

June 27, 2003

Mr. Robert E. Burt
Small Business Advocacy Chair
Occupational Safety and Health Administration
U. S. Department of Labor
200 Constitution Ave., NW
Washington, D.C. 20210

**Subject: Electric Power Generation, Transmission and Distribution; SBREFA
Small Business Advocacy Panel**

Dear Mr. Burt:

In a letter dated April 1, 2003, you provided the Office of Advocacy with official notice of the potential need to convene a small business advocacy review panel for the above-captioned rule under §609(b) of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The panel is now nearing completion.

My office has worked closely with you and the panel members representing the Occupational Safety and Health Administration (OSHA) and the Office of Management and Budget's Office of Information and Regulatory Affairs. Although Advocacy responded informally to your letter, we inadvertently failed to reply to in writing. As a matter of completing the record of the panel, I am submitting this written response to document Advocacy's response to your letter.

As you know, Advocacy reviewed the list of small entity representatives (SERs) suggested by OSHA and we suggested the following additions: Mr. Charlie Tauzin of EP Breaux, Mr. Jeff Kelly of Enterprise Electric, Mr. Dave McElvain of Hartts Electric, Mr. Chuck Woodings of Anderson & Wood Construction Co., Mr. Clayton Spoon of Kohler Construction, and Ms. Sandy Grubb and Mr. Bob McVeigh of Southeast Power Corp. It is my understanding that OSHA reviewed the potential SERs to ensure that only regulated small entities were

included, and the work went forward with a panel of SERs capable of working with OSHA, the Office of Management and Budget's Office of Information and Regulatory Affairs, and the Office of Advocacy to address the issues that are important to small businesses.

In advance of convening of panel, you provided supporting materials and a draft regulatory analysis and draft rule (see RFA §609(b)(4)), which were provided to the panel members for their review. I understand that OSHA held several pre-panel meetings in accordance with the most current OSHA SBREFA guidance to assure that adequate and timely information and data were provided to the small entity representatives and the panel representatives.

Thank you for your continued support and advocacy for small business issues. Please contact Charles Maresca of my staff at (202) 205-6978 if you have any questions.

Sincerely,

Thomas M. Sullivan
Chief Counsel for Advocacy

cc: Dr. John D. Graham
Administrator, Office of Information and Regulatory Affairs

Mr. John Henshaw
Assistant Secretary of Labor for Occupational Safety and Health