

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, AUGUST 30, 2012 (JC)**

**10:00 A.M.**

**MAIN HEARING ROOM NO. 1  
SECOND FLOOR COMMONWEALTH KEYSTONE BUILDING**

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**The Commission will act on various matters at today's meeting, which is open to the public. However, since adequate forums have been made available for public participation in cases before the Commission, there will be no opportunity for the public to address the Commission.**

**The attached agenda is complete at the time of issuance, but other items may be added and some stricken without further notice.**

**The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, its decision---except on routine, uncontested tariff filings---will be put in writing and served on the interested parties and made public at the time it is entered and served.**

**All public documents---such as orders, opinions, hearing transcripts, comments, initial and recommended decisions, and the like---relating to items on the agenda, may be examined in the Commission's File Room located in Room N-201, Second Floor, this Building.**

**The Commissioners seated on the bench are:**

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>James H. Cawley</b>	<b>John F. Coleman, Jr.</b>	<b>Robert F. Powelson</b>	<b>Wayne E. Gardner</b>	<b>Pamela A. Witmer</b>

**THE TAKING OF PHOTOGRAPHS IS PERMITTED PROVIDED FLASH IS NOT USED.**

**The Next Public Meeting is Tentatively Scheduled for Thursday, September 13, 2012 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, July 19, 2012 (JFC)**

**\*\*\*ANNOUNCEMENTS\*\*\***

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 13, 2012 AT 10:00 A.M. IN HEARING ROOM #1, SECOND FLOOR, COMMONWEALTH KEYSTONE BUILDING, 400 NORTH STREET. AN AGENDA FOR PUBLIC MEETING WILL BE MADE AVAILABLE TO ALL COMMISSIONERS AND INTERESTED PERSONS PRIOR TO THE PUBLIC MEETING.**

**ALSO, THE COMMISSION HELD AN EXECUTIVE SESSION ON WEDNESDAY, AUGUST 29, 2012, AT 2:00 P.M., IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, KEYSTONE BUILDING.**

**THE COMMISSION'S AGENDA WILL BE LIMITED TO:**

- 1. DISCUSSING PERSONNEL MATTERS.**
- 2. CONSULTING WITH ITS LEGAL OR TECHNICAL STAFF ABOUT ACTIONS WHICH THIS COMMISSION IS LITIGATING BEFORE OTHER ADMINISTRATIVE AGENCIES OR COURTS.**
- 3. DISCUSSING CASES WHICH WILL BE COMMENCED OR ADJUDICATED BY COMMISSION ACTION.**
- 4. REVIEWING LEGALLY PRIVILEGED OR CONFIDENTIAL MATTERS.**
- 5. DISCUSSING COLLECTIVE BARGAINING ISSUES.**
- 6. CONSIDERING THE PURCHASE OR LEASE OF REAL ESTATE.**

**AN AGENDA FOR THE EXECUTIVE SESSION WILL BE DISTRIBUTED TO ALL COMMISSIONERS IN ADVANCE OF THIS SESSION. THIS NOTICE IS PROVIDED IN ACCORDANCE WITH ACT 84 of 1986, KNOWN AS THE SUNSHINE ACT.**

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**COPIES OF CHAIRMAN AND COMMISSIONERS'  
MOTIONS AND STATEMENTS WILL BE  
AVAILABLE FOR PICK-UP  
IMMEDIATELY AFTER PUBLIC MEETING  
IN JR. EXECUTIVE CHAMBERS  
3RD FLOOR KEYSTONE BUILDING**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

August 30, 2012

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155225-TAS Vote 5-0.	A-2010-2155225	PENNDOT - Application for the approval to reconstruct, the existing bridge where S.R. 0056, Section N00 crosses over two tracks of Norfolk Southern Railway and a single track of Warren Oil Company in Seward Borough, Westmoreland County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2210970-TAS Vote 5-0.	A-2010-2210970	PENNDOT - Application for property appropriation in North Catasauqua Borough. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2262613-TAS Vote 5-0.	A-2011-2262613 A-00119245	AMERICAN EAGLE BUS & LIMO INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2262962-TAS Vote 5-0.	A-2011-2262962	LENORA AKINES T/A LENORA'S MOVING CO - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order denying the application.
2270367-TAS Vote 5-0.	A-2011-2270367	REGENCY TRANSPORTATION GROUP LTD - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. RECOMMENDATION: That the Commission adopt the proposed Order approving the application, amended.
2287217-TAS Vote 5-0.	A-2012-2287217	MANITO TRANSPORTATION SERVICES INC - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. Adams, Cumberland, Franklin and Fulton Counties. RECOMMENDATION: That the Commission adopt the proposed Order approving the application, as amended.

**BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2289325-TAS</b> Vote 5-0.	<b>A-2012-2289325</b>	<b>FAMILY TIES TRANSPORTATION LLC</b> - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
<b>2289612-TAS</b> Vote 5-0.	<b>A-2012-2289612</b>	<b>MCCARTHY FLOWERED CABS INC</b> - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Scranton, Lackawanna County RECOMMENDATION: That the Commission adopt the proposed Tentative Order approving the application.
<b>2290583-TAS</b> Vote 5-0.	<b>A-2012-2290583</b>	<b>ASCOT TRANSPORTATION GROUP LLC</b> - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Bucks, Chester, Delaware, and Montgomery Counties. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2290618-TAS</b> Vote 5-0.	<b>A-2012-2290618</b>	<b>YEAGER TRANSPORTATION INC</b> - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in group and party 11-15 service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2292931-TAS</b> Vote 5-0.	<b>A-2012-2292931</b>	<b>RANDALL S CHALLENGER</b> - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service limited to those persons whose personal convictions prevent them from owning or operating motor vehicles. Elizabethville, Dauphin County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2293522-TAS</b> Vote 5-0.	<b>R-2012-2293522</b>	<b>HANDY DELIVERY INC</b> - Increase in rates. RECOMMENDATION: That the Commission deny Call or Demand PA PUC No. 8.

**BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2294882-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2294882</b>	STEPHEN L LOWER - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service limited to those persons whose personal convictions prevent them from owning or operating motor vehicles. Berrysburg, Dauphin County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2294938-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2294938</b>	SAMUEL S STOLTZFUS - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
<b>2296719-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2296719</b>	DAVON CHRISTIAN T/A CHRISTIAN'S TRANSPORTATION SERVICES - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Lancaster, Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2297319-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2297319</b>	THE AMISH VILLAGE CORP - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. Ronks, Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2298948-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2298948</b>	BRIAN ALBERT CLARK T/A CRYSTAL EXPRESS - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2299220-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2299220</b>	STUMPTOWN TRANSPORTATION SERVICES LLC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

**BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2303046-TAS</b> Vote 5-0.	<b>C-2012-2303046</b>	CARL HILL VS READING BLUE MOUNTAIN AND NORTHERN RAILROAD - Application for time limit on maintenance and repairs for the railroads. RECOMMENDATION: That the Commission adopt the Order for immediate repairs.
<b>2304461-TAS</b> Vote 5-0.	<b>A-2012-2304461</b>	BALDEV KAPOOR T/A SHIPPENSBURG LIMOUSINE SERVICE - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2304560-TAS</b> Vote 5-0.	<b>A-2012-2304560</b>	JOHN D MORGAN T/A MORGAN TRANSPORT - Application for the right to begin to transport as a common carrier by motor vehicle, property, excluding household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
<b>2310399-TAS</b> Vote 5-0.	<b>R-2012-2310399</b> <b>A-00108516</b>	SLOANE MOVING & STORAGE CO INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Freight Pa. PUC No. 11 to become effective on 9/4/12.
<b>2310412-TAS</b> Vote 5-0.	<b>R-2012-2310412</b>	LEE'S MOVING & STORAGE INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Freight Pa. PUC No. 4 to become effective on 9/4/12.
<b>2312585-TAS</b> Vote 5-0.	<b>R-2012-2312585</b>	O'MALLEY MOVING & HAULING INC - Increase in rates. RECOMMENDATION: That the Commission approve 7th Revised Page 74 of Tariff Freight PA PUC No. 54 to become effective 9/4/12.
<b>2312596-TAS</b> Vote 5-0.	<b>R-2012-2312596</b>	GLAMOUR MOVING COMPANY INC - Increase in rates. RECOMMENDATION: That the Commission approve 3rd Revised Page 42-C of Tariff Freight PA PUC No. 54 to become effective 9/4/12.

**BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

2312601-TAS

R-2012-2312601

ANTHONY BADER T/A BNT MOVERS

Vote 5-0.

- Increase in rates.

RECOMMENDATION:

That the Commission approve 3rd Revised Page 21-A to Tariff Freight Pa. PUC No. 54 to become effective on 9/4/12.

