28 of the Public Utility Code, of ensuring reliability of the generation, transmission and distribution system. OCA also believes that the proposed amendments will improve the information which the Commission receives in performing its oversight responsibility.

PEA states that the proposed rulemaking correctly focuses on obtaining information from electric distribution companies (“EDCs”) regarding the amount of load transported over their transmission and distribution systems. PEA believes that this data will assist the Commission in evaluating the reliability of the transmission and distribution system, and will provide important baseline data (in combination with electricity supply data obtained at the power pool level) from which the Commission can evaluate the adequacy of supply of electricity in the EDC’s region.

Both OCA and PEA agree that system cost data is unnecessary in a fully competitive generation market.

Specific comments regarding recommended revisions to the proposed amendments are discussed below.

***Section 57.141. General***

Section 141(a) replaces the term “public utility” with “electric distribution company” (as defined in 66 Pa.C.S. § 2803) as the entity responsible for reporting this information. OCA and IRRC aver that, since a number of electric generation suppliers (“EGSs”) may eventually become providers of last resort (“PLRs”), all PLRs that are not EDCs should be required to provide similar information to the Commission. OCA recommends that, if the information requested under these regulations proves to be inadequate for the Commission to properly monitor reliability, the Commission consider additional reporting requirements for EGSs either through these regulations or through its licensing regulations under 52 Pa. Code § 54.39.

As explained in more detail elsewhere in this order, we have chosen to monitor electric service adequacy on a control area basis. This should adequately provide for monitoring of the bulk power supply system without requiring EGSs, as PLRs, to be included in these regulations. Whether an EGS is providing power directly to consumers as an alternate supplier or as a PLR, it still must abide by the rules and requirements set forth by the appropriate regional reliability entity and provide reliable electric service.<sup>3</sup> If deemed to be necessary, we may subsequently require all EGSs to provide information relating to their provision of electric service to retail customers either under the Commission’s

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<sup>3</sup> 52 Pa. Code § 57.196.

licensing regulations at 52 Pa. Code § 54.39 or under the regulations being considered herein.

Subsection (b) defines the term “current year” as “the year in which the filing is being made.” IRRC submits that the term is unclear and should be revised to read “the calendar year preceding the year in which the filing is being made.” We disagree. As currently used, this term refers to data projected for the present year. For filings submitted on May 1, 2000, the current year would be 2000 and 1999 would be referred to as the “past year.” Furthermore, the Commission’s regulations have contained this definition for a number of years and all of the responding EDCs fully understand what is meant by it. Nevertheless, in order to avoid a misinterpretation of this term by any entity, we will remove the definition of “current year” and delete reference thereof in subsequent sections. In this way, it should be understood that a 5-year forecast will include the year in which the report is filed with the Commission.

***Section 57.142. Forecast of energy demand, peak load and number of customers***

IRRC suggests that we include a definition for “summer” and “winter” seasons as defined in section 57.146 (regarding system cost data) which had been proposed to be deleted.

In order to improve the clarity of our regulations, we will add this definition to section 57.142.

As explained further below, we shall also add a requirement under section 57.142 to provide for forecasts of energy demand and peak load on both a control area and a regional reliability council basis.

***Section 57.143. Existing and planned generating capability***

OCA supports the addition of the proposed informational requirements calling for a synopsis of major occurrences where EGSs have been unable to supply scheduled loads within the EDC's service territory. OCA, however, recommends the incorporation of some requirements, proposed to be deleted under § 57.151 (relating to new generating facilities and expansions of existing facilities), such as information on planned generation plants, an identification of generating units that are expected to retire, and environmental considerations of planned facilities, any of which could have an ultimate effect on the reliability of the electric system.

IRRC requests that this section clarify that the term "other pertinent information" is related to major occurrences as referred to in section 57.143(b) (as proposed). IRRC also requests that the Commission explain how the proposed amendments will provide complete information on available generating facilities without considering units which will be removed from active service.

PEA, on the other hand, asserts that the Commission should not require EDCs to submit information regarding sources of supply concerning their obligation as the PLR, since this information will not enable the Commission to determine supply reliability. PEA submits that, in order for the Commission to determine adequacy of supply, it must obtain information from regional entities, such as the Pennsylvania-New Jersey-Maryland Interconnection, L.L.C. ("PJM"), the North American Electric Reliability Council ("NERC"), and the Mid-Atlantic Area Council ("MAAC"), which have access to information regarding the full



range of generating resources, including wholesale generators. Similarly, PEA suggests that the Commission not require EDCs to submit information on scheduled imports and exports.

PEA also asserts that it is inappropriate to require EDCs to report on occurrences where EGSs are unable to supply scheduled loads within the EDC's service territory. PEA argues that, if the Commission believes it must collect such information regarding an EGS's failure to provide electricity, it should require the EGS to provide this information, not the EDCs.

It is this Commission's responsibility to ensure the maintenance of adequate and reliable electric service to all retail customers, regardless of their choice of supplier.<sup>4</sup> Requesting information on a piecemeal basis (i.e., EDCs, EGSs and PLRs), however, will not provide sufficient information to assist the Commission in assessing the reliability of the electric system. As we stated in our Proposed Rulemaking Order, the Commission must rely on such entities as MAAC and the East Central Area Reliability Council ("ECAR") to provide regional assessments of the adequacy of generation resources to meet regional needs. In view of the regional aspect of electric generation and transmission, we believe that electric service reliability must be assessed from a regional perspective.

