

PROPOSED RULEMAKING

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 57]

[Doc. No. L-980136]

Advance Notice of Proposed Rulemaking; Annual Resource Planning Report

Section 524(a) of the Public Utility Code (code), 66 Pa.C.S. § 524(a), requires electric utilities to submit to the Pennsylvania Public Utility Commission (Commission) information concerning plans and projections for meeting future customer demand. The Commission's regulations under 52 Pa. Code § 57.141(a), promulgated under section 524(c) of the code, require each jurisdictional electric utility to submit, on or before May 1, 1998, of each year, an Annual Resource Planning Report (ARPR) which contains information required under section 524(a).

In view of the enactment of the Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. Chapter 28, the Commission is considering amendments to its existing reporting requirements which are appropriate within a competitive generation market. To facilitate this effort, the Commission is issuing this advance notice to solicit comments from electric utilities, electric generation suppliers, power marketers and other parties of interest.

Comments are requested on the Commission's scope of authority with regard to the forbearance language in section 2809(e) of the code (relating to regulations for electric generator's suppliers), particularly as it may apply to section 524 of the code.

The Commission seeks comments concerning which portions of the ARPR are competitively sensitive and should be treated as proprietary and confidential, and

why. Also, we ask for comments on which portions of the ARPR, if any, are no longer necessary and should be eliminated from the reporting requirements.

Comments are requested on how the Commission should monitor the adequacy of electric supply of electric generation suppliers. We also ask for a discussion on what reporting requirements should be imposed upon electric generation suppliers and whether and to what extent the reporting requirements should differ from those imposed on jurisdictional electric distribution companies as suppliers of last resort.

Comments are requested on the appropriate time period for reporting future customer demands and generating resources.

Comments are sought on the potential impact of confidentiality of information and a reduction in reporting requirements on the Commission's ability to prepare its annual report to the Governor and General Assembly under section 524(b) of the code. We also ask for a discussion of ways in which the Commission's report could be modified to accommodate these concerns.

Written comments, an original and 15 copies, must be received 30 days after the date this notice is published in the *Pennsylvania Bulletin*. The contact persons are Blaine Loper, Bureau of Conservation, Economics and Energy Planning, (717) 787-3810 (technical) and Carl Hisiro, Law Bureau, (717) 783-2812 (legal).

This is an advance notice of proposed rulemaking and is in addition to the normal rulemaking procedures for publication and comment established under the act of July 31, 1968 (P. L. 769, No. 240), known as the Commonwealth Documents Law.

JAMES J. MCNULTY,
Secretary

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