

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rulemaking Re: Amendment of 52 Pa. Code :  
§57.45 (Electric Service: Preservation of :  
Records) and 52 Pa. Code §59.45(Gas Service: :  
Preservation of Records) :

Docket No. L-0003016

SECRETARY'S BUREAU

03 MAY 27 PM 3:51

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COMMENTS OF THE  
OFFICE OF CONSUMER ADVOCATE

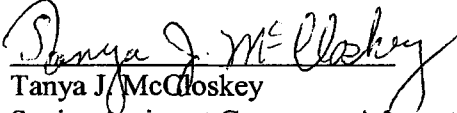
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On March 6, 2003, the Commission adopted a proposed rulemaking order which proposed to amend existing regulations regarding record retention requirements for jurisdictional electric and natural gas utilities. The proposed amendments to 52 Pa. Code §57.45 (Electric Service: Preservation of Records) and 52 Pa. Code §59.45 (Gas Service: Preservation of Records) are intended to eliminate unnecessary and burdensome requirements. The existing regulations require electric utilities and natural gas utilities to preserve records in conformity with the standards established by the National Association of Regulatory Utility Commissioners (NARUC). Those standards were last updated in 1985.

The proposed amendments are consistent with the report and recommendation of the working group established by the Commission to review the current record retention requirements. The Office of Consumer Advocate (OCA) actively participated in that working group. The working group sought to identify those requirements that could be amended to lessen the record retention burden and associated costs, without compromising the Commission's ability to perform its regulatory oversight responsibilities.

The OCA supports the amendments that have resulted from the report of the working group. The working group was able to reach a consensus that strikes a balance between the interests of the electric and natural gas utilities to eliminate unnecessary or overly burdensome requirements with the interests of the Commission and other stakeholders, such as the OCA, to ensure adequate regulatory oversight of the utilities. The OCA submits that it would be appropriate to adopt these amendments, reflecting this balance.

Respectfully submitted,

  
Tanya J. McCloskey  
Senior Assistant Consumer Advocate

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

Dated: May 27, 2003  
74361

CERTIFICATE OF SERVICE

Re: Rulemaking Re: Amendment of 52 Pa. Code  
§57.45 (Electric Service: Preservation of  
Records) and 52 Pa. Code §59.45 (Gas Service:  
Preservation of Records  
Docket No. L-00030160

I hereby certify that I have this day served a true copy of the foregoing document,  
Comments of the Office of Consumer Advocate, upon parties of record in this proceeding in  
accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the  
manner and upon the persons listed below:

Dated this 27th day of May, 2003.

SERVICE BY INTEROFFICE MAIL

Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor West  
Harrisburg, PA 17105-3265

John Crawford  
Bureau of Audits  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 3<sup>rd</sup> Floor East  
Harrisburg, PA 17105-3265

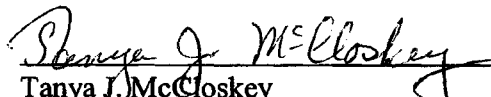
Robert Wilson  
Bureau of Fixed Utility Services  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 3<sup>rd</sup> Floor West  
Harrisburg, PA 17105-3265

Matthew Totino  
Law Bureau  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 3<sup>rd</sup> Floor West  
Harrisburg, PA 17105-3265

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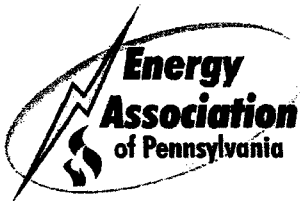
Office of Small Business Advocate  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101

Energy Association of Pennsylvania  
800 North Third Street  
Harrisburg, PA 17102

  
Tanya L. McCloskey  
Senior Assistant Consumer Advocate

Counsel for  
Office of Consumer Advocate  
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Harrisburg, PA 17101-1923  
(717) 783-5048

74396



**COPY**

800 North Third Street, Suite 301, Harrisburg, Pennsylvania 17102

Telephone (717) 901-0600 • Fax (717) 901-0611 • www.energypa.org

May 27, 2003

Mr. James J. McNulty  
Secretary  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105

VIA HAND DELIVERY

Re: PUC Docket No. L-00030160: Electric and Gas Utility Record Retention

Dear Mr. McNulty:

Pursuant to Ordering Paragraph 5 of the "Proposed Rulemaking" notice published in the April 26, 2003 issue of the *Pennsylvania Bulletin*, 33 Pa.B. 2064, 2065, the Energy Association of Pennsylvania ("Energy Association"), on behalf of its electric and natural gas distribution company members, submits the original and 15 copies of this letter in lieu of formal comments. Concurrent with this filing, the Energy Association is providing courtesy copies of this letter to the Office of Trial Staff ("OTS"), the Office of Consumer Advocate ("OCA") the Office of Small Business Advocate ("OSBA"), and the Independent Regulatory Review Commission ("IRRC").

