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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

October 24, 2002

Honorable Glen Thomas, Chairman
Pennsylvania Public Utility Commission
Keystone Building
400 North Street
3rd Floor, North Wing
Harrisburg, PA 17105

Re: Regulation #57-225 (IRRC #2247)
Pennsylvania Public Utility Commission
Street Railway Transportation

Dear Chairman Thomas:

The Independent Regulatory Review Commission approved your regulation today. Our Order is enclosed and is available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. McGinley, Jr.", is written over a faint, circular watermark or seal.

John R. McGinley, Jr.
Chairman
wbg
Enclosure

cc: Honorable Dennis M. O'Brien, Majority Chairman, House Consumer Affairs Committee
Honorable Joseph Preston, Jr., Democratic Chairman, House Consumer Affairs Committee
Honorable Charles W. Dent, Acting Chairman, Senate Consumer Protection and Professional
Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Licensure
Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 24, 2002

John R. McGinley, Jr., Chairman
Alvin C. Bush, Vice Chairman, by Phone
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Regulation No. 57-225
Pennsylvania Public Utility Commission
Street Railway Transportation

On January 24, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 35. The proposed regulation was published in the February 9, 2002 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2002.

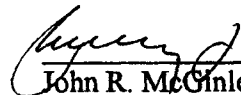
This final-form regulation from the PUC deletes existing regulations that deal with street railway transportation. These regulations govern private companies providing street railway service. Currently, there are only two entities, the Southeastern Pennsylvania Transportation Authority (SEPTA) and the Port Authority of Allegheny County (PAAC), that provide such services. As both SEPTA and PAAC are public entities, they do not fall under the jurisdiction of the PUC.

We have determined this regulation is consistent with the statutory authority of the Commission (66 Pa. C.S. §501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





John R. McGinley, Jr., Chairman