

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17120

**Regulations Governing the PA Public
Utility Commission's General Provisions
at 52 Pa. Code Chapters 1, 3, and 5**

**Public Meeting of August 22, 2024
3041347-LAW
Docket No. L-2023-3041347**

STATEMENT OF VICE CHAIR KIMBERLY BARROW

On November 9, 2023, the Commission initiated a notice of proposed rulemaking process to revise our rules of practice and procedure and I offered a statement at that public meeting. Consistent with that statement, with this clarification order, I also would like to hear from parties as to whether our regulations' stated preference for settlements is appropriate in all circumstances.

Section 5.231(a) of our current rules states that it "is the policy of the Commonwealth to encourage settlements." Uniformly, settlements have been encouraged because they avoid the time and expense associated with litigation. Although litigation costs are a legitimate factor when considering settlements, there may be proceedings in which the public interest would be better served by a full evidentiary hearing. Moreover, the stated policy in Section 5.231(a) may serve to discourage parties from proceeding to litigation out of a perception that the Commission looks with disfavor on litigated proceedings. In your comments to the proposed rulemaking, please do include comments and evidence on the benefits and burdens created by the settlement policy and explain under what circumstances the Commission might seek a full public hearing for purposes of transparency.

August 22, 2024
Date


Kimberly Barrow, Vice Chair