

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Harrisburg, Pennsylvania 17105-3265**

**Building Efficiency in Commission                      Public Meeting held April 4, 2024**  
**Application and Certification Procedures            3047172-CMR**

**JOINT MOTION OF CHAIRMAN STEPHEN M. DeFRANK**  
**AND COMMISSIONER RALPH V. YANORA**

On February 29, 2024, the Pennsylvania Public Utility Commission (Commission) participated in the Shapiro Administration’s PermitConnectPA workshop. The workshop focused on building efficiency in Commonwealth permitting, licensing, application, and certification procedures. Governor Shapiro opened the workshop explaining that his efficiency effort was spearheaded by his newly established Office of Transformation and Opportunity, or OTO. He established the OTO to position Pennsylvania as the most business-friendly state in the U.S. and to empower business leaders, innovators, local communities, and state agencies, to reignite economic growth and promote prosperity throughout the Commonwealth. Governor Shapiro also discussed his creation of the Office of Critical Investments whose goal is to bring together diverse community stakeholders, local governments, state agencies, and federal partners to leverage opportunities within the federal Infrastructure Investment and Jobs Act and the Inflation Reduction Act to maximize social and economic value across the Commonwealth. Underlying this effort is Governor Shapiro’s Executive Order 2023-07,<sup>1</sup> which addresses efficient application processing times and which we look to as a guide in the review process we propose here today.

The Governor emphasized how efficient regulatory review is crucial to both investment in the Commonwealth and the provision of modern, cost-effective regulated services to our citizens. This Joint Motion recognizes and addresses the Commission’s role in the regulatory review process for complex utility and economic development projects, new applicants seeking to provide public utility service in Pennsylvania, and any other application proceeding that is not subject to a regulatory or statutory deadline.

We propose the Commission support Governor Shapiro’s effort, and by extension, the citizens of the Commonwealth. We understand that the OTO has successfully completed initial steps to analyze whether and how it can improve the efficiency of agency regulatory review for agencies under the Governor’s jurisdiction. We would mirror that effort at the Commission to achieve efficiency gains along with other agencies currently working to better serve the public interest.

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<sup>1</sup> Executive Order 2023-07 – Building Efficiency in the Commonwealth’s Permitting, Licensing, and Certification Processes (issued January 31, 2023).

In the spirit of Governor Shapiro's Executive Order 2023-07, as well as the Commission's own recent efforts to strategically plan,<sup>2</sup> we propose that the Commission explore how to gain efficiencies in application proceedings where regulatory or statutory deadlines do not apply, including circumstances where the Commission is authorized to extend the regulatory or statutory review period, in the following manner:

### **1) Inventory**

The first step will be the development of an inventory. Each bureau that performs work on application proceedings that are not subject to a regulatory or statutory deadline, including proceedings where the Commission is authorized to extend the statutory or regulatory deadline, shall compile an inventory listing each type of application proceeding. Each inventory item should indicate:

- the methods by which the Commission receives these filings,
- statutory and/or regulatory authority under which any approval is issued,
- whether publication of an application is required,
- whether the application is subject to a protest period, noting the length of time of the protest period, and
- a brief description of the bureau's tasks.

The inventory shall be submitted to the Office of the Executive Director.

### **2) Process Improvement Proposals**

Based on the above inventory, for each type of application filing, the Office of the Executive Director will examine the current average time each bureau takes to review the application as well as the total average processing time from filing to a final Commission decision. The Office of the Executive Director will evaluate process improvements that can be implemented with the goal of reducing total average processing times by at least 15% but shall retain discretion to make adjustments to the goal percentage based on the inventory results. The evaluation of process improvements should consider any allocation of resources needed to finalize matters with legal deadlines. Additionally, any process improvements should not be deemed to limit the ability of staff to ensure compliance with applicable legal requirements of the Public Utility Code, our Regulations, or Commission Orders.

The Office of the Executive Director will be responsible for producing a report to the Commission with the aforementioned process improvement proposals within six months of the adoption of this Motion. The Office of the Executive Director is permitted to make a written request for an extension of time for production of the report accompanied by reasons to support the requested extension.

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<sup>2</sup> *Strategic Plan Contractor Services*, Agenda No. 3047155-DIR, March 14, 2024 Public Meeting.

We take this opportunity to commend the excellent work of our Bureaus and Commission staff who address a myriad of complex regulatory matters in a timely and efficient manner. This Motion is intended to build on this stellar work and to increase efficiencies where possible.

**THEREFORE, WE MOVE THAT:**

1. Affected bureaus will develop an inventory in compliance with item number one above within 60 days of the adoption of this Motion.
2. The Office of the Executive Director will produce a report for Commission consideration setting forth process improvement proposals, with the goal of reducing total average processing times by at least 15%, within six months of adoption of this Motion, noting that an extension of time may be sought and that the Office of the Executive Director retains discretion to make adjustments to the percentage goal as deemed appropriate by the inventory results.

  
Stephen M. DeFrank, Chairman

  
Ralph V. Yanora, Commissioner

April 4, 2024  
Date