Although we had proposed the collection of information on the activities of EDCs acting as PLRs, this information will only provide a portion of the reliability picture. One obvious problem with this method of data collection is that some EDCs, such as Metropolitan Edison Company, Pennsylvania Electric Company and Duquesne Light Company, are in the process of selling their generating facilities to non-regulated entities. Generation from these facilities may

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<sup>4</sup> 66 Pa. C.S. § 2804(1).

be sold either to retail customers, the EDCs, PJM or entities in other states. Likewise, generating facilities owned by an EDC's affiliate may be used to serve entities other than its own retail customers. In other words, the EDCs will not be able to determine what resources will be committed to local retail loads. The EDCs will be able to provide actual and forecast data on connected load, but not on the resources expected to meet the customer load.

Until those generating assets are transferred or sold to other entities, however, the cost of those assets are being recovered by the EDC through a competitive transition charge, as defined under 66 Pa.C.S. § 2803. Thus, we find it appropriate for the EDC to continue to provide a description of existing generating facilities which are owned in whole or in part by the EDC.

Electric power generation and transmission are controlled on a regional basis. Regional reliability councils are responsible for maintaining system adequacy and security. PJM,<sup>5</sup> as a control area, coordinates the generation and transmission of electricity for a multi-state area and orchestrates the implementation of emergency procedures necessary to maintain system integrity. Those Pennsylvania EDCs which are not members of PJM also coordinate operations on a control area basis within the ECAR region. Pennsylvania ECAR members consist of Duquesne Light Company ("Duquesne"), Pennsylvania Power Company ("Penn Power") and Allegheny Power ("AP"). Duquesne, Penn Power's parent company, FirstEnergy, and AP's parent company, Allegheny Energy, Inc., are control areas operating within the ECAR region and are subject to ECAR reliability standards and protocols.

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<sup>5</sup> PJM is geographically synonymous with MAAC.

Annually, the electric utilities and non-utility power producers provide information concerning capacity resource plans to their respective regional reliability councils, which aggregate the data for submission to NERC by April of each year. The aggregated data is then forwarded to the U.S. Energy Information Administration. The aggregated information includes: projected energy and peak demands, projected generating capacity by fuel type, existing generating capacity, planned generating capacity, projected capacity purchases and sales and proposed bulk power transmission line additions. Some information on planned capacity changes, however, may not be available.<sup>6</sup>

It is apparent that we must assess reliability of integrated electric power systems in a manner which reflects the mode of real-time operation inherent in the design of the bulk power supply grid. With deregulation of the generation segment of the market, we must focus on regional aspects of the electric utility system consistent with the operation thereof. Thus, we shall require the EDCs to provide aggregate data on existing and planned generating capability on both a control area and a regional reliability council basis. This will provide sufficient information for the Commission's assessment of system reliability.

In response to IRRC's and OCA's concern about information on generating facility retirements, we will require the EDC's data to include any known changes to its own generating capability, including planned retirements. We will also require similar data for the EDC's control area and the area covered by the appropriate regional reliability council.

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<sup>6</sup> The U.S. Office of Budget and Management ruled on December 29, 1998 (Fm 63FR 64680), that "[a]ll information about proposed changes to existing generators, planned retirement dates for existing generators, all information about proposed new plants and/or generators are to be held as confidential. Data from individually identifiable plants may not be disclosed until the unit(s) or plants are designated as 'in commercial service.' Planning data regarding retirement of plants/equipment may not be disclosed until the unit(s) is 'out of commercial service.'"

With regard to the reporting of major occurrences where an EGS failed to supply scheduled retail loads, we expect the EDC to provide such information, whether it must first obtain the information from its control area operator or elsewhere. It is noted that 66 Pa. C.S. § 2807(e)(3) states that, when a customer contracts for electric energy and it is not delivered, the EDC must acquire electric energy to serve the customer, unless the Commission has approved an alternative PLR. This information will assist the Commission in monitoring the provision of service of an EGS in accordance with section 57.196 (relating to generation reliability) and related impacts on the EDC. We also accept IRRC's request to relate the phrase "other pertinent information" to major occurrences.

We reject OCA's recommendation to add reporting requirements under section 57.143 which we proposed to delete under section 57.151 (regarding new generating facilities and expansions of existing facilities). As we stated in our Proposed Rulemaking Order, the information required under section 57.151 relates to the siting of generating facilities, which is beyond the scope of the Commission's regulatory authority.

***Section 57.145. Cogeneration and independent power production***

IRRC recommends that we include a cross-reference to the definition of the term "independent power producer" as set forth under section 57.31.

In the final rulemaking, we have added this reference.

***Section 57.146. System cost data***

OCA submits that some cost information will be needed until the Commission is satisfied that the competitive generation market is providing a visible price signal.

We disagree. Cost data required under this section was related to the cost of energy generated by an electric utility and used to determine its avoided cost for calculation of capacity credits under section 57.34(c) (relating to purchases of capacity and energy) to be paid to a cogeneration facility or small power production facility which meets the criteria contained in 18 CFR Part 292. On June 22, 1995, the Commission adopted an order approving final-form regulations which established mandatory all-source competitive bidding programs for the purchase of capacity and associated energy, thus replacing the former process of administratively determining capacity and energy payments to qualifying facilities.<sup>7</sup> Furthermore, since electric generation has been deregulated, we will not continue the collection of system cost data.

