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**INDEPENDENT REGULATORY REVIEW COMMISSION
COMMONWEALTH OF PENNSYLVANIA
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October 23, 2003

Honorable Terrance J. Fitzpatrick, Chairman
Pennsylvania Public Utility Commission
Keystone Building, 3rd Floor
400 North Street
Harrisburg, PA 17105

Re: Regulation #57-224 (IRRC #2266)
Pennsylvania Public Utility Commission
Generic Competitive Safeguards

Dear Chairman Fitzpatrick:

The Independent Regulatory Review Commission approved the subject regulation today. Our Order is enclosed and will be available on our website at www.irc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Robert E. Nyce
Executive Director

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Enclosure

cc: Honorable Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional
Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional
Licensure Committee
Honorable Raymond Bunt, Jr., Majority Chairman, House Consumer Affairs Committee
Honorable Joseph Preston, Jr., Democratic Chairman, House Consumer Affairs Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 23, 2003

John R. McGinley, Esq., Chairman, by Phone
Alvin C. Bush, Vice Chairman, by Phone
Daniel F. Clark, Esq.
Arthur Coccodrilli
Murray Ufberg, Esq.

Regulation No. 57-224
Pennsylvania Public Utility Commission
Generic Competitive Safeguards

On April 8, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking adds 52 Pa. Code Chapter 63, Subchapter K. The proposed regulation was published in the April 20, 2002 *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on June 23, 2003. On July 22, 2003, the PUC withdrew the final-form regulation. On September 19, 2003, the PUC resubmitted the final-form regulation.

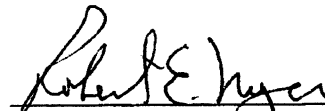
The final-form regulation establishes a Code of Conduct applicable to incumbent local exchange carriers (ILECs) and competitive local exchange carriers (CLECs). The regulation is intended to prevent discriminatory access to an ILEC's services and facilities; unlawful cross-subsidization of competitive services from noncompetitive services by ILECs; and unfair competition among ILECs and CLECs.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S.A. § 3005(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.




Robert E. Nyce, Executive Director