



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

January 6, 1998

Mr. Brian J. Preski, Chief Counsel
House Judiciary Committee
House Box 202020
Room 18, Capitol Annex
Harrisburg, PA 17120-2020

Re: Testimony January 12, 1998
House Bill 1939 - Office of Administrative Hearings

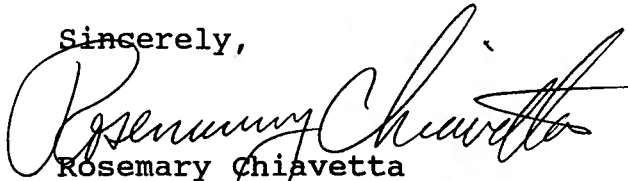
Dear Mr. Preski:

This is in response to your letter of December 23, 1997. You kindly extended an opportunity to Chairman John M. Quain to testify at the public hearing scheduled for January 12, 1998, with reference to House Bill 1939. After reviewing that bill, it appears that its applicability is limited to administrative law judges who are subject to the Commonwealth Attorneys Act. As you are aware, the administrative law judges of the Pennsylvania Public Utility Commission do not fall within the Commonwealth Attorneys Act and so would not be affected by this proposed legislation. Consequently, it would be premature for Chairman Quain to testify with respect to the bill, and he respectfully declines the offer to appear, yielding that time to another.

It is our hope that the January 12, 1998, hearing will not be the only opportunity for comment in this matter. If the bill is amended or an interpretation is rendered that Pennsylvania Public Utility Commission administrative law judges do fall within the scope of the bill, the Chairman would be very interested in testifying at a later date. I hereby request that you advise me if any amendment or subsequent interpretation of House Bill 1939 would bring the Commission's judges under the proposed act.

Again, thank you for offering Chairman Quain the opportunity to testify, and I hope that you will keep me apprised of the progress of the bill. If you have any questions in reference to this, please contact me at (717) 787-3256, or at the address, above.

Sincerely,


Rosemary Chiavetta
Director, Legislative Affairs