**DIRECTOR OF ADMINISTRATION**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2316011-BAS</b> Postponed until Public Meeting of September 13, 2012.		<b>CONTRACTOR SELECTION</b> - Request for Proposal issued on 4/11/12, to hire an Information Management System for Gas Safety Inspections (“GSIMS”). The term of the contract will be from the effective date of the contract through 6/30/14. <b>RECOMMENDATION:</b> That the Commission approve the selected vendor.
<b>2320007-BAS</b> Vote 5-0.		<b>OFFICE OF CONSUMER ADVOCATE</b> - General Assessment upon Public Utilities for FY 2012-2013. <b>RECOMMENDATION:</b> That the Commission approve the Assessment Section computation in accordance with Act 15 of the 1977, the amount of the General Assessment for the Fiscal Year 7/1/12 to 6/30/13, on each applicable public utility.
<b>2320008-BAS</b> Vote 5-0.		<b>OFFICE OF SMALL BUSINESS ADVOCATE</b> - General Assessment upon Public Utilities for FY 2012-2013. <b>RECOMMENDATION:</b> That the Commission approve the Assessment Section computation in accordance with 73 P.S. §399-46, the amount of the General Assessment for the Fiscal Year 7/1/12 to 6/30/13, on each applicable public utility.
<b>2320009-BAS</b> Vote 5-0.		<b>PUBLIC UTILITY COMMISSION</b> - General Assessment upon Public Utilities for FY 2012-2013. <b>RECOMMENDATION:</b> That the Commission approve the Assessment Section computation in accordance with Section 510 of the Public Utility Code, the amount of the General Assessment for the Fiscal Year 7/1/12 to 6/30/13, on each applicable utility.



## BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2218794-AUD</b> Vote 5-0.	<b>D-2011-2218794</b>	METROPOLITAN EDISON CO - Universal Service Charge for the twelve months ended 10/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2218795-AUD</b> Vote 5-0.	<b>D-2011-2218795</b>	PENNSYLVANIA ELECTRIC CO - Universal Service Charge for the twelve months ended 10/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2218797-AUD</b> Vote 5-0.	<b>D-2011-2218797</b>	PENNSYLVANIA POWER CO - Universal Service Charge for the twelve months ended 10/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2239508-AUD</b> Vote 5-0.	<b>D-2011-2239508</b>	METROPOLITAN EDISON CO - Transmission Service Charge for the twelve months ended 3/31/11. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2239509-AUD</b> Vote 5-0.	<b>D-2011-2239509</b>	PENNSYLVANIA ELECTRIC CO - Transmission Service charge for the twelve months ended 3/31/11. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2265174-AUD</b> Vote 5-0.	<b>D-2011-2265174</b>	PHILADELPHIA GAS WORKS - Management Efficiency Investigation Evaluating the Implementation of Selected Recommendations from the December 2008 Stratified Management and Operations Audit. RECOMMENDATION: That the Commission make the MEI report and the PGW Implementation Plan public.
<b>2275804-AUD</b> Vote 5-0.	<b>D-2011-2275804</b>	HERMAN OIL & GAS CO - Gas Cost Rate for the twelve months ended 8/31/11 and 8/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2314663-AUD</b> Vote 5-0.	<b>M-2012-2314663</b>	PECO ENERGY COMPANY-ELECTRIC - Generation Supply Adjustment RECOMMENDATION: That the Commission approve Supplement No. 49 Tariff Electric - Pa. P.U.C. No. 4, reflecting the proposed GSA-4 rates to become effective 9/1/12.

## BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2316003-AUD</b> Vote 5-0.	<b>M-2012-2316003</b>	DUQUESNE LIGHT COMPANY - Energy Efficiency and Conservation and Demand Response Surcharge. RECOMMENDATION: That the Commission approve proposed Supplement No. 63 to Tariff Electric - Pa. P.U.C. No. 24 reflecting adjusted EECDR Surcharge rates to become effective 9/1/12.
<b>2316762-AUD</b> Vote 5-0.	<b>M-2012-2316762</b>	NRG ENERGY CENTER HARRISBURG LLC - Steam Cost Rate. RECOMMENDATION: That the Commission approve the annual SCR statement reflecting the proposed SCR rates to become effective 9/1/12.
<b>2317193-AUD</b> Vote 5-0.	<b>M-2012-2317193</b>	VEOLIA ENERGY PHILADELPHIA INC - Steam Cost Rate. RECOMMENDATION: The the Commission approve the annual SCR statement, to become effective 9/1/12, subject to the adjustment to the SCR each month to reflect the actual cost of steam from the prior month.
<b>2317198-AUD</b> Vote 5-0.	<b>M-2012-2317198</b>	PIKE COUNTY LIGHT & POWER CO-GAS - Gas Cost Rate. RECOMMENDATION: That the Commission approve the proposed rate to become effective with service rendered on and after 9/1/12.
<b>2317834-AUD</b> Vote 5-0.	<b>M-2012-2317834</b>	UGI UTILITIES, INC-ELECTRIC DIVISION - Default Generation Supply Service. RECOMMENDATION: That the Commission approve Supplement No. 104 Tariff Electric - Pa. P.U.C. No. 5, reflecting the revised GSR rates to become effective 9/1/12.
<b>2317848-AUD</b> Vote 5-0.	<b>M-2012-2317848</b>	VALLEY ENERGY INC - Gas Cost Rate. RECOMMENDATION: That the Commission approve the proposed rates to become effective with service rendered on and after 9/1/12.

