

LAWRENCE G. SPIELVOGEL, INC. CONSULTING ENGINEERS

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December 25, 2005

Office of the Secretary
PA Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Re: Docket Number M-00051865

Dear Mr. McNulty:

Following and enclosed please find 15 copies of my comments on the proposed policy notice published in the Pennsylvania Bulletin on December 24, 2005.

Crossing a public right of way has traditionally been considered a primary criterion in whether an entity is considered a public utility. Public utilities have certain rights that other organizations do not have. To give those rights to other organizations probably requires legislative authority. Therefore, the PUC should not allow any organization or alternative energy developer to cross a public right of way with their services without explicit PUC authorization.

Customers of public utilities have certain rights under the laws and regulations in effect. Even submetered residential customers have some legal protection in Pennsylvania from non-regulated landlords and suppliers. Customers served by alternative energy developers do not have any of those same protections. Therefore, this proposed policy statement does not provide adequate and sufficient protection for customers of alternative energy developers.

Very truly yours,

LAWRENCE G. SPIELVOGEL, INC.

L. G. Spielvogel

L. G. Spielvogel, P.E.

LGS:jca