

PROPOSED RULEMAKING

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

[49 PA. CODE CH. 43b]

[Correction]

Schedule of Civil Penalties—Nurses

The document which appeared at 37 Pa.B. 1986 (April 28, 2007) was inadvertently placed in the Statement of Policy section of the *Pennsylvania Bulletin*. It is a proposed rulemaking which is proposing a new rule in § 43b.18a to replace an existing statement of policy in § 43b.18. It should have appeared in the Proposed Rulemaking section of the *Bulletin*.

[Pa.B. Doc. No. 07-744. Filed for public inspection April 27, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Advance Notice of Proposed Rulemaking Regarding Implementation of the Public Utility Confidential Security Information Disclosure Protection Act; Doc. No. L-00070185; M-00072014

The Pennsylvania Public Utility Commission (Commission) is required to implement H.B. 854, Act 156 of 2006 (Act 156) (P. L. No. 1435, No. 156). The purpose of Act 156, which is called the Public Utility Confidential Security Information Disclosure Protection Act, is to create mechanisms for the safeguarding of confidential security information of public utilities that is provided to various State agencies such as the Commission from disclosure that may compromise security against sabotage or criminal or terrorist acts.

In creating this mandate of nondisclosure of confidential security information, Act 156 directs the Commission to develop, among other things: (1) filing protocols and procedures for public utilities to follow when submitting records containing confidential security information; and

(2) protocols and procedures to address challenges to the designations or requests to examine records containing confidential security information (P. L. 1435, No. 156, § 3(b) and (c)).

The Commission seeks comments on any and all issues relevant to developing appropriate filing requirements for confidential security information and procedures to address challenges to or requests to review confidentiality designations. We are particularly interested in seeking comments on: (1) the factors that should be used to determine whether a public utility's designation of a record or portion thereof as "confidential security information" should be upheld by the Commission in the face of a challenge; (2) when InfoMAP is implemented by the Commission, whether electronic filing of documents containing confidential security information should be allowed (or should only hard copies be filed), and if the answer is yes, whether any special rules need to be implemented for electronic filings; and (3) the procedures that should be followed, if the confidential security information designation is upheld by the Commission in a specific case, for the statutory advocates to obtain access to the confidential security information if they have a legitimate need to such access. Additionally, the commenting parties are requested to submit draft regulatory provisions, including any supporting justification, as they deem appropriate for consideration.

Interested persons wishing to submit comments must file an original and 15 copies with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, within 45 days of publication in the *Pennsylvania Bulletin* and reply comments within 30 days thereafter. Further, any public utility interested in remaining on the active service list in this matter must either file comments or provide written notification to the Secretary's Bureau at this docket that they wish to remain on the active service list. Other utilities not on the active service list on a going-forward basis may receive notice of any future orders entered in this proceeding through postings of orders on the Commission's website or through publication in the *Pennsylvania Bulletin*.

The contact person at the Commission is Carl S. Hisiro, Assistant Counsel, Law Bureau, (717) 783-2812.

JAMES J. MCNULTY,
Secretary

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