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May 18, 2016

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor, Room N201  
Harrisburg, Pennsylvania 17102

**RE: Proposed Rulemaking Order: Revisions of 52 Pa. Code Chapter 57  
Relating to Electric Safety Regulations, Docket No. L-2015-2500632**

Dear Secretary Chiavetta:

The Energy Association of Pennsylvania (“EAP”) submits this letter on behalf of its electric distribution company (“EDC”) members<sup>1</sup> to inform the Pennsylvania Public Utility Commission (“PUC”) of efforts that have been undertaken to address certain averments raised in comments filed by Pennsylvania American Water Company and System Local 537, Utility Workers Union of America, AFL-CIO (“Joint Commentators”) as well as by the Pennsylvania AFL-CIO Utility Caucus (“AFL-CIO”) in the above referenced proceeding. EAP recognizes that the Proposed Rulemaking Order entered on November 19, 2015 to revise 52 Pa. Code Chapter 57 relating to electric safety did not provide for reply comments and is not filing this letter as reply comments.

Safety is of paramount importance for all Pennsylvania energy utilities, including the safety of individuals who work in close proximity to utility facilities. EAP and its EDC members support efforts to ensure that employees of other utilities (1) receive proper training and equipment from their employers so as to avoid injury and property damage when working near energized facilities, and (2) know of existing EDC contact information for those unique circumstances that would not have been covered under the training required for an employee (qualified or unqualified) who works near exposed energized facilities in the course of their employment. As such, EAP and representatives of all its EDC members met with the Joint Commentators on April 27, 2016 to better understand the safety concerns identified as well as share information on the current practices and protocols of Pennsylvania American when its employees are working near energized facilities and of the EDCs when contacted to “make safe” the work site of a third party. All participants at the meeting anticipate further discussions on these issues.

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<sup>1</sup> Citizens’ Electric Company; Duquesne Light Company; Metropolitan Edison Company; PECO Energy Company; Pennsylvania Electric Company; Pennsylvania Power Company; Pike County Light & Power Company; PPL Electric Utilities Corporation; UGI Utilities, Inc. (Electric Division); Wellsboro Electric Company; and West Penn Power Company.

It must also be noted, however, that while the comments filed by the Joint Commentators and the AFL-CIO allege that a lack of coordination on the part of EDCs can lead to compromised safety on Pennsylvania American job sites for the water utility's employees, EAP and its EDC members do not agree with these claims of failed coordination between the electric and water utilities. We instead believe that resolving the claimed unsafe working conditions detailed in the comments are the responsibility and under the control of the employer, Pennsylvania American. Further, EAP does not agree with the regulatory language and solutions offered by the Joint Commentators and the AFL-CIO. Similar to the position found in the comments filed by the Independent Regulatory Review Commission ("IRRC") on April 6, 2016, EAP believes that the coordination concerns raised are beyond the scope of the Proposed Rulemaking Order.

While the filing of this letter does not constitute formal reply comments, and EAP reserves its right to file such at a future date if warranted in this rulemaking proceeding, we wish to inform the PUC of the actions and continued willingness of our EDC members to work with the Joint Commentators to address their safety concerns.

Sincerely,



Donna M.J. Clark  
Vice President and General Counsel

CC: Terrance J. Buda, Esq., Law Bureau  
Melanie J. El Atieh, Esq., Counsel for Pennsylvania-American Water Company