

# PENNSYLVANIA BULLETIN

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required to submit only Part 2. This is to be submitted to the Department no later than October 17, 2022.

*Note:* The 20 largest insurance companies in terms of Pennsylvania private passenger automobile direct written premium in 2021 as well as a few other selected insurers that write a high volume of minimum limits policies are also required to complete Parts 3 and 4. These companies are identified in the instructions for Parts 3 and 4. Companies not identified in the instructions for Parts 3 and 4 do not need to complete Parts 3 and 4. Parts 3 and 4 are to be submitted to the Department no later than October 17, 2022.

Consistent with previous data calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Completed data call files should be submitted by e-mail to Dennis Sloand at [desloand@pa.gov](mailto:desloand@pa.gov).

The Department appreciates the companies' cooperation with this important study. Individuals who have questions should contact Dennis Sloand, Bureau of Property and Casualty Insurance, (717) 214-1927, [desloand@pa.gov](mailto:desloand@pa.gov).

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1068. Filed for public inspection July 15, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Yolanda Pinto; License Denial Appeal; Doc. No. AG22-06-030**

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Yolanda Pinto has appealed the denial of an application for an insurance producer's license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for August 1, 2022, at 1 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before July 28, 2022.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before July 18, 2022. The e-mail address to be used for the Administrative Hearings Office is [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov). Answers to protests, petitions to intervene or notices of intervention, if any shall be electronically filed on or before July 28, 2022.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, contact Joseph Korman, (717) 787-4429, [jkorman@pa.gov](mailto:jkorman@pa.gov).

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1069. Filed for public inspection July 15, 2022, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following document during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-22-008, Dated June 7, 2022. Authorizes the side letters of agreement for UFCW and ISSU.

AMY J. MENDELSON,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 22-1070. Filed for public inspection July 15, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Policy Statement on Public and Private Fire Protection at Doc. No. M-2022-3033054**

On June 16, 2022, the Public Utility Commission (Commission) adopted the Motion of Commissioner Ralph V. Yanora (Motion) at the above captioned Docket Number. The Motion directed the Commission's Bureau of Technical Utility Services (TUS), in conjunction with the Law Bureau, to solicit input from Class A water public utility companies (Class A water companies) on the development of a policy statement reflecting a best practices approach to those aspects of fire protection services subject to Commission oversight. The Motion noted that the development of standards under which regulated fire protection services are offered to the public represents a worthwhile investment of effort and resources on the part of jurisdictional water utilities and the Commission.

Fire service assets are expected to provide safe, adequate, and reliable fire protection service. The Commission's role in the provision of this service is to ensure that jurisdictional water utilities take the necessary steps to meet their obligation to furnish and maintain adequate, efficient, safe, and reasonable service and facilities. Specifically, the Commission requires that jurisdictional water utilities make repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience and safety of its patrons, employees, and the public.<sup>1</sup> As such, the Commission seeks to enhance the execution of its role by clarifying its policy on the provision of public and private fire protection service.

The Commission recognizes that the Commonwealth's uniform construction code has been amended over time to expand the topic of fire protection to aspects of regulated

<sup>1</sup> See 66 Pa.C.S. § 1501.

water service well beyond the provision of adequate numbers of functional fire hydrants.<sup>2</sup> Internal fire protection services in the form of sprinkler systems have long been a requirement for commercial and industrial buildings. Municipal building codes and insurance requirements also increasingly mandate the installation of sprinkler systems in various types of residential construction as well. Lives and property depend on these emergency systems to work at a moment's notice. In turn, sophisticated water distribution system design, construction, management, and operations are required to accommodate and serve this type of high-volume instantaneous demand. The Commission should take an affirmative role in the coordination of this aspect of jurisdictional water service for the accommodation, convenience, and safety of the public.