As noted in the Proposed Rulemaking Order, *id.*, the proposed amendments to 52 Pa. Code §§ 57.45 and 59.45 reflect the consensus of a working group which the Commission convened in an Order entered April 16, 2002, in Docket Nos. P-00011902 and P-00011903, *mimeo.* at 9-10. The Energy Association actively participated in the working group, and we share Commissioner Pizzingrilli's thanks to the Commission staff and the entire working group for reaching a set of standards that promote economy, efficiency and uniformity in record retention without impairing the ability of OTS, OCA or OSBA to perform their statutory duties.

The Energy Association accepts the working group's compromise, and we support the proposed amendments as published.

The Energy Association appreciates this opportunity to comment and we trust these remarks will be considered as the Commission, IRRC and the standing committees of the General Assembly continue their deliberations in this matter.

Respectfully submitted,

Dan Regan  
Vice President & General Counsel

cc: Office of Trial Staff (VIA FIRST CLASS MAIL)  
Office of Consumer Advocate (VIA FIRST CLASS MAIL)  
Office of Small Business Advocate (VIA FIRST CLASS MAIL)  
Independent Regulatory Review Commission (VIA FIRST CLASS MAIL)

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03 MAY 27 PM 4:19  
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MAY 27 2003  
OFFICE OF TRIAL STAFF  
PUC

**Paul E. Russell**  
Associate General Counsel

**PPL**  
Two North Ninth Street  
Allentown, PA 18101-1179  
Tel. 610.774.4254 Fax 610.774.6726  
perussell@pplweb.com



2003 JUN -2 AM 11:32  
...RECEIVED...  
REVIEW COMMISSION

May 23, 2003

James J. McNulty, Esquire  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, Pennsylvania 17120

RECEIVED  
2003 MAY 27 PM 1:26  
LAW BUREAU

Re: **Comments of  
PPL Electric Utilities Corporation  
on Proposed Rulemaking  
Docket No. L-00030160**

Dear Mr. McNulty:

In a Proposed Rulemaking Order, entered on March 6, 2003, at the above-captioned docket number, the Pennsylvania Public Utility Commission ("PUC" or the "Commission") opened a proposed rulemaking proceeding to consider amendment of its regulations at 52 Pa. Code §§ 57.45 (Electric Service: Preservation of Records) and 59.45 (Gas Service: Preservation of Records) regarding record retention requirements. This Order, as well as Annex A to the Order, was published in the Pennsylvania Bulletin on April 26, 2003. Comments to the proposed rule-making are due by May 26, 2003.

In a previous Order entered on April 16, 2002, the Commission directed its Law Bureau, in conjunction with its Bureau of Fixed Utility Services, to convene a working group to review the PUC's current record retention regulations for electric and natural gas utilities. PPL Electric Utilities Corporation ("PPL Electric") was an active participant in the working group.

The working group reviewed the Commission's current record retention regulations. Section 57.45 establishes record retention requirements for Electric Distribution Companies. Section 59.45 establishes record retention requirements for Natural Gas Distribution Companies. Both of these regulations require the affected

May 23, 2003

public utilities to maintain their records in conformity with the most recent publication of the National Association of Regulatory Utility Commissioners ("NARUC") governing the preservation of records of electric, gas and water utilities. The most recent NARUC regulations were published in May 1985.

Upon completion of its review of the PUC's current record retention regulations, the working group recommended that the Commission adopt the amendments contained in Annex A to the PUC's March 6, 2003 Order. Annex A provides for specific amendments to the Commission's record retention requirements at 52 Pa. Code §§ 57.45 and 59.45. These amendments reflect a consensus position developed by the various participants in the working group.

Accordingly, PPL Electric endorses the efforts of the working group and urges the Commission to adopt the proposed amendments to the PUC's current record retention requirements at 52 Pa. Code §§ 57.45 (Electric Service: Preservation of Records) and 59.45 (Gas Service: Preservation of Records) contained in Annex A to the March 6, 2003 Order.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul E. Russell". The signature is written in a cursive, flowing style with a large initial "P" and "R".