***Section 57.147. Scheduled imports and exports***

As stated earlier, PEA submits that the Commission should not require EDCs to submit information on scheduled imports and exports. Although EDCs are able to provide this information, the data will not assist the Commission in determining the adequacy of supply, according to PEA.

Although information on imports and exports may not provide enough additional information with which to ensure overall electric service

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<sup>7</sup> I-860025; 25 Pa.B. 6085.

reliability, we shall continue to require the submission of this information. The competitive retail marketplace is relatively new to Pennsylvania and this information will be helpful in assessing the impact of competition on power transactions. We shall also require purchases and sales of generating capacity on a control area basis.

### ***Section 57.152. Formats***

IRRC and PEA assert that the Commission should develop or revise, as necessary, reporting formats which are consistent with the new reporting requirements, and officially approve such formats.

We shall accept this suggestion. We have revised section 57.152 to include a listing of forms for reporting information consistent with our regulations and have attached, as Annex B, the actual forms.

### ***Conclusion***

Thus, we find the revisions to our existing regulations, sections 57.141-57.154, as delineated above, and as set forth in Annex A hereto, to be necessary and appropriate to reflect the changes taking place in the electric service industry and to ensure the reliability of electric service in Pennsylvania. In addition, reporting formats set forth in Annex B are also established, consistent with this order and our amended regulations. Accordingly, under sections 501, 524, 1501, 1504 and 2809 of the Public Utility Code, 66 Pa. C.S. §§ 501, 524, 1501, 1504 and 2809, and the Commonwealth Documents Law (45 P.S. § 1202 et. seq.) and the regulations promulgated thereunder in 1 Pa. Code §§ 7.1-7.4, we hereby amend Chapter 52 of the Pennsylvania Code, as set forth in Annex A

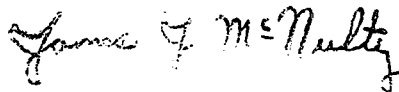
hereto, which revises filing requirements for the annual resource planning report;  
**THEREFORE,**

**IT IS ORDERED:**

1. That 52 Pa. Code Chapter 57 is hereby amended as set forth in Annex A hereto.
2. That the Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. That the Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.
4. That the Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.
5. That the Secretary shall submit this order and Annex A for review by the designated standing committees of both houses of the General Assembly, and for review and approval by the Independent Regulatory Review Commission.
6. That a copy of this order and Annexes A and B shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, all jurisdictional electric distribution companies and all parties of record.

7. That this regulation shall become effective upon publication in the *Pennsylvania Bulletin*.

BY THE COMMISSION,

A handwritten signature in cursive script, reading "James J. McNulty".

James J. McNulty  
Secretary

(SEAL)

ORDER ADOPTED: December 2, 1999

ORDER ENTERED: DEC 6 1999



**ANNEX A**  
**TITLE 52 PUBLIC UTILITIES**  
**PART I. PUBLIC UTILITIES COMMISSION**  
**SUBPART C. FIXED SERVICE UTILITIES**  
**CHAPTER 57. ELECTRIC SERVICE**  
**SUBCHAPTER L. ANNUAL RESOURCE PLANNING REPORT**

**§ 57.141. General.**

(a) [A public utility] An electric distribution company (EDC), as defined in 66 Pa. C.S. § 2803, shall submit to the Commission the Annual Resource Planning Report (ARPR) that contains the information prescribed in this subchapter. An original and [seven] 3 copies of the report shall be submitted on or before May 1, [1995] 2000 and May 1 of each succeeding year. One copy of the report shall also be submitted to the Office of Consumer Advocate (OCA) [, the Pennsylvania Energy Office (PEO),] and the Office of Small Business Advocate (OSBA). The name and telephone number of the persons having knowledge of the matters, and to whom inquiries should be addressed, shall be included.

[(b) For the purpose of this subchapter, the term "current year" refers to the year in which the filing is being made.

(c) The information contained in this report shall conform to applicable forms which may be issued by the Commission.

(d)] (b) As a condition to receiving a copy of the ARPR, the OCA [, PEO] and OSBA shall be obligated to honor and treat as confidential those portions of the report designated by the utility as proprietary.

(1) If the Commission, OCA, [PEO,] OSBA or any person challenges the proprietary claim as frivolous or not otherwise justified, the Secretary's Bureau will issue, upon written request, a Secretarial letter directing the [utility] EDC to file a petition for protective order under § 5.423 (relating to orders to limit availability of proprietary information) within 14 days.

(2) Absent the timely filing of such a petition, the proprietary information claim will be deemed to have been waived. The proprietary claim will be honored during the Commission's consideration of the petition for protective order.

**§ 57.142. Forecast of energy [resources, demands, and reserves] demand, peak load and number of customers.**

(a) The Annual Resource Planning Report (ARPR) shall include a forecast of energy demand in megawatt-hours per calendar year, [, annual system peak demand in megawatts and number of customers (year end) displayed by component parts, as shown in Form-IRP-ELEC 1A, Form-IRP-ELEC 1B and Form-IRP-ELEC 1C, respectively.