To foster the development of transparent and readily available fire protection guidelines the Commission should coordinate the development of a policy statement reflecting a best practices approach to those aspects of fire protection services subject to Commission oversight. While fire protection services are often provided by Class A water companies, all jurisdictional water utilities will benefit from a clear understanding of up-to-date expectations regarding fire protection service. Further, the coordination and consistent application of safe, adequate, and reliable fire protection service offers a tremendous benefit to public safety, emergency fire protection organizations, and associated personnel. To achieve this goal, the Commission should, as an initial step, implement a policy statement addressing fire protection services provided by Class A water companies.

To best inform such a policy statement, the Commission seeks comment from Class A water companies on two areas of a proposed policy statement: 1) the use of hydraulic distribution system modeling required for fire protection; and 2) fire protection service afforded by current system design requirements. The Commission specifically seeks responses to the directed questions related to these two areas as identified in the attached list.

Class A water companies are invited to submit written comments for inclusion in the record with the Secretary of the Commission within sixty (60) days of the date of this letter. The Commission strongly encourages submission of comments through efilng with the Secretary of the Commission by opening an efilng account through the Commission's web site and accepting eservice at <https://efiling.puc.pa.gov>. Any comments that are not efiled shall be mailed to the address, below, and must reference the Docket Number listed above.

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street  
 Harrisburg, PA 17120

The Commission contact persons for this matter are Assistant Counsel Stephanie Wilson, (717) 787-1859, [stepwilson@pa.gov](mailto:stepwilson@pa.gov), in the Law Bureau and Fixed Utility Valuation Engineer Clinton McKinley, (717) 783-6161, [cmckinley@pa.gov](mailto:cmckinley@pa.gov) in TUS.

Sincerely,  
 ROSEMARY CHIAVETTA,  
 Secretary

<sup>2</sup> Pennsylvania Construction Code Act of Nov. 10, 1999 (P.L. 491, No. 45). This Act directed the Pennsylvania Department of Labor and Industry to oversee Statewide application and periodic review of certain international building and mechanical codes known collectively as the Uniform Construction Code, last amended effective February 2022. 52 Pa.B. 971. See also National Fire Protection Association (NFPA) 13, Section 8.2.6.6.4 (2022).

#### A. Hydraulic Distribution System Modeling Required for Fire Protection

The Commission expects that Class A jurisdictional water utilities operate with a sophisticated level of technical expertise, which includes utilizing modern water industry tools such as computerized hydraulic modeling software. A computerized hydraulic model of a distribution system empowers utility management to understand system operating parameters and components with both accuracy and precision. This includes forecasting system behavior under the operating conditions imposed by the instantaneous demand requirements of fire protection. Further, a computerized hydraulic model can and should be a key component, along with maintenance and other system data, in decision making for capital expenditures to maximize system reliability for fire protection services offered to the public. Regarding the computerized hydraulic modeling useful for that purpose the Commission seeks input on the following questions:

1. What are the most effective methodologies/computerized hydraulic models that are currently utilized by utilities to implement a computerized hydraulic model of water distributions systems? Which are most effective for the modeling of system requirements related to fire protection service?

2. Based upon a concerted effort, what is a reasonable timeframe and the estimated incremental one-time and ongoing expenditures for a utility to identify all the system facilities and water main data required to develop such a computerized hydraulic model?

3. What are the expected ongoing maintenance requirements for existing models? Are these models a one-and-done investment or are they subject to ongoing incremental costs owing to updates?

#### B. Fire Protection Service Afforded by Current System Design Requirements

While the Commission does not currently have a policy statement specific to the provision of regulated fire protection service, the Pennsylvania Department of Environmental Protection (DEP) has established some system design requirements to serve fire protection service in its Public Water Supply Manual—Part II, Community System Design Standards, effective May 6, 2006 (PWS Manual).

