



**COMMONWEALTH OF PUERTO RICO
PUBLIC SERVICE COMMISSION**

**AMENDMENT TO THE RULES OF ADMINISTRATIVE PROCEDURE OF
THE PUBLIC SERVICE COMMISSION, REGULATION NUMBER 7076
DECEMBER 21, 2005**

PUBLIC NOTICE

In conformity with Law Number 109 of June 28, 1962, as amended, known as Puerto Rico Public Service Law and the Law 170 of August 12, 1988, as amended, known as Uniform Administrative Procedure Law, the Commission of Public Service proposes the revision and amendment of the Rules of Administrative Procedure of the Public Service Commission, Regulation Number 7076, December 21, 2005.

The Public Service Commission hereby notifies: all concessionaires and operators of the Public Service Commission, including but not limited to, those authorized to transport cargo, passengers, diverse enterprises; operators of private enterprises, public vehicle enterprises; Public Omnibus; School Omnibus; *Shopping car*, taxis; Water Transportation Enterprises, boats and vessels; Ambulances, including those of land, air, or sea, Air transportation Enterprises, tour by air or water enterprises; motor vehicle freight transportation enterprises, including general cargo, specialized, freight, solid waste, agricultural, hazardous materials, aggregates, petroleum products and/ or analogous materials, cadavers, hearses, tow truck services, private carriers, special delivery services, including those motorized; transport of valuables; water tank transport, bottled water transport; transport of moving cargo; Gas Importers Enterprises, Producers, Distributors to the home, Bulk distributors, Whole sale Distributors, Gas Plants, Enterprises that encase, sell, repair and reconstruct cylinders for liquefied gas petroleum, enterprises that fabricate cylinders for liquefied gas petroleum; Pipeline enterprises; aqueducts, oil pipeline, and gas line; Moving enterprises; Dock Operators, Warehouse owners, Transportation brokers; Motor vehicle rental enterprises including motorcycle, motorbike, aquatic and jet sky rental; Enterprises that service and sell meters for taxis; and the general public who are interested in submitting *written* comments regarding the proposed amendments can do so within thirty (**30 days**) from this notice.

The **purpose** of these proposed amendments is to evaluate the possibility of reducing some of the permit requirements for new franchises, as well as, those of renewals and transfers of franchises and units whether the applicant is a natural person, partnership or corporation. It is also the purpose of these amendments to extend the term of duration of authorizations.

The sections to be amended are the following:

Sections **3.02 and 4.02**, that state the term of duration of the authorizations shall be amended so that the term of franchise authorizations and renewals is increased to five years; **Section 3.03**, it is proposed that the time period to commence operations of a franchise is extended to sixty (60) days from the notice of the Commission's resolution; **Section 3.04** is amended without affecting its content; **Section 3.09** is renumbered so that it is **Section 3.12**; Sections 3.10 to 3.12 are also renumbered as 3.09 to 3.11 and amended. **Section 3.10** (natural person), the elimination of clauses **c, g, j, k and o** are proposed so that personal information regarding a spouse, birth certificates, certification from Social Security for Drivers/ *Seguro Social Choferil*, and (2) 2X2 photographs are no longer required, clauses **i** and **m** are amended so that the certifications are now valid for the time period that is established by the issuing agencies or departments and a clause will be added requiring a copy of a state issued photograph identification with signature in substitution of the requirement for photographs; **Section 3.11** (corporations), clauses **d, e, h, i, k, l, o, and p** are eliminated so that the full name, mailing address, and criminal record of the resident agent, (2) 2X2 photographs of the

President or his or her representative, Certified Financial Statement by a Certified Public Accountant, document accrediting the composition of the Board of Directors, and a Certification from Social Security for Drivers/ *Seguro Choferil* are no longer required, clause **m** is amended so that the certifications from issuing agencies are now valid for the time period that is established by the issuing agency or department and a clause will be added requiring a copy of a state issued photograph identification with signature in substitution of the requirement of photographs; **Section 3.12** (partnership), elimination of clauses **h, i, l, o, and p** so that a criminal record, financial statement certified by a Certified Public Accountant, document accrediting the composition of the Board of Directors, Certification from Social Security for Drivers/ *Seguro Choferil*, and (2) 2X 2 photographs are no long required; clause **m** is amended so that certifications are now valid for the time period established by the issuing agency or department and a clause will added requiring a photocopy of a state issued photograph identification with signature in substitution of a requirement of photographs. Additionally, it is proposed that **Section 3.13** be revoked so that certified copies of a Certificate of Incorporation, financial statements, the contract or deed of a partnership, association, cooperative, enterprise, *doing business as* entity, fraternity, or syndicate are no longer required. **Section 4.01** will be amended so that petitions for franchise renewal can be filed prior to thirty (30) days before its expiration -the time period of thirty (30) days is a minimum term- **Section 4.07** will be amended so that petitions for transfers can be filed even if the concessionary has pending fines provided a payment plan has been requested and approved, additionally it is proposed that regional directors are authorized to approve payment plans. **Section 4.08** is amended to eliminate clause **a** to the effect that a public hearing shall no longer be held in those cases when the transferee and transferor have transferred any authorization when the term of one year has expired; **Section 4.09** will be amended so that the Inspection Certificate is required; to revoke **Section 4.10** to eliminate the prohibition against filing a new transfer within or before one (1) year of their having been one previously approved.

The Commission will receive written comments regarding the proposed amendments within thirty (30) days from the publication of this notice. The written comments can be sent to the following address:

Public Service Commission
Attention: Attorney Dinorah Martin Hau
Clerk's Office
P.O. Box 190870
San Juan, Puerto Rico 00910- 0870


Personal delivery can be made at the Clerk's Office located at:

Avenida Luis Munoz Rivera # 50, 1st Floor, Hato Rey, Puerto Rico. Hours of Service are from 7:30 a.m. to 4: 00 p.m. Mondays through Fridays

or by electronic mail to the following address: dmartin@fsp.gobierno.pr.

Should a person be interested in being heard at a public hearing regarding the proposed amendments, a written request shall be made stating the reasons why in his or her judgment a hearing is necessary. A hearing is in the discretion of the Agency.

A copy of the complete text of the proposed amendment, as well as this notice shall be available for inspection at the Clerk's Office of the Commission of Public Service, located at the physical address indicated above and at our electronic page: www.fsp.gobierno.pr.


MARIA FULLANA-HERNANDEZ
President Designate (recess appointment)


ELBA C. ARROYO ONADO
CLERK