**BUREAU OF CONSUMER SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2245355-BCS Vote 5-0.	M-2011-2245355	PEOPLES NATURAL GAS CO LLC - Universal Service and Energy Conservation Plan for 2012-2014, filed on 6/1/11, in accordance with the Commission's regulations at 52 Pa. Code §§ 62.1-62.8. RECOMMENDATION: That the Commission adopt the proposed Tentative Order, which addresses PNGC's Plan and calls for comments.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1119152-OSA</b> Vote 5-0.	<b>I-00970069</b>	<b>BLUE MOUNTAIN/READING RAILROAD</b> - The Township filed on 6/29/12 a Motion for Extension of Time to Comply with the 1999 Order. By Order entered 8/2/12, the Township's 6/29/12 Motion for Extension of Time was granted. On 8/13/12 RBMN filed a Petition for Reconsideration of the 8/2/12 Order. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which grants the Petition, pending further review of, and consideration on, the merits.
<b>1187707-OSA</b> Vote 5-0.	<b>A-00121022</b> <b>C-2011-2271023</b> <b>C-2011-2259127</b> <b>C-2009-2097936</b>	<b>INTEGRITY TRANSPORTATION SERVICES</b> <b>T/A INTEGRITY LIMOUSINE</b> - Secretarial Letter issued 11/3/11, cancelling the Certificate of Public Convenience issued on 3/11/05. The Certificate was cancelled for failure of the Petitioner to respond to a Complaint by the BTS at Docket No. C 2011-2259127, involving failure to maintain evidence of insurance on file with the Commission. On 6/22/12, a Petition requesting reinstatement of its Certificate was filed by the Petitioner. BTS filed an Answer to the Petition on 6/26/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants the Petition for Reinstatement.
<b>2071433-OSA</b> Vote 5-0.	<b>C-2010-2071433</b>	<b>LAW BUREAU PROSECUTORY STAFF VS</b> <b>COLUMBIA GAS</b> - Proposed Settlement Agreement filed on 7/10/12, resolving a Complaint regarding the inadvertent release of account information belonging to twenty-two customers. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order approving the Settlement.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2150021-OSA</b> <b>Vote 5-0.</b>	<b>C-2009-2150021</b>	LIDIA SHAN VS VERIZON PENNSYLVANIA INC - Complaint filed on 12/29/09, contesting charges for temporary suspension of telephone service. On 1/20/10, Verizon filed an Answer, averring that it was charging the Complainant in accordance with its Commission-approved tariff. A hearing was held on 9/23/10. In an Initial Decision, issued 4/13/12, ALJ Fordham dismissed the Complaint on the basis that the Complainant did not sustain her burden of proof. The Complainant filed Exceptions on 4/23/12. Verizon filed Replies to Exceptions on 5/14/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Initial Decision.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2184996-OSA</b> Vote 5-0.	<b>F-2010-2184996</b>	<b>MIMOSE INNOCENT VS PPL ELECTRIC UTILITIES CORP</b> - Petition for Reconsideration filed on 7/26/12, regarding the Commission's 7/19/12 Opinion and Order dismissing the Complaint. PPL filed an Answer on 8/9/12. Due to the fact that the 30-day period to act on the Petition for Reconsideration closed on 8/20/12, we granted the Petition pending review of, and consideration on, the merits. A Final Order was adopted by notational vote on 8/9/12 and served the same day. <b>RECOMMENDATION:</b> That, consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the minutes of this Public Meeting.
<b>2195248-OSA</b> <b>(PP from 08/02/2012)</b> Vote 5-0.	<b>C-2010-2195248</b>	<b>BARBARA JACKSON VS PECO ENERGY COMPANY</b> - Formal Complaint filed on 8/19/10, alleging that there were incorrect charges on her bill. PECO filed an Answer on 9/13/10, denying the allegations. A telephonic hearing was held on 3/9/11. In an Initial Decision, issued 3/8/12, the ALJ sustained, in part, and denied, in part, the Complaint. PECO filed Exceptions on 3/28/12. Replies to Exceptions were not filed. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which grants PECO's Exceptions and modifies the ALJ's Initial Decision.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2210014-OSA</b> Vote 5-0.	<b>C-2010-2210014</b>	<p>CONSOLIDATED COMMUNICATIONS ENTERPRISE SERVICES VS OMNIPOINT COMMUNICATIONS INC D/B/A T-MOBILE ET AL - Opinion and Order entered on 3/15/12, that, inter alia, denied T-Mobile's Preliminary Objections to a Formal Complaint filed by CCES asking the Commission to determine the appropriate intercarrier compensation rate for the termination of T-Mobile's intra-MTA traffic by CCES. On 3/30/12, T-Mobile filed (1) a Petition for Reconsideration and, in the alternative, (2) a Motion for Certification of Interlocutory Order for Immediate Appeal. By Opinion and Order entered 4/12/12, the Commission denied the Motion as late-filed and granted the Petition pending further review of the merits. CCES filed an Answer to T-Mobile's Petition on 4/16/12.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Petition in part and denies it in part.</p>
<b>2226099-OSA</b> Motion by Chairman Powelson. Dissenting Statement by Commissioner Gardner. Vote 4-1 with Commissioner Gardner Dissenting.	<b>C-2011-2226099</b>	<p>THOMAS GRECO VS PENNSYLVANIA AMERICAN WATER COMPANY - Formal Complaint filed on 2/14/11, alleging that his water service was improperly turned off. On 3/9/11, PAWC filed an Answer that denied the material allegations of the Formal Complaint and submitted New Matter. The Complainant responded to New Matter on 3/15/11. On 3/7/12 an evidentiary hearing was held. On 5/21/12, the Commission issued the Initial Decision of ALJ Jandebour that dismissed the Complaint. Exceptions were filed by the Complainant on 6/11/12. PAWC filed Replies to Exceptions on 6/21/12.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Exceptions, in part, denies them, in part, and reverses the ALJ's Initial Decision consistent with this Opinion and Order.</p>