The PWS Manual's Section VIII. Distribution Systems, B.3. Fire Protection, indicates that "[w]hen fire protection is to be provided, system design should be such that fire flows and facilities are in accordance with the requirements of the State Insurance Services Office." The PWS Manual's Section VIII, D. Hydrants, outlines specific guidelines for hydrants including location and spacing, hydrant valves and nozzles, hydrant leads, and hydrant drainage. While the Commission should not replicate the design standards of DEP or the State Insurance Services Office, it should consider whether and how Class A water providers have interpreted and applied these design standards in terms of the actual fire protection services provided to the public. That is, the aspect of fire protection service within the exclusive sphere of Commission jurisdiction rather than that of DEP or the State Insurance Services office. The Commission seeks input on the following questions related to the uniformity of these interpretations and how utility application of these standards has shaped public expectations regarding fire protection service, including:

1. What standards should public water utilities attain for the provision of regulated public fire protection service including, but not limited to flow, pressure, and duration of flow and pressure?

2. What costs and timeframes might the public expect to improve or upgrade facilities not now providing public fire protection service in accordance with DEP or State Insurance Services Office requirements?

3. What procedures should a public fire service provider employ should a fire protection connection not meet minimum requirements? For example, what customer notifications or public/private fire hydrant markings would be effective to denote expected levels of service from any fire protection facility?

4. Whether new policies concerning minimum expectations would be implemented differently for new as compared to existing fire protection facilities, public and/or private fire hydrants, private fire protection connections other than private fire hydrants (i.e., sprinkler systems), etc.

5. What potential adjustments to revenue requirement, cost allocation, and rate design would fire service providers require to accurately and reasonably reflect proposed changes in service conditions and management performance?

[Pa.B. Doc. No. 22-1071. Filed for public inspection July 15, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 1, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by August 1, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

**Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2022-3032663. We Care Transportation Services, LLC** (7401 Old York Road, Elkins Park, Montgomery County, PA 19027) to transport, by motor vehicle, persons

in paratransit services, from points in the City and County of Philadelphia and the Counties of Berks, Bucks, Chester, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Montgomery, Northampton, Schuylkill and York, to points in Pennsylvania, and return.

**A-2022-3033143. William Spinapont** (153 Craig Road, Airville, York County, PA 17302) to transport persons, by motor vehicle, in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Lancaster and York, to points in Pennsylvania, and return.

**A-2022-3033160. J. Clyde Smith, III, t/a JC Smith Travel** (5263 Spring Road, Shermans Dale, Perry County, PA 17090) for the right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Cumberland and Perry to all airports in Pennsylvania, and vice versa.

**A-2022-3033183. Jennifer Lee Kaufman** (385 Bottom Road, Blain, Perry County, PA 17006) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Perry, to points in Pennsylvania, and return.

**A-2022-3033351. Kenneth Joseph Strauch, t/a The Limo Guy of Northeast Pennsylvania** (121 Hemlock Drive, Clarks Summit, Lackawanna County, PA, 18411) persons in limousine service, from points in the Counties of Lackawanna, Luzerne, Monroe, Pike, Susquehanna, Wayne and Wyoming, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2022-3033541. Justin J. Jalbert, t/a Skookie Rides Referral Service** (265 Wallace Street, Pottsville Summit, Schuylkill County, PA 17901) persons in paratransit service, from points in Schuylkill County, to points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.***

**A-2022-3033363. Leon L. and Linda J. Fuller** (905 Miller Road, Muncy, Lycoming County, PA 17756) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lewis Township, Northumberland County, to points in Pennsylvania, and return, as originally docketed at A-2016-2563259.

**A-2022-3033397. Melvin Cisney** (181 Church Avenue, Apartment A, Ephrata, Lancaster County, PA 17522) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return, as originally docketed at A-2021-3024036.

**A-2022-3033540. Ramtin, Inc.** (9007 Ayrdale Crescent, Unit B, Philadelphia, Philadelphia County, PA 19128) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, upon call or demand service, persons and their baggage; and parcels,