(1) The data presented in Form-IRP-ELEC 1A, Form-IRP-ELEC 1B and Form-IRP-ELEC 1C shall consist of the following:

- (i) The past 5 years actual historical data.
- (ii) A 20-year forecast including the current year.

(2) The forecast shall include a minimum of three load growth scenarios: base, low and high. The base case is the growth scenario which is used by the utility as a basis for its resource planning.

(3) The load growth scenarios shall reflect the effects of existing and projected load modifications resulting from the utility's conservation and load management activities as defined in § 57.149 (relating to energy conservation and load management).

(4) A description of the methodology and assumptions used by the utility shall also be provided.]

(1) The data shall include actual data for the past year and estimated data for the ensuing 5 years.

(2) The data shall be displayed by the following component parts:

- (i) Residential, commercial and industrial sectors.

(ii) Other demand, including public street and highway lighting,  
other sales to public authorities and sales to railroads and railways.

(iii) Sales for resale.

(iv) Total consumption, as the sum of (i), (ii) and (iii).

(v) System losses and company use.

(vi) Net energy for load, as (iv) minus (v).

[(b) A forecast of peak resources, demands and reserves in megawatts for the 20-year period beginning with the current year (year zero), as indicated in Form-IRP-ELEC 2A and Form-IRP-ELEC 2B, shall be included. The data shall be provided for both summer and winter seasons, the latter being the winter of year 0-1, 1-2, 2-3 and the like.

(c) Reporting utilities which are subsidiaries of a larger electric utility system operated on a coordinated system basis spanning the boundaries of this Commonwealth shall also file Form-IRP-ELEC 1A, Form-IRP-ELEC 2A and Form-IRP-ELEC 2B for the larger system.]

(b) The ARPR shall include a forecast of connected peak load.

(1) The data shall include actual data for the past year and estimated data  
for the ensuing 5 years.

(2) The data shall be displayed by the following component parts:

(i) Peak loads for both summer and winter seasons, the latter being  
the winter following the summer of the past year.

(ii) The date and time of the summer and winter peak loads.

(iii) Annual peak load.

(iv) Annual load factor.

(3) The summer season is June through September and the winter season is  
December through March.

(c) The ARPR shall include a forecast of the number of connected customers.

(1) The data shall include actual data for the past year and estimated data for the ensuing 5 years.

(2) The data shall be displayed by the following component parts:

(i) Residential, commercial and industrial sectors.

(ii) Other, including public street and highway lighting, other sales to public authorities and sales to railroads and railways.

(iii) Total number of customers.

(d) The ARPR shall include an aggregate forecast of energy demand and peak load for the EDC's control area and appropriate regional reliability council, as defined under § 57.192. The data shall include actual data for the past year and estimated data for the ensuing 5 years.

**§ 57.143. Existing and planned generating capability.**

(a) The Annual Resource Planning Report (ARPR) shall include a description of existing generating capability, the cost of which is being recovered by the EDC in a competitive transition charge, as defined under 66 Pa. C.S. 2803, and planned generating capability installations, changes and removals. [in summary form as indicated in Form-IRP-ELEC 3.]

(1) The data [presented in Form-IRP-ELEC 3] shall include station name and unit number, location, date installed or to be installed, unit type, primary fuel type and fuel transportation method, summer and winter net capability in megawatts, changes in capability occurring during the past year and percent ownership share.

(2) The data shall include those facilities which are owned in whole or in part by the reporting EDC. A jointly owned unit shall be designated as such and the [utility's] EDC's share of the unit shall be indicated.

**(3) The data shall include actual data for the past year and estimated data for the ensuing 5 years.**

**[(b) The ARPR shall include a description of future generating capability installations, changes and removals, for the 20-year period in summary form as indicated in Form-IRP-ELEC 4.**

**(1) The data presented in Form-IRP-ELEC 4 shall include those facilities which are:**

**(i) Owned in whole or in part by the reporting utility either directly or indirectly, through a subsidiary.**

**(ii) Allocated to the utility by an entity to serve the entity's load if the load is included in the utility's forecast.**

**(2) A jointly owned unit shall be designated as such and the utility's share of the unit shall be indicated.**

**(3) A discussion of the potential for additional system capability achieved through productivity and longevity improvements to the existing system shall be provided.**

**(i) A summary tabulation of major capital additions and replacements, including environmental retrofits, which are necessary over the next 5 years to assure continued operation at current levels of performance, shall be provided for each coal-fired and base load generating station.**

**(ii) This discussion shall include economic analyses of major planned capital investments in base load generating stations which will result in either an increase in net dependable capacity or a continuation of operation beyond the plant's normal operating life. The analyses may be performed on an aggregate capital budget basis for each base load station being evaluated.**

(iii) If a generating unit is scheduled to be removed from normal operation within the next 2 years, an economic analysis shall be provided which demonstrates that discontinuance of the unit from normal operation is more cost effective than continuing its operation, either with or without capital additions or operating improvements.]

(b) The ARPR shall include a description of existing generating capability and planned generating capability installations, changes and removals for the EDC's control area and appropriate regional reliability council, as defined under § 57.192.

(1) The data shall include actual data for the past year and estimated data for the ensuing 5 years.

(2) The data shall include station name and unit number, location, date installed or to be installed, unit type, primary fuel type and fuel transportation method and summer and winter net capability in megawatts.

