

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

**Final Rulemaking Order re:
Implementation of Act 129 of
October 15, 2008; Default Service
And Retail Electric Markets**

**Public Meeting
September 22, 2011
2095604-LAW
Docket No. L-2009-2095604**

**MOTION OF
VICE CHAIRMAN JOHN F. COLEMAN, JR.**

Before the Commission is a Final Rulemaking Order that modifies our default service regulations to comply with Act 129 of 2008. We thank the parties for their helpful and informative comments on the important and complex array of public policy issues presented by this proceeding. I wish to acknowledge that our Retail Electricity Markets Investigation remains pending, and these final rules should not be construed to anticipate the particular outcome of that proceeding.

I conclude that the Final Rulemaking Order prepared by the Law Bureau complies with Act 129. However, the proposed revision to Section 54.184(b) in the final form rule inadvertently creates a conflict with Section 54.183. To resolve this conflict, Section 54.184(b) of the default service regulation should be retained in its currently effective form.

THEREFORE, I MOVE THAT:

1. The Final Rulemaking Order is modified, consistent with this Motion.
2. The Law Bureau prepare a Final Rulemaking Order, consistent with this Motion.

DATE: September 22, 2011


**JOHN F. COLEMAN, JR.
VICE CHAIRMAN**