

**From:** Elam M. Herr [mailto:[eherr@psats.org](mailto:eherr@psats.org)]

**Sent:** Friday, December 19, 2014 12:12 PM

**To:** Schalles, Scott R.

**Subject:** RE: PA LCB proposed regulation #54-81 "Economic Development Licenses" (IRRC #3086)

#3086

Scott: We have reviewed the PA LCB proposed regulation #54-81 (IRRC #3086) "Economic Development Licenses" and only have one issue with it. Under the proposal the intent is to clarify what the applicant has to do to get an "EDE" or "EDR" license. And, although I would agree that the requirements being proposed would move in that general direction, one section still leaves a lot of discretion on the part of the applicant. In Section 3.105 (e) (iii) it states that the applicant must explain why it is not economically feasible for the applicant to pay the amount requested for an existing restaurant or eating license. What it does not do is provide what the LCB is looking for, nor what is reasonable. Any business starting out would want the lowest cost possible and if an existing license is more expensive than a new one, I would contend that the cost is not reasonable. Is that enough to grant a license? I would contend that they regulation should be more specific.

We appreciate the opportunity to review the proposed regulations, and I hope this helps. I look forward to working with you and IRRC in the coming new year. Elam

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