(c) The ARPR shall include a synopsis of major occurrences where electric generation suppliers were unable to supply scheduled loads within the EDC's service territory during the previous year. The synopsis shall include the electric generation supplier's name, the amount of energy and capacity involved in megawatt-hours and megawatts, respectively, the period of time involved and any other pertinent information relating to such major occurrences.

#### **§ 57.144. Transmission line projection.**

(a) The Annual Resource Planning Report (ARPR) shall contain a description of transmission lines, as defined in § 57.1 (relating to definitions), or any portions thereof for which construction or acquisition of right-of-way is scheduled to begin within the [10] 5-year forecast period; and additions to or modifications of existing electric supply lines which will result in the creation of a transmission line, whether or not located entirely on existing rights-of-way, public roads or the property of the sole customer served by the

line, for which construction or acquisition of right-of-way is scheduled to begin within the [10] 5-year forecast period.

(b) The description shall contain the following:

- (1) A descriptive title of the line or portion thereof.
- (2) The design voltage.
- (3) The length of the line in miles.
- (4) The location of the township and county.
- (5) The date on which construction is scheduled to begin.
- (6) The date on which the line is scheduled to be placed in service.
- (7) The actual cost or most recent estimated cost for a line described in

subsection (c), provided that an estimate furnished be updated at the next annual filing.

(c) The ARPR shall also identify HV transmission lines, as defined in § 57.1, which have been completed since the filing of the previous report.

(d) The ARPR shall also identify measures that the utility has taken to reduce the levels of electro-magnetic field (EMF) emissions produced by the proposed HV transmission lines.

(e) The ARPR shall include an estimate of change in import and export capability or change in system transmission constraints which will result from any planned transmission change identified in (a).

**§ 57.145. [Cogeneration and small power production.] Qualifying facility and independent power producer.**

The Annual Resource Planning Report (ARPR) shall include a description of each existing and planned [cogeneration, small power production] qualifying facility and independent power [production facility] producer, as defined under § 57.31, from which

the [utility] EDC will purchase energy or capacity, or both[, as indicated in Form-IRP-ELEC 5]. Projects shall be grouped by status and subtotals shall be provided.

(1) The data[ presented in Form-IRP-ELEC 5] shall include the amount of energy in kilowatt-hours from each facility during the past calendar year, or the expected amount of energy to be purchased from the facility, and the contract capacity in kilowatts, if applicable.

(2) Facilities with an individual annual output of less than 20,000 kilowatt-hours or capacity less than 5 kilowatts may be consolidated by customer class and energy source -- for example: residential/wind.

(3) If an entity has requested anonymity, the [utility] EDC does not have to name it, but shall only provide the facility's characteristics.

**§ 57.146. [System cost data.] (Reserved).**

[(a) The Annual Resource Planning Report (ARPR) shall include the utility's actual energy costs for the previous year and a forecast of energy costs for the 10-year period, based on the utility's preferred resource plan, as indicated in Form-IRP-ELEC 6. These costs shall include the costs of fuel, variable operation and maintenance expenses, and other costs associated with the utility's own generation. These costs shall be stated on a mills per kilowatt-hour basis, during daily peak and off-peak periods, for each season: the summer season being June through September and the winter season being December through March. Other months shall be grouped together for the current calendar year and each of the next 10 years. Levelized projected energy costs shall also be provided for the 10-year period as stated in § 57.34 (b)(2)(iii) (relating to purchases from qualifying facilities). In support of these cost estimates, each utility shall provide the following:

(1) A brief description of the methodology used to estimate the energy costs.



(2) The average cost of fuel in cents per mmbtu during the past year by plant and fuel type; for example: nuclear, coal, oil and gas, and the current projection of the inflation rate for each fuel type and the general inflation rate.

(3) The projected source and average cost of electric energy supply for each year of the 10-year period by fuel type.

(4) The variable operations and maintenance expense.

(5) Other relevant factors.

(b) For each planned capacity addition provided under § 57.143 (relating to existing and planned generating capability), the ARPR shall include the following:

(1) The estimated total cost at completion in current (actual) and constant (corrected for inflation) dollars.

(2) The amount currently expended, if applicable.

(3) The expected annual expenditures to completion in current (actual) and constant (adjusted for inflation) dollars.

(4) The projected life of the plant.

(5) The levelized fixed charge rate, including rate of return, depreciation, and taxes, and its calculation.

(6) The expected annual net generation.

(7) The fixed and variable operations and maintenance expense.

(8) Estimated energy cost, including costs of fuel, variable operations and maintenance expenses, and other costs associated with the facility's generation in \$/KWH for 10 years.

(9) Estimated capacity cost, including the total estimated cost of construction, in current dollars adjusted by the levelized fixed charge rate, and the estimated levelized fixed operations and maintenance cost over the life of the facility in \$/KWH for 10 years.

(c) A distribution utility which obtains its requirements for electric energy and capacity from another electric utility shall file the rates at which it currently purchases such energy and capacity instead of the data required under subsection (a) and (b).]

**§ 57.147. [Forecast of generating capability and generation distribution.] Scheduled imports and exports.**

[(a)] The Annual Resource Planning Report (ARPR) shall include a forecast of [generating capability distribution] scheduled imports and exports in megawatts for the EDC, the EDC's control area and appropriate regional reliability council, as defined under § 57.192 [, as indicated in Form-IRP-ELEC 7A and Form-IRP-ELEC 7B].

