

PUCO RESPONSE MEMORANDUM

To: Emily Kaylor
Director of Regulatory Policy Ohio
Lieutenant Governor's Office

From: Angela Hawkins
Legal Director
Public Utilities Commission of Ohio
Legal Department

Date: November 28, 2018

Re: PUCO Response – Safety Rules and Regulations for Motor Carriers and Shippers of Hazardous Materials: Purpose and Scope (OAC 4901:2-5-02)

In Case No. 18-399-TR-ORD, the Public Utilities Commission of Ohio (PUCO) reviewed Ohio Adm.Code 4901:2-5-02, which concerns the purpose and scope of safety standards for motor carriers and shippers of hazardous materials. Prior to issuing the proposed rule, the PUCO held a workshop on March 27, 2018, to enable interested stakeholders to offer proposals for Staff's consideration. No stakeholders attended the workshop. In a July 25, 2018 Entry, the Commission issued for written comment the proposed amended rule, but again no stakeholders filed comments.

Following the formal comment period, PUCO issued a Finding and Order on August 29, 2018, approving the proposed rule as set forth in the order. On November 21, 2018, CSI replied to the PUCO, stating that CSI had no recommendations, and concluding that the PUCO should proceed with formal filing of the rule with the Joint Committee on Agency Rule Review (JCARR). In light of CSI's conclusion, the PUCO will proceed and file this rule with JCARR.

Cc: Nicholas Walstra, Chief, Transportation Section, Public Utilities Commission of Ohio