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Senate of Pennsylvania

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2950

February 15, 2012

Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Keystone Bldg.
Harrisburg, PA 17120

RE: Proposed Rulemaking Re Amendment to 52 Pa. Code §59.18 Meter Location
Docket No. L-2009-2107155

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Dear Members of the Public Utility Commission:

The Public Utilities Commission (PUC) is proposing a rule change that has the potential to adversely impact historic resources, including individual historic buildings and older and traditional neighborhoods that define the character of Pennsylvania. After reviewing a draft of the proposed rule, I respectfully request that the PUC revise the Rulemaking Order for Gas Meter Location Regulation that is currently under consideration in order to provide adequate protection for historic properties as is required in Article 1, Section 27 of the Constitution of Pennsylvania, which specifies state agencies must provide for "the preservation of natural, scenic, historic and ethic values of the environment."

Gas meters and regulators should be located in the safest and least visually obtrusive location possible. I recognize that the proposed regulation provides consideration to historic properties by allowing inside meter locations to be considered when acceptable outside locations are not available due to restrictions in Federally approved Historic Districts. However, the language of the rule is vague and allows for a wide range of interpretation, and does not require consideration of impacts to historic resources in meter and regulator placement.

I encourage you to do the following in order to improve the rule, and better protect our Commonwealth's valuable historic resources:

1. Work with the Pennsylvania Historical Museum Commission (PHMC) to more clearly define what historic properties are protected. The current term – "Federally approved Historic Districts" - suggests Historic Districts must be listed on the National Register of Historic Places. If this is the case, many of the Commonwealth's historic properties and neighborhoods could be impacted without consideration. A better term might be "Historic Resources," defined to include individual properties and historic districts that are eligible for or listed in the National Register of Historic Places and those designated as historic by the municipality. Gas companies should work with PHMC to identify these historic resources.

2. Define "High Vandalism Districts".
3. Require gas companies to work with communities to recognize a common plan to address their historic preservation concerns.
4. Require gas companies to provide sufficient public notice to residents regarding changes to meter/regulator locations and clearly discuss what options are available to customers.
5. First consider placement of gas meters and/or regulators outside on secondary façades, or on the primary façade where the meter placement can be shielded by landscaping or other methods.
6. Develop design guidelines for the appropriate placement of gas meter sets that: avoid impact on primary facades; and minimize the visual impacts to primary facades when avoidance is not an option, considering alternatives such as: inside meter installation, using smaller equipment, shielding the equipment with landscaping or other methods, or camouflaging the equipment.

I appreciate what the PUC is trying to accomplish by changing the proposed rule. However, I feel that those regulations could and should be revised to better protect our cultural resources, while still improving public safety. Thank you for your time and consideration.

Sincerely,



Senator Jim Ferlo