(1) Actual data for the past [5 years] year and estimated data for the ensuing [20] 5 years shall be provided.

(2) The data shall be provided for both summer and winter seasons, the latter being the winter [of year 0-1, 1-2, 2-3 and the like] following the summer of the past year.

[(3)] Total capability shall include the sum total of the generating capability described in § 57.143 (relating to existing and planned generating capability).

(4) Net transactions, scheduled imports less scheduled exports, shall include purchases from and sales to other electric utilities and systems, including utility subsidiaries, public utilities, municipal systems, electric cooperatives and cogeneration and small power production facilities.

(5) Total resources, the sum total capability and net transactions, shall correspond with total resources in Form-IRP-ELEC 2A and Form-IRP-ELEC 2B.]

[(6)] (3) A breakdown of scheduled imports and exports shall be provided [, as indicated in Form-IRP-ELEC 7B, for the 20-year period] including the name and type of each participating entity.

[(b) The ARPR shall include a forecast of generation distribution in gigawatt-hours, as indicated in Form-IRP-ELEC 8A and Form-IRP-ELEC 8B.

(1) Actual data for the past 5 calendar years and estimated data for the ensuing 20 years shall be provided.

(2) Total net generation shall include the sum total of electric energy produced by the generating units owned in whole or in part by the reporting utility either directly or indirectly, through a subsidiary, less pumping energy, if applicable.

(3) Net energy imports or exports shall include purchases from, and sales to, other electric utilities and systems, including utility subsidiaries, public utilities, municipal systems, electric cooperatives and cogeneration and small power production facilities.

(4) Total energy for load, the sum of total net generation and net energy imports or exports, shall agree with the corresponding totals in Form-IRP-ELEC 1A.

(5) A breakdown of projected imports and exports shall be provided, as indicated in Form-IRP-ELEC 8B, for the 20-year period.]

**§ 57.148. Demand, resource and energy data.**

The Annual Resource Planning Report (ARPR) shall include a summary of demand, resource and energy data for the past year[, as indicated in Form-IRP-ELEC 9].

(1) The peak day data shall be provided for both summer and winter seasons, the latter being the winter following the summer of the past year.

[(2) Peak load data shall include native and internal load only.

(3) The report shall identify capacity, which was unavailable at the time of peak and provide a breakdown of capacity not available.]

(2) The report shall provide peak day purchases and sales of the EDC in megawatts and calendar year purchases and sales in megawatt-hours.

(3) The report shall identify each electric generation supplier's peak day unregulated load in megawatts and calendar year sales in megawatt-hours.

**§ 57.149. Energy conservation and load management.**

[(a) Except as required by subsection (c), the] The Annual Resource Planning Report (ARPR) shall include a detailed description of conservation and load management programs implemented or operational during the past calendar year and all programs which are proposed to be implemented within 1 year following the filing of this report.

(1) A conservation program shall include a method designed to produce a reduction in total annual energy use, regardless of its effect on peak demand.

(2) A load management program shall include a method which will reduce the peak or maximum load or demand, regardless of its effect on total annual energy use.

(3) The program description shall include actual or anticipated results and a breakdown of monetary and personnel resources.

[(3) The program description shall conform to the information requirements of Form-IRP-ELEC 10A.

(4) A summary of all programs shall be provided, as indicated on Form-IRP-ELEC 10B.

(5) For each program with an annual utility expenditure of more than \$100,000 or more than 0.1% of total annual revenue, whichever is less, excepting informational, educational or research and development programs, the utility shall submit a cost-benefit analysis using the common evaluation methodology set forth in § 57.153 (relating to evaluation methodology), as indicated on Form-IRP-ELEC 10C and Form-IRP-ELEC 10D.

(6) The Commission, through its Bureau of Conservation, Economics and Energy Planning, may issue a list of specific conservation and load management programs which shall be considered for implementation by each designated utility. The utility shall provide information documenting the consideration of these and other conservation and load management options and supporting the utility's decision of whether or not to implement the options.

(b) The ARPR shall include a forecast of the potential for promoting and ensuring the full utilization of practical and economical energy conservation and load management, within the utility's service territory, for the 20-year period, as indicated in Form-IRP-ELEC 10E.

(1) The data presented in Form-IRP-ELEC 10E shall include general conservation of electric energy, load shifting from peak to off-peak periods and peak load reductions, which have the potential for occurring through utility efforts, absent the effects of price elasticity market-induced conservation and building and appliance efficiency standards.

(2) A discussion of how the existing and planned utility programs provided by subsection (a) do or do not adequately attain the utility's potential for general electric energy conservation, load shifting and peak load reductions shall be provided.

(c) The ARPR shall include a summary description of the utility's most recent approved Demand Side Management Program Plan.]

**§ 57.150. [Evaluation and integration of resources.] (Reserved).**

[(a) The ARPR shall include an evaluation of the cost effectiveness of feasible supply-side and demand-side resource options. A detailed description of the methodology and assumptions used by the utility also shall be included.

(b) A comparison of the overall potential revenue requirement impacts of feasible supply-side and demand-side resource options shall be included. The revenue requirement impacts shall be stated in total dollars and in cents per kilowatt-hour generated, saved or purchased or in dollars per kilowatt installed, reduced, shifted or contracted for, where appropriate.

