

Public Service Commission

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February 8, 2021

West Virginia Secretary of State
Maureen Lewis, Director
Office of the Secretary of State
State Capitol Building
Charleston, WV 25305
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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Re: Request to extend comment period

Dear Ms. Lewis:

I am writing to you today to request an extension until June 15, 2021, of the comment period for the Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility of Motor Carriers, 150 C.S.R. 9 and the Rules for the Construction and Filing of Tariffs, 150 C.S.R. 2. On August 4, 2020, the Public Service Commission initiated a rulemaking to revise these rules. At that time, the Commission requested a sixty-day comment period until October 5, 2020. The Commission has six months from the end of the comment period, or until April 5, 2021, to issue final rules.

On January 29, 2021, stakeholders in the rulemaking proceeding Waste Management of West Virginia, Inc., Allied Waste Services of North America, LLC dba Republic Services of West Virginia, American Disposal Services of West Virginia, Inc. dba Republic Services of West Virginia and the Independent Waste Haulers and Recyclers Association of West Virginia (Joint Petitioners) filed a joint motion to extend the rulemaking comment period.

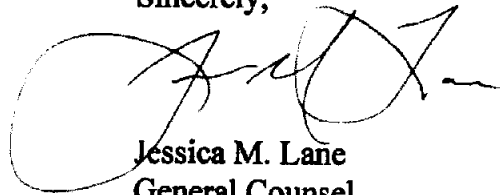
In support of the motion to extend the comment period, the Joint Petitioners noted that passage of Enrolled Committee Substitute for House Bill 4587 (HB 4587 creating W. Va. Code §24A-5-2a(d)) on March 7, 2020, by the West Virginia Legislature, was a major factor in the initiation of this rulemaking. In the upcoming legislative session, the

Joint Petitioners and the Commission will support amendment of W. Va. Code §24A-5-2a(d) to make technical modifications to the current statute.

The Joint Petitioners and the Commission will not know whether supported amendments to the statute will be passed into law until the end of the legislative session on April 10, 2021. To best serve the interests of the Joint Petitioners and other stakeholders, before adopting final rules the Commission should take comments on how changes to W. Va. Code §24A-5-2a(d), if any, should be implemented. That can only be accomplished if the comment period is extended.

Based on the foregoing, the Commission respectfully requests extension of the comment period by 71 days, or until June 15, 2021. Upon receipt of notice from your office that the comment period is extended, the Commission will enter an order setting a deadline for interested parties to file further comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jessica M. Lane', is written over the typed name and title.

Jessica M. Lane
General Counsel