Paul E. Russell

cc: Matthew A. Totino, Esquire

**COPY**

**RECEIVED**

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE  
PUBLIC UTILITY COMMISSION

MAY 22 2003

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Rulemaking To Amend Existing Regulations )  
Regarding Record Retention Requirements For ) L-00030160  
Jurisdictional Electric And Gas Utilities, )  
52 Pa. Code §§57.45 & 59.45 )

COMMENTS OF  
THE PEOPLES NATURAL GAS COMPANY  
d/b/a  
DOMINION PEOPLES

Vertical stamp: RECEIVED MAY 22 2003 SECRETARY'S BUREAU

By order entered on March 6, 2003, the Pennsylvania Public Utility Commission (hereinafter "Commission") at Docket No. L-00030160 adopted a proposed rulemaking to amend existing regulations regarding record retention requirements for jurisdictional electric and gas utility (52 Pa. Code §§ 57.45 and 59.45). On April 26, 2003, the Commission published the proposed changes in the Pennsylvania Bulletin for comments. The Peoples Natural Gas Company d/b/a Dominion (hereinafter "Dominion Peoples") is the Pennsylvania distribution subsidiary of Dominion Resources, Inc. Dominion Peoples provides natural gas service to over 355,000 customers in 300 communities of the 16 contiguous counties of southwestern Pennsylvania. As such, the proceedings in the above-docketed matter are of interest to Dominion Peoples. Accordingly, Dominion Peoples submits herein its comments in the instant rulemaking.

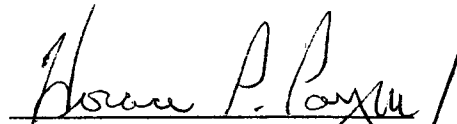
COMMENTS

Dominion Peoples applauds the excellent work done by the Commission directed working group consisting of the Law Bureau, Bureau of Fix Utility Services and the Bureau of Audits, and fully supports its Commission adopted consensus report and



recommendation to amend the Commission's current records retention regulations governing jurisdictional electric and gas utility. The proposed changes are a good first step in streamlining the record preservation burden and the cost associated to the utility.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Horace P. Payne, Jr.", written over a horizontal line.

Horace P. Payne, Jr.

Counsel for

The Peoples Natural Gas Company  
d/b/a Dominion Peoples

May 22, 2003

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048

COPY

IRWIN A. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
E-Mail: paoca@ptd.net

May 27, 2003

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Bldg.  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17120

RECEIVED  
03 MAY 27 PM 3:50  
P.A.U.C.  
SECRETARY'S BUREAU

Re: Rulemaking Re: Amendment of 52 Pa. Code §57.45  
(Electric Service: Preservation of Records) and 52 Pa.  
Code §59.45 (Gas Service: Preservation of Records)  
Docket No. L-00030160

Dear Secretary McNulty:

Enclosed for filing please find an original and fifteen (15) copies of the Comments  
of the Office of Consumer Advocate in the above-referenced proceeding.

Sincerely yours,

Tanya J. McCloskey  
Senior Assistant Consumer Advocate

Enclosures  
cc: Certificate of Service  
74395

105

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rulemaking Re: Amendment of 52 Pa. Code :  
§57.45 (Electric Service: Preservation of :  
Records) and 52 Pa. Code §59.45(Gas Service: :  
Preservation of Records) :

Docket No. L-0003010

RECEIVED  
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COMMENTS OF THE  
OFFICE OF CONSUMER ADVOCATE

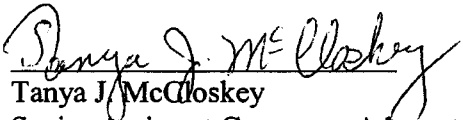
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Counsel for:  
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Consumer Advocate

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Dated: May 27, 2003  
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Docket No. L-00030160

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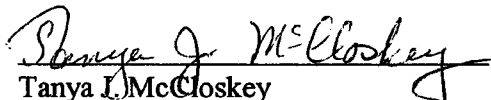
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Energy Association of Pennsylvania  
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Harrisburg, PA 17102

  
Tanya J. McCloskey  
Senior Assistant Consumer Advocate

Counsel for  
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Harrisburg, PA 17101-1923  
(717) 783-5048

74396