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2229033-OSA</b>  Vote 5-0.	<b>C-2011-2229033</b> <b>C-2010-2198079</b>	THOMAS GRECO d/b/a PHOENIX ESTATES VS PPL ELECTRIC UTILITIES CORP - Formal Complaints filed on 9/7/10 and 3/3/11, alleging that his account was scheduled for termination without prior notice, and that the service had been improperly terminated. On 9/29/10 and 3/24/11, PPL filed Answers which denied the material allegations of the Formal Complaints. On 2/27/12, the Commission issued the Initial Decision of ALJ Jandebaur that dismisses the Complaints. Exceptions were filed by the Complainant on 3/14/12. PPL filed Replies to Exceptions on 3/26/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Initial Decision that dismisses the Complaints.
<b>2238862-OSA</b>  Vote 4-1 with Commissioner Cawley Dissenting.	<b>C-2011-2238862</b>	KAT LYONS VS PENELEC - Formal Complaint filed on 4/18/11, alleging that there were incorrect charges on her electric bills; and that Penelec's meter readers incorrectly read her meter. On 5/23/11, Penelec filed an Answer and New Matter. A Telephonic Hearing was held on 12/22/11. In an Initial Decision issued 3/15/12, ALJ Corbett granted in part and denied in part the Complaint. Penelec filed Exceptions on 4/4/12. No Replies to Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Exceptions in part and modifies the ALJ's Initial Decision.



