

SILVAN B. LUTKEWITTE, III, CHAIRMAN
GEORGE D. BEDWICK, VICE CHAIRMAN
ARTHUR COCCODRILLI
JOHN F. MIZNER, ESQ.
LAWRENCE J. TABAS, ESQ.
FIONA WILMARTH, ACTING EXECUTIVE DIRECTOR
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

INDEPENDENT REGULATORY REVIEW COMMISSION

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

June 16, 2011

Honorable Robert F. Powelson, Chairman
Pennsylvania Public Utility Commission
Keystone Building, 3rd Floor
400 North Street
Harrisburg, PA 17105

Re: Regulation #57-267 (IRRC #2825)
Pennsylvania Public Utility Commission
Streamlining the Rate Increase Procedures for Small Motor Carriers

Dear Chairman Powelson:

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.

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

Sincerely,

Silvan B. Lutkewitte, III
Chairman
sfh
Enclosure

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

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held June 16, 2011

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
Arthur Coccodrilli
John F. Mizner, Esq.
Lawrence J. Tabas, Esq.

Regulation No. 57-267 (#2825)
Pennsylvania Public Utility Commission
Streamlining the Rate Increase Procedures for
Small Motor Carriers

On March 4, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 23. The proposed regulation was published in the March 20, 2010 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 20, 2011.

This regulation implements an alternative operating ratio rate change mechanism for small passenger carriers with gross operating revenues of less than \$500,000.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa. C.S. § 501(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.



Silvan B. Lutkewitte, III, Chairman