



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

2591

March 19, 2010

Mr. Kim Kaufman
Executive Director
Independent Regulatory Review Commission
14th Floor, Harristown II
333 Market Street
Harrisburg, PA 17101

Dear Mr. Kaufman:

The Independent Regulatory Review Commission has suggested a revision to the final form regulation # 57-251 (relating to Provision of Bundled Service Package Plans at a Single Monthly Rate by LECs) that was submitted for your review on February 18, 2010 and that the issue you have identified could be resolved through the tolling process. Accordingly, we are requesting that the time for review of the regulation be tolled to revise Section 64.24 (relating to provision of bundled service packages).

The revision reflects a change in subparagraph 64.24(c)(2)(iii) which requires local exchange companies to send a disclosure statement that "complies with the plain language guidelines at Section 69.251 (relating to plain language)." Section 69.251 is a statement of policy, and therefore the language in the regulation would improperly require compliance with and allow enforcement of a statement of policy. A statement of policy is not subject to review by the legislature, IRRC and the public and can be changed at any time. Therefore, the Public Utility Commission intends to make the requisite change by deleting subparagraph 64.24(c)(2)(iii) in accordance with applicable law.

Very truly yours,

Bohdan R. Pankiw
Chief Counsel

cc: Honorable Robert M. Tomlinson, Majority 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 Godshall, Minority Chairman, House Consumer Affairs Committee
Elizabeth Lion Januzzi, Assistant Counsel, PUC
Sherri DelBiondo, Regulatory Review Coordinator, PUC
Robert A. Mulle, Esq., Office of Attorney General