

April 12, 2022

Pennsylvania Public Utility Commission  
400 North Third Street  
Harrisburg, Pennsylvania 17120

SUBMITTED ELECTRONICALLY

Re: Docket No. L-2019-3010267: Hazardous Liquid Public Utility Safety Standards – Notice of Proposed Rulemaking

To the Commission:

Government regulation is a tool that should be used wisely, judiciously, and only when necessary. That is particularly important when a regulation targets energy and related industries, because together they power the rest of the economy and provide essential support to the entire community.

As a result, this proposed rulemaking is of great interest to Pittsburgh Works Together, an organized labor-business-civic alliance focused on creating a diversified economy that provides sustainable prosperity and genuine opportunity for all residents of the Commonwealth.

The Public Utilities Commission's proposed pipeline rule would have an impact on utilities, pipeline operators, and landowners directly, but would also impact businesses and residents across the state.

Nobody is opposed to reasonable, risk-based safety standards for hazardous liquid pipelines. Under the existing state and federal regulatory schemes, pipelines have proven to be far safer for transporting hazardous liquids than either trucks or railroads.

If additional regulations are essential, the PUC should make its case in a transparent way, backed by data. But that has not happened.

The Regulator Review Act requires the Commission to prepare a Regulatory Analysis Form (RAF) to include an estimate of the costs to the regulated stakeholders to comply with the proposed regulation. That cost can then be weighed against the presumptive benefit of the regulation to understand whether the proposal meets the Commission's mandate to ensure "safe and reliable utility service at reasonable rates."

As far as we are aware, the Commission has not prepared a cost-of-compliance analysis to understand the impact of the proposed rule on the regulated industry and by extension, the state's economy and residents. If ineffective and expensive regulations encourage the industry to transport liquids by truck or rail instead of expanding the pipeline network, a well-intentioned effort to reduce risk may lead to increased risk for Pennsylvania residents.

Risk can never be eliminated, but it can be minimized and mitigated with sensible, effective regulation, which Pittsburgh Works supports. Regrettably, the Commission has failed to demonstrate that this proposed rule meets those criteria.

As a result, we urge the Commission to reject this pipeline rule proposal unless and until an adequate analysis of the cost of compliance compared to the presumptive benefits is conducted and provided for public comment and feedback.

Thank you,

A handwritten signature in blue ink, appearing to read "Jeff Nobers". The signature is fluid and cursive, with the first name "Jeff" being more prominent than the last name "Nobers".

Jeff Nobers  
Executive Director  
Pittsburgh Works Together