(c) A detailed narrative explaining the decision-making process used by the utility in the integration of supply-side and demand-side resource options to derive the preferred, least-cost resource mix to meet customer demand, shall be included.

(1) The narrative shall discuss and set forth the preferred resource mix developed for the base case load growth scenario. The narrative shall discuss what modifications to that resource plan would be necessary if either of the other load growth scenarios were to occur.

(2) Alternative plans developed for the base case load growth scenario shall be identified, including the year by year resource modifications for each plan. A comparison of the cost to the utility and its ratepayers of its preferred plan to meet customer demand and alternative plans considered for the 20-year period, as indicated in Form-IRP-ELEC 11, shall be provided. The cost shall be stated in total annual dollars and in cents per kilowatt-hour sold.

(3) A discussion of system reliability and the uncertainties and risks associated with the resource options, and how they have been incorporated into the decision-making process, shall be provided. If the utility's preferred resource mix is not the least-cost resource mix, the utility shall document why the least-cost resource mix was not chosen.]

**§ 57.151. [New generating facilities and expansions of existing facilities.] (Reserved).**

[The Annual Resource Planning Report (ARPR) shall include the following information for new public utility generating facilities and expansions of existing

generating facilities, for which the site and the type of facility and fuel have been selected:

(1) A general description of the planned facility which includes the following items:

- (i) The facility name.
- (ii) The number of units.
- (iii) The unit type.
- (iv) The primary and secondary fuel types.
- (v) The summer and winter generating capability.
- (vi) The site acreage.
- (vii) The estimated capital investment for land, land improvements, buildings and equipment.
- (viii) The estimated month and year of construction commencement, completion and commencement of service.
- (ix) The type and cost of necessary air and water pollution abatement methods and equipment.

(2) Estimates of applicable capital and intangible costs for the various components of the facility as in the Federal Energy Regulatory Commission Uniform System of Electric Plant Accounts.

(3) A discussion of the proposed and alternative sites for the construction and operation of the planned facilities.

(i) For each site, maps of suitable detail shall be provided which show the following:

- (A) The proposed facility.
- (B) Major population centers and geographic boundaries.
- (C) Major transportation routes and utility corridors.
- (D) Major institutions, parks and recreational areas.

(E) Major bodies of water.

(F) Topographic contours.

(G) Individual residential, commercial and industrial buildings and installations.

(ii) A brief discussion of the methodology used in the utility's site selection process, including steps taken to insure public involvement in the siting process, shall be provided.

(iii) A general discussion of the advantages and disadvantages of each site, including technical, financial, environmental and social considerations, and an estimate of the effect of each site on annual capital and operating costs, shall be provided.

(4) A discussion of the proposed and alternative types of facilities and fuels considered.

(i) A brief discussion of the methodology used in the utility's facility selection process shall be provided.

(ii) A general discussion of the advantages and disadvantages of each facility type and fuel, including technical, financial, environmental and social considerations, and an estimate of the effect of each facility type and fuel on annual capital and operating costs, shall be provided.]

#### **§ 57.152. Formats.**

In preparing the Annual Resource Planning Report required by this subchapter, each [public utility] EDC shall use the current forms and schedules specified by the [Bureau of Conservation, Economics and Energy Planning] Commission, which shall include the following:



**[(1) Form-IRP-ELEC 1A - Historical and Forecast Energy Demand (MWH); Form-IRP-ELEC 1B - Historical and Forecast Peak Demand (MW); Form-IRP-ELEC 1C - Historical and Forecast Number of Customers (Year End).**

**(2) Form-IRP-ELEC 2A - Estimated Peak Resources, Demands and Reserves for the 10-year Period (MW); Form-IRP-ELEC 2B - Estimated Peak Demands, Resources and Reserves for the 10-20 Year Period (MW).**

**(3) Form-IRP-ELEC 3 - Existing Generating Capability (as of January 1 - Current Year).**

**(4) Form-IRP-ELEC 4 - Future Changes and Removals to Existing Generating Capability for the 20-Year Period.**

**(5) Form-IRP-ELEC 5 - Cogeneration and Small Power Production Facilities.**

**(6) Form-IRP-ELEC 6 - System Cost Data.**

**(7) Form-IRP-ELEC 7A - Distribution of Net Generating Capability by Fuel Type for the 20-Year Period (MW); Form-IRP-ELEC 7B - Scheduled Imports and Exports (MW).**

**(8) Form-IRP-ELEC 8A - Distribution of Net Generation by Fuel Type for the 20-Year Period (GWH); Form-IRP-ELEC 8B - Scheduled Imports and Exports (MWH).**

**(9) Form-IRP-ELEC 9 - Summary of Demands, Resources and Energy for the Past Year.**

**(10) Form-IRP-ELEC 10A - Conservation and Load Management Program Description; Form-IRP-ELEC 10B - Conservation and Load Management Program Summary; Form-IRP-ELEC 10C - Conservation and Load Management Program Cost-Benefit Analysis Inputs; Form-IRP-ELEC 10D - Conservation and Load Management Program Cost-Benefit Analysis Results; Form-IRP-ELEC 10E -**

