

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

**Final Rulemaking Amending 52 Pa.
Code Chapters 1, 3, 5, 23 and 29 to
Reduce Barriers to Entry for
Passenger Motor Carriers and to
Eliminate Unnecessary Regulations
Governing Temporary and
Emergency Temporary Authority**

**Public Meeting October 27, 2016
2507592-LAW
Docket No. L-2015-2507592**

**JOINT STATEMENT OF
COMMISSIONER ROBERT F. POWELSON
AND COMMISSIONER JOHN F. COLEMAN, JR.**

Before the Pennsylvania Public Utility Commission (Commission) today for consideration and disposition is the Final Rulemaking Order (Rulemaking Order) amending several of the Commission's Regulations to reduce barriers to entry for passenger motor carriers. The Rulemaking Order specifically reduces current barriers to entry by eliminating the requirement that an applicant for passenger motor carrier authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need (*i.e.*, the "need" requirement).¹

The elimination of the need requirement for passenger carriers highlights the Commission's efforts to ensure regulatory flexibility in light of the changing transportation industry. Due to increased competition in the motor carrier industry, the need requirement had become outdated. Instead of serving a useful purpose, this requirement posed an obstacle to otherwise viable applications and served to protect monopoly interests to the detriment of healthy competition.

It is important to note that with the elimination of the need requirement, the Commission will continue to ensure that passenger carriers are technically and financially fit and can operate safely and legally. Passenger carriers must provide service that is safe, reliable, and fully insured. The elimination of the need requirement will simply provide consumers with more choices and more competition among passenger carriers as to price, quality, and reliability.

We want to recognize our legal and technical staff for their work in crafting today's Rulemaking Order. The elimination of the need requirement together with our Transportation 2.0 initiatives to undertake a comprehensive examination of all of our transportation regulations,

¹ The Commission similarly issued a Final Rulemaking Order on June 19, 2014 to eliminate the need requirement for household goods carriers. *Final Rulemaking Amending 52 Pa. Code Chapters 3, 5, 23, 31, 32, and 41; Household Goods in Use Carriers and Property Carriers*, Docket No. L-2013-2376902 (June 19, 2014). The Independent Regulatory Review Commission (IRRC) approved the rulemaking on April 16, 2015, stating that the regulation is consistent with the statutory authority of the PUC and the intention of the General Assembly. *IRCC Approval Order for Pennsylvania Public Utility Commission Household Goods in Use Carriers and Property Carriers*, Regulation No. 57-298 (#3041) (April 16, 2015).

will result in a current set of rules that will ensure the transportation industry in Pennsylvania not only operates safely and reliably, but continues to innovate.

Date: October 27, 2016



**ROBERT F. POWELSON
COMMISSIONER**


**JOHN F. COLEMAN, JR.
COMMISSIONER**