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## INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

November 6, 2008

Honorable James H. Cawley, Chairman  
Pennsylvania Public Utility Commission  
Keystone Building, 3rd Floor  
400 North Street  
Harrisburg, PA 17105

Re: Regulation #57-252 (IRRC #2569)  
Pennsylvania Public Utility Commission  
Implementation of the Alternative Energy Portfolio Standards Act of 2004

Dear Chairman Cawley:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at [www.irrc.state.pa.us](http://www.irrc.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,

Arthur Coccodrilli

Chairman

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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 Joseph Preston, Jr., Majority Chairman, House Consumer Affairs Committee  
Honorable Robert W. Godshall, Minority Chairman, House Consumer Affairs Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held November 6, 2008

Arthur Coccodrilli, Chairman  
Alvin C. Bush, Vice Chairman  
Nancy Sabol Frantz, Esq.  
Karen A. Miller  
John F. Mizner, Esq.

Regulation No. 57-252 (#2569)  
Pennsylvania Public Utility Commission  
Implementation of the Alternative Energy  
Portfolio Standards Act of 2004

On September 27, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 75. The proposed regulation was published in the October 14, 2006 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2008.

This final-form regulation implements portions of the Alternative Energy Portfolio Standards Act of 2004. These provisions “identify how compliance will be measured, the penalties for noncompliance, the powers and duties of a third party administrator, the mechanism for cost recovery by electric distribution companies and other necessary provisions.”

We have determined this regulation is consistent with the statutory authority of the PUC (73 P.S. § 1648.3(e)) 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.



  
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Arthur Coccodrilli, Chairman