

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION [52 PA. CODE CH. 69]

Corrective Amendment to 52 Pa. Code § 69.391

The Pennsylvania Public Utility Commission (Commission) has discovered a discrepancy between the agency text of 52 Pa. Code § 69.391 (relating to general), as deposited with the Legislative Reference Bureau, and adopted at 29 Pa.B. 5616 (October 30, 1999) and the official text published and as currently appearing in the *Pennsylvania Code*. The amendment to this section at 29 Pa.B. 5616 was not codified.

Therefore, under 45 Pa.C.S. § 901: The Pennsylvania Public Utility Commission has deposited with the Legislative Reference Bureau a corrective amendment to § 69.391. The corrective amendment to § 69.391 is effective as of January 8, 2000, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of § 69.391 appears in Annex A.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES

MEDIATION PROCESS

§ 69.391. General.

(a) The Commission encourages parties to seek negotiated settlements of contested proceedings in lieu of incurring the time, expense and uncertainty of litigation. To further promote the goal of obtaining negotiated settlements in the public interest, the Commission has adopted guidelines that offer the parties, in certain contested proceedings, the option of mediation.

(b) Mediation is intended to be a flexible program designed to facilitate the amicable resolution of disputes between parties. The Office of Administrative Law Judge (OALJ) manages the mediation program.

[Pa.B. Doc. No. 00-212. Filed for public inspection February 4, 2000, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 51]

Administrative Provisions

The Fish and Boat Commission (Commission) by this order amends Chapter 51 (relating to administrative provisions). The Commission is publishing this amendment under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). This amendment relates to counties where the use of the field acknowledgment of guilt is authorized.

A. Effective Date

This amendment will go into effect upon publication of this order in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the amendment, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546, P. O. Box 67000, Harrisburg, PA 17106-7000. This final rulemaking is available electronically through the Commission's Web site, <http://www.fish.state.pa.us>.

C. Statutory Authority

This amendment is published under the statutory authority of Act 1999-41, which Governor Ridge signed on November 3, 1999. Section 5 of Act 41, among other things, limits the power of waterways conservation officers to accept field acknowledgments of guilt for summary violations as set forth in section 925 of the code (relating to acknowledgment of guilt and receipts for payment). The law went into effect on January 1, 2000.

D. Purpose and Background

This amendment is designed to implement Act 41, which provides that field acknowledgments of guilt shall be used only in counties the Commission may designate by regulation for use upon a finding that the county has summary offense procedures that differ from those used in other counties. The Commission has found that Philadelphia County is a county that uses summary offense procedures that differ from Statewide procedures.

E. Summary of Changes

The Commission has designated Philadelphia County as a county where the use of the field acknowledgment of guilt is authorized.

F. Paperwork

This amendment will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

This amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. This amendment will impose no new costs on the private sector or the general public.

H. Public Involvement

A notice of proposed rulemaking was published at 29 Pa. B. 6116 (December 4, 1999). The Commission did not receive public comments regarding the proposal.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and no comments were received.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 51, are amended by adding § 51.8 as set forth at 29 Pa.B. 6116.

(b) The Executive Director will submit this order and 29 Pa.B. 6116 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 29 Pa.B. 6116 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,
Executive Director

Fiscal Note: Fiscal Note 48A-104 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 00-213. Filed for public inspection February 4, 2000, 9:00 a.m.]
