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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

November 21, 2019

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Building, 400 North Street
2nd Floor, North Wing
Harrisburg, PA 17120

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

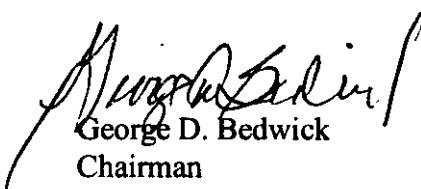
Re: Regulation #57-323 (IRRC #3214) (L-20 18-3002672)
Pennsylvania Public Utility Commission
Assumption of Commission Jurisdiction Over Pole Attachments from the Federal
Communications Commission

Dear Secretary Chiavetta:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,


George D. Bedwick
Chairman
sfh

Enclosure

cc: Honorable Robert M. Tomlinson, Majority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Brad Roae, Majority Chairman, House Consumer Affairs Committee
Honorable Rob F. Matzie, Minority Chairman, House Consumer Affairs Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held November 21, 2019

George D. Bedwick, Chairman
John F. Mizner, Esq., Vice Chairman
W. Russell Faber
Murray Ufberg, Esq.
Dennis A. Watson, Esq.

Regulation No. 57-323 (#3214)
Pennsylvania Public Utility Commission
Assumption of Commission Jurisdiction Over
Pole Attachments from the Federal
Communications Commission

On September 13, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code by adding Chapter 77. The proposed regulation was published in the September 29, 2018 *Pennsylvania Bulletin* with a public comment period ending on November 28, 2018. The final-form regulation was submitted to the Commission on October 21, 2019.

This final-form rulemaking exercises reverse-preemption of the Federal Communication Commission regulation of utility pole attachments pursuant to 47 U.S.C. § 224.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa. C.S. §§ 313, 314, 501, 701, 1301 and 1501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.




George D. Bedwick, Chairman

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PA PUC
SECRETARY'S BUREAU

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MESSENGER