**Assessment of Conservation and Load Management Potential for the 20-Year Period.**

**(11) Form-IRP-ELEC 11 - Comparison of Costs of Preferred Resource Plan with Alternative Plans.]**

**(1) ARPR 1 - Historical and Forecast Energy Demand.**

**(2) ARPR 2 - Historical and Forecast Connected Peak Load.**

**(3) ARPR 3 - Historical and Forecast Number of Connected Customers.**

**(4) ARPR 4 - Historical and Forecast Peak Load and Energy.**

**(5) ARPR 5 - Existing Generating Capability.**

**(6) ARPR 6 - Future Generating Capability Installations, Changes and Removals.**

**(7) ARPR 7 - Projected Capacity and Demand.**

**(8) ARPR 8 - Qualifying Facility and Independent Power Production**

**Facilities.**

**(9) ARPR 9 - Scheduled Imports and Exports.**

**(10) ARPR 10 - Summary of Demands, Resources and Energy for the**

**Previous Year.**

**(11) ARPR 11 - Transmission Line Projection.**

**(12) ARPR 12 - Conservation and Load Management Program Description.**

**§ 57.153. [Evaluation Methodology.] (Reserved).**

**[A public utility shall utilize cost-benefit methodologies as prescribed by the Bureau of Conservation, Economics and Energy Planning to evaluate the costs and benefits of conservation and load management programs, and demand-side management programs. The cost-benefit methodologies shall be utilized by the utility during the next program year after they are prescribed.]**

**§ 57.154. Public information and distribution.**

The Annual Resource Planning Report shall be accompanied by a summary which is suitable for public distribution. EDCs shall maintain copies of the summary open to public inspection during normal business hours.

[(1) The summary shall include a 2-year implementation plan specifying activities scheduled for the acquisition and development of the least-cost resources delineated in this report, which are to take place during the ensuing 2 years.

(2) Informal sessions may be scheduled by the Bureau of Conservation, Economics and Energy Planning for reviewing the 2-year implementation plans and providing an opportunity for interested parties to participate in the review process.]



PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG, PENNSYLVANIA

THE CHAIRMAN

December 23, 1999

The Honorable John R. McGinley, Jr.  
Chairman  
Independent Regulatory Review Commission  
14th Floor, Harristown II  
333 Market Street  
Harrisburg, PA 17101

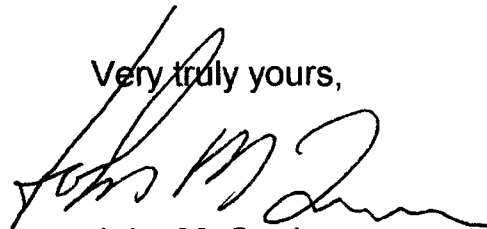
Re: L-980136/57-203  
Final Rulemaking  
Annual Resource Report  
Filing Requirements  
52 Pa. Code Chapter 57

Dear Chairman McGinley:

Enclosed please find one (1) copy of the regulatory documents concerning the above-captioned rulemaking. Under Section 745.5(a) of the Regulatory Review Act, the Act of June 30, 1989 (P.L. 73, No. 19) (71 P.S. §§745.1-745.15) the Commission, on March 30, 1999, submitted a copy of the Notice of Proposed Rulemaking to the House Committee on Consumer Affairs, the Senate Committee on Consumer Protection and Professional Licensure and to the Independent Regulatory Review Commission (IRRC). This notice was published at 29 Pa.B. 2025, on April 17, 1999. In compliance with Section 745.5(b.1) copies of all comments received were provided to your Commission and the Committees.

In preparing this final form rulemaking, the Public Utility Commission has considered all comments received from the Committees, IRRC and the public.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John M. Quain', written over the typed name.

John M. Quain  
Chairman

Enclosures

cc: The Honorable Clarence D. Bell  
The Honorable Lisa Boscola  
The Honorable Chris R. Wogan  
The Honorable Keith McCall  
Legislative Affairs Director McDonald  
Chief Counsel Pankiw  
Regulatory Coordinator DelBiondo  
Assistant Counsel Hisiro  
Mr. Loper  
Mr. Zogby

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT  
TO THE REGULATORY REVIEW ACT

ID Number: L-980136/57-203


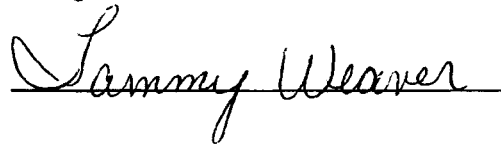
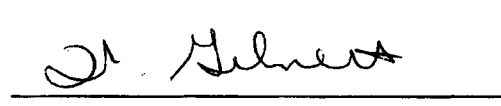
Subject: Amending Annual Resource Report Filing Requirements

Pennsylvania Public Utility Commission

TYPE OF REGULATION

- ☐ Proposed Regulation
- ☐ Final Regulation with Notice of Proposed Rulemaking Omitted.
- ☒ Final Regulation
- ☐ 120-day Emergency Certification of the Attorney General
- ☐ 120-day Emergency Certification of the Governor

FILING OF REPORT

Date	Signature	Designation
12/23/99		HOUSE COMMITTEE Consumer Affairs
12/23/99		SENATE COMMITTEE Consumer Protection and Professional Licensure
12/23/99		Independent Regulatory Review Commission
		Attorney General
		Legislative Reference Bureau