

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Amendment of Procedural Rules Governing Formal Complaint Proceedings Delegated to the Enforcement Bureau*, EB Docket No. 17-245.

Today, the Commission takes an important step towards streamlining our rules and procedures. Combining multiple, unnecessarily separate enforcement complaint procedures is both appropriate and beneficial. Correctly, this item appears to unify these structures to reduce confusion and generate quicker resolution for those seeking redress under various statutory provisions. In doing so, it also should bring added efficiencies to the Commission, as staff will operate under a common set of procedures.

I thank the Chairman for working with me to maintain transparency and efficiency provisions pertaining to pole attachments. Specifically, complainants must still include information regarding pole costs in their complaint and utility pole owners must provide such information upon request before a complaint is filed. Having this information can cut down on the number of complaints ultimately filed with the Commission.

On a larger scale, I cannot help but note that many of the elements contained in these newly minted rules for complaints can and should be used in place of our Administrative Law Judge (ALJ) “process,” which has proven to be fraught with pitfalls. In fact, there seems to be little that we could not adopt from these rules — including staff interrogatories, fact-finding procedures, and appropriate timelines — to reduce or strike altogether the flawed ALJ system.

So, I commend the Chairman for the wonderful effort contained in today’s item to unify, simplify, and generate efficiency, and implore my colleagues to extend this work to other parts of the Commission, including the ALJ.