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City of
 Lancaster

DEPARTMENT OF ECONOMIC DEVELOPMENT
AND NEIGHBORHOOD REVITALIZATION

PA P.U.C.
SECRETARY'S BUREAU

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July 9, 2012

Pennsylvania Public Utility Commission
Attn: Secretary
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Comment on Docket No. L-2009-2107155, Amendment to Pa. Code § 59.18 Meter Location

Dear Commissioners:

On behalf of the Historical Architectural Review Board ("HARB") of The City of Lancaster, I am submitting the following comments to the proposed **Rulemaking Amendment to 52 Pa. Code § 59.18**.

The PUC Proposed Rulemaking Order ("Rule") contains language that addresses the placement of meters and regulators on exterior locations on buildings. "with the exception of historic districts." While the HARB welcomes special consideration for the sensitive placement of equipment on buildings within historic districts, the proposed Rule requires clarification.

The City of Lancaster's first local historic district was established in 1967 by City Council, and the designated historic district areas have been expanded in the ensuing 45 years. These local historic district areas are also listed in the National Register of Historic Places. Enacted to protect Lancaster's historic buildings and neighborhoods, which directly contribute to the quality of life for residents and visitors, the City's historic district ordinance provides for a public review of proposed *exterior* changes to buildings in order to prevent alterations that are determined to be historically or aesthetically inappropriate to the building or site. The HARB is the review body created by City Council to oversee regulated activities within the historic district and to uphold the historic district ordinance.

As a state agency, the Public Utility Commission's regulations and activities should likewise uphold Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania, which states that: "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment" and "As trustees of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."

Historic District Exceptions

Item (7) (c) (1) of the proposed Rule states that "Inside meter locations shall be considered only when: "(i) an acceptable outside location is not available due to restrictions in Federally-approved historic districts." Language elsewhere in the Rule allows for placement of entire meter sets inside a building based on "historic

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area prohibitions and zoning ordinances.” While the Rule allows utility companies to consider alternatives to exterior meter placement within historic districts, it does not clearly define “historic district” status nor does it clearly state what types of “restrictions” would allow or require an exception to be exercised. Language contained within the Rule should clarify the term “Federally-approved historic district” and specify whether exceptions also apply to local historic districts. The Rule should also clarify whether local utility companies will alone determine the siting of meters or will permit local municipalities to uphold existing regulations and design guidelines contained within their local historic district ordinances.

Alternative Locations for Meters

The proposed Rule states that: “Allowances for inside meter and regulator sets are based upon historic area prohibitions and areas that have high amounts of vandalism.” The Rule allows for, but does not require, inside meter locations, while stating that “the utility will make the ultimate siting determination.”

The proposed Rule should require local utility companies to establish design guidelines or provide concrete examples of preferred and permissible alternative placement of exterior meters and regulators, addressing both safety concerns and the physical and visual impact that equipment will have on individual buildings and streetscapes within historic districts. When reviewing proposed alterations to buildings within the historic district, the members of the HARB are bound by the design guidelines contained within the historic district ordinance as well as the federal *Secretary of the Interior's Standards for Rehabilitation of Historic Buildings*. The proposed Rule should establish clear criteria for placement of meters and regulators since exterior installations may conflict with guidelines adopted within local historic districts.

Public Notification

The proposed Rule has no specific provisions for public notification of impending meter installations or any accommodation for property owner input or consent. The Rule should be revised to include clear procedures that require local utility companies to alert customers to impending meter installations, with a defined timetable for implementation of the work and *alternatives available to property owners within designated historic districts*. This notification process should allow sufficient time for property owners to consider their alternatives and options, taking into account the fact that proposed installations within Lancaster’s historic district may require a formal review by the HARB, during which the HARB would consider how the installation of exterior equipment will adversely impact individual buildings as well as the wider neighborhood.

The HARB urges the Pennsylvania Public Utility Commission to add more specific provisions to the PUC Proposed Rulemaking Order that will address public safety concerns while *respecting local historic district ordinances* enacted to protect local community character and historic architecture.

Thank you for your consideration of these comments.

Sincerely,



James F. Mummert

Chairman, Historical Architectural Review Board

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