

explanation or analysis of the proposed amendment pursuant to Executive Order No. 27 (1994) is not required.

**Jobs Impact**

The proposed amendment will have no impact on jobs in New Jersey. The Department does not anticipate an increase or decrease in jobs as a result of this amendment.

**Agriculture Industry Impact**

The proposed amendment will have no impact on the agriculture industry.

**Regulatory Flexibility Statement**

The proposed amendment does not impose any reporting, recordkeeping, or compliance requirements on small businesses as that term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendment increases benefit rates to individuals. Thus, a regulatory flexibility analysis is not required.

**Housing Affordability Impact Analysis**

The proposed amendment will not evoke a change in the average costs associated with housing. The basis for this finding is that the proposed amendment pertains to the statutorily mandated annual adjustment to the maximum workers' compensation benefit rates and does not pertain to housing.

**Smart Growth Development Impact Analysis**

The proposed amendment will not evoke a change in the housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan. The basis for this finding is that the proposed amendment pertains to the statutorily mandated annual adjustment to the maximum workers' compensation benefit rates and does not pertain to housing production, either within Planning Areas 1 or 2, or within designated centers.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

12:235-1.6 Maximum workers' compensation benefit rates

(a) In accordance with the provisions of N.J.S.A. 34:15-12.a, the maximum workers' compensation benefit rate for temporary disability, permanent total disability, permanent partial disability, and dependency is hereby promulgated as being [\$843.00] **\$855.00** per week.

(b) The maximum compensation shall be effective as to injuries occurring in the calendar year [2014] **2015**.

**LAW AND PUBLIC SAFETY**

**(a)**

**NEW JERSEY RACING COMMISSION**

**Notice of Pre-Proposal**

**Benchmarks for the Determination of Progress**

**Applicable to the Establishment of an Off-Track Wagering Facility Prior to Its Operation**

**N.J.A.C. 13:74-2.4**

Authorized By: New Jersey Racing Commission, Frank Zanzuccki, Executive Director.

Authority: N.J.S.A. 5:5-130.

Pre-Proposal Number: PPR 2014-002.

Comments on this notice of pre-proposal should be sent by October 2, 2014, to:

Frank Zanzuccki, Executive Director  
 New Jersey Racing Commission  
 140 East Front Street  
 P.O. Box 088  
 Trenton, New Jersey 08625-0088  
 E-mail: [NJRCWebInfo@lps.state.nj.us](mailto:NJRCWebInfo@lps.state.nj.us)

**Take notice** that the New Jersey Racing Commission is soliciting comments regarding amendments to N.J.A.C. 13:74-2.4, which sets forth benchmarks for the determination of progress applicable to the establishment of an off-track wagering facility prior to its operation. The Commission is considering changes to the deadlines and requirements set forth in the rule, which constitute the benchmarks each racetrack permit holder must meet in order to demonstrate that it continues to make progress on an annual basis in establishing the off-track wagering facilities within its share as required by N.J.S.A. 5:5-130.b.

**PUBLIC UTILITIES**

**(b)**

**BOARD OF PUBLIC UTILITIES**

**Telecommunications**

**Proposed Readoption with Amendments: N.J.A.C. 14:10**

**Proposed Repeals: N.J.A.C. 14:10-1A.12, 4.2, 5.5, 6.2, 6.3, 6.5, 6.6, 9.3, 9.4, 9.5, 9.6, 9.7, and 12.12 and 14:10-12 Appendix B**

**Proposed Repeal and New Rule: N.J.A.C. 14:10-5.2**

Authorized By: The Board of Public Utilities, Dianne Solomon, President, Jeanne M. Fox, Joseph L. Fiordaliso, and Mary-Anna Holden, Commissioners.

Authority: N.J.S.A. 48:2-13, 48:2-21.15 through 21.23, and 56:8-1 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

BPU Docket Number: TX14060550.

Proposal Number: PRN 2014-141.

Comments may be submitted through November 1, 2014, by email in **Microsoft Word format**, or in a format that can be easily converted to Word, to: [rule\\_comments@bpu.state.nj.us](mailto:rule_comments@bpu.state.nj.us) or on paper to:

Kristi Izzo, Secretary  
 NJ Board of Public Utilities  
 Attn: Docket No. TX14060550  
 44 South Clinton Avenue, 9th Floor  
 PO Box 350  
 Trenton, NJ 08625-0350

The agency proposal follows:

**Summary**

The New Jersey Board of Public Utilities (Board) is proposing to readopt with amendments, repeals, and new rules, its rules governing telecommunications service, N.J.A.C. 14:10. These rules pertain to telephone utilities and other telecommunications providers that are subject to the jurisdiction of the Board, in areas such as, service standards, payments for service, telecommunications carrier regulations and mass migration. The proposed amendments, new rules, and repeals are aimed at reducing regulation to reflect the current state of today's telecommunications market, while assuring that basic consumer protections are kept in place.

Pursuant to N.J.S.A. 52:14B-5.1.c(2), the rules are scheduled to expire on January 24, 2015. As the Board has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Below is a section-by-section description of the rules, along with the proposed amendments, repeals, and new rules that will serve to streamline regulation and retain only those rules that are necessary in an evolving telecommunications market.

**Subchapter 1. General Provisions**

Existing N.J.A.C. 14:10-1.1, Applicability, provides for the applicability of this chapter. Under paragraph (a)1, the phrase "that operates a telephone system" is proposed for deletion since this language