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257 North Street, Harrisburg, PA 17101 tel 717.234.2310 fax 717.234.2522 info@preservationpa.org www.preservationpa.org

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July 10, 2012

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

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PA P.U.C.  
SECRETARY'S BUREAU

RE: Comments on Docket No. L-2009-2107155, Rulemaking Re Amendment to 52 Pa. Code Sec. 59.18  
Meter Location

Dear Commissioners:

Preservation Pennsylvania is pleased to take this opportunity to comment on the proposed Rulemaking Amendment to 52 Pa. Code Sec. 59.18 regarding Gas Meter Location. Preservation Pennsylvania is the Commonwealth's only statewide, private, nonprofit membership organization dedicated to the protection of historically and architecturally significant properties. Preservation Pennsylvania respectfully requests that the Public Utility Commission consider making changes to the proposed amendment to the rulemaking order for Gas meter location regulation 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 provide for "the preservation of natural, scenic, historic and ethic values of the environment."

Preservation Pennsylvania recognizes 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 regulation is open to a variety of interpretations, and does not require consideration of impacts to historic resources in meter and regulator placement. In order to close this loophole, Preservation Pennsylvania proposes the following changes to the Proposed Rulemaking Order:

**DEFINE HISTORIC RESOURCES**

The Proposed Rulemaking Order (Rule) does not clearly define which historic resources qualify for an exception to the outdoor meter replacement requirement. It uses the term "Federally approved Historic Districts," which is not a phrase that is commonly understood. If the regulation encompasses all historic districts that are listed in and/or considered eligible for listing in the National Register of Historic Places (National Register), this fact should be explicitly stated.

If the Rule is referring only to historic districts that are listed in the National Register, it is not affording consideration to historic districts that have been determined eligible for inclusion in the National Register, or

those that have been locally designated. Changes to many locally designated historic properties are regulated at the municipal level; the visible changes resulting from meter set relocation should be included in the projects that they review. Finally, this definition completely overlooks potential impacts to individual historic properties, whether the property is designated locally or eligible for or listed in the National Register.

*Preservation Pennsylvania recommends that the PUC removes the phrase Federally approved Historic District, and replaces the term with Historic Resource. Historic Resource should be defined to include any property (individual or district) that has been determined eligible for or listed in the National Register of Historic Places, or has been designated as historic by the municipality.*

#### **ADDRESS THE VISUAL IMPACTS OF OUTDOOR REGULATORS AND SHUT OFFS**

The proposed Rule does not address physical and visual the impacts of installing the regulator outside. Although it allows for meters to be left inside in some cases, the Rule does not require that alternatives be considered to minimize the impact of installing the regulator outside. Alternatives to be considered may include: 1) installing the regulator in a discrete location, such as on the side of the building; 2) screening the equipment from view using vegetation or sidewalk vaults; or 3) otherwise minimizing the appearance of the equipment perhaps by painting it to blend with the building behind it; among others. Because it has the ability to affect the historic resource both physically and visually, the location and manner in which the building envelope is penetrated and re-sealed should also be considered.

*Preservation Pennsylvania recommends that, in addition to considering alternatives to outdoor meter placement, the Rule be revised to discuss in a very specific manner how the utility companies are to work with the property owner to consider regulator placement options, and select one that minimizes the visual impact to the property and district and the physical impact to the building. In order to assist utility companies with the consideration of alternatives, Preservation Pennsylvania encourages the PUC to establish and adopt Design Guidelines that provide examples of preferred placement of outside meter sets. In addition to local stakeholders such as architectural review boards and historic commissions, the Pennsylvania Historical and Museum Commission should be given an opportunity to comment on such design guidelines or available mitigation measures prior to their approval or adoption. This could be done in a programmatic manner, and would not need to be repeated for every project.*

#### **IMPROVE PROPERTY OWNER AND COMMUNITY INVOLVEMENT**

As proposed, the Rule does not specify a process for notifying property owners about the project. As a result, property owners many not be provided with complete information and sufficient time to make informed decisions. Many communities and their residents are upset by the manner in which they are informed about the utility company's actions. Residents receive a letter in the mail, often many months before the project happens, and then are notified that their meter will be moved, sometimes only the day before it is to happen. The utility companies are not taking the time to explain to the public what they are doing, why they are doing it, and what property owner's alternatives or options are. They are not giving property owners an opportunity to make educated decisions about what course of action is best for their property and their community.

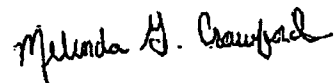
*Preservation Pennsylvania recommends that the proposed Rule be changed to specify a public process that provides property owners with the information and time that they need to make informed decisions. That process should include preliminary notification of the municipality and media, as well as direct contact with all property owners by mail. This correspondence should offer consultation with informed representatives of*

*the utility company, and announce and invite participation in a public meeting that affords them an opportunity to have a dialogue with the utility company and others in their community in advance of the project to participate in the consideration of alternatives. Once alternatives are understood, property owners must be given sufficient time to take any necessary action, such as changing their property from natural gas service to another fuel source, should they choose to do so.*

Preservation Pennsylvania feels strongly that the Public Utility Commission's Proposed Rulemaking Order for Gas Meter Location Regulations should be revised to better protect our cultural resources, while still improving public safety. Thank you for your time and consideration of this request.

Please do not hesitate to contact us if Preservation Pennsylvania can provide any additional information or be of assistance when you revise your Proposed Rulemaking Order. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Melinda G. Crawford". The signature is written in a cursive, flowing style.

Melinda G. Crawford  
Executive Director