**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2251413-OSA</b> <b>Vote 5-0.</b>	<b>C-2011-2251413</b>	<b>YASMIN BHATTI VS PPL ELECTRIC UTILITIES CORP</b> - Formal Complaint filed on 7/7/11, alleging incorrect charges and unexplained high bills for services provided by PPL. A hearing was held on 2/9/12. On 4/27/12, ALJ Dunderdale issued the Initial Decision dismissing the Complaint. On 5/14/12, the Complainant filed Exceptions. Replies to Exceptions were filed by PPL on 5/18/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the Exceptions of Yasmin Bhatti and adopts the ALJ's Initial Decision.
<b>2257037-OSA</b> <b>Vote 5-0.</b>	<b>F-2011-2257037</b>	<b>SHAWNICKA BRUNER VS UGI UTILITIES CORP</b> - Complaint filed 8/11/11, alleging an inability to pay her natural gas bill and requesting a payment arrangement. On 8/31/11, UGI filed an Answer, averring that the Petitioner was not entitled to a payment arrangement. An initial telephonic hearing was held on 2/9/12. In an Initial Decision, issued 2/22/12, Special Agent Alexander dismissed the Complaint with prejudice for failure to prosecute. By Final Order, entered 3/28/12, the Commission adopted as final the Initial Decision. Ms. Bruner filed a Petition for Reconsideration on 4/6/12. UGI filed an Answer to the Petition on 4/17/12. On 6/25/12, the Commission issued a Secretarial Letter requesting additional information from the Parties. UGI filed a letter in response to the Secretarial Letter on 7/13/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the Petition for Reconsideration.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2264771-OSA</b> <b>Vote 5-0.</b>	<b>R-2011-2264771</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - New Time-of-Use (TOU) Program filed on 9/26/11, for its residential, small commercial, and industrial customer classes. The filing was in response to the Commission Order entered 8/25/11, at Docket No. M-2011-2258733, which directed PPL to submit a revised TOU plan within thirty days, and directed that the currently effective TOU rates remain in effect for up to a six-month period. An evidentiary hearing was held on 2/22/12. The Recommended Decision of ALJ Colwell was issued by the Commission on 6/20/12. On 7/10/12, BIE, OCA, and PPL filed Exceptions. On 7/20/12, PPL and the OCA filed Reply Exceptions. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order.
<b>2266144-OSA</b> <b>(PP from 08/02/2012)</b>  <b>Postponed until the Public Meeting of September 13, 2012.</b>	<b>C-2011-2266144</b>	<b>VICTOR NIXON VS WEST PENN POWER</b> - Formal Complaint filed on 9/29/11, alleging that the transmission lines emit pulsed modulated electromagnetic microwave radiation at levels that exceed FCC limits. On 10/24/11, West Penn filed an Answer and Preliminary Objections. By Initial Decision issued 12/23/11, ALJ Chestnut sustained West Penn's Preliminary Objections, and dismissed the Complaint for legal insufficiency and lack of subject matter jurisdiction. The ALJ also found that the Complaint is barred by the doctrines of res judicata and collateral estoppel. The Complainant filed Exceptions on 12/27/11 and 1/12/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that denies the Exceptions, adopts the Initial Decision, as modified by the Opinion and Order, and dismisses the Complaint.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2282992-OSA Vote 5-0.	C-2012-2282992	<p>BUREAU OF INVESTIGATION &amp; ENFORCEMENT VS DARYL HOUSTON</p> <p>- Complaint instituted on 1/26/12, alleging it failed to maintain evidence of liability insurance on file with the Commission. BI&amp;E requested a civil penalty of \$500 be imposed. The Petitioner was notified that, unless its insurer filed evidence of insurance and paid the proposed civil penalty, it was required to file an Answer to the Complaint within 20 days of its receipt. The Complaint was served on 1/26/12. The Petitioner did not file an Answer or pay the penalty. By Secretarial Letter of 6/19/12, the Commission noted that since no timely response to the Complaint and no payment of the penalty had been received, the allegations in the Complaint are deemed admitted. Accordingly, the Petitioner's Certificate of Public Convenience was canceled and the Petitioner was directed to pay a civil penalty of \$500 within twenty days. On 7/12/12, Petitioner filed a Petition for Reconsideration. No response was filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Petition.</p>

**OFFICE OF SPECIAL ASSISTANTS**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2294269-OSA**

**A-2012-2294269  
A-00121579**

**Vote 5-0.**

**CLASSY CAB COMPANY INC**  
- Application filed on 2/21/12, for stock transfer from Robert C. DeLucia to Star Transportation Group. Notice was published in the PA Bulletin. On 5/29/12, Airport Limousine Service and Yellow Cab Company of Pittsburgh filed a Joint Protest to the Application. On 6/8/12, Classy Cab filed a Motion to Dismiss Protests, to which the Petitioners filed an Answer on 7/2/12. On 6/21/12, the Commission entered an Order which approved the Application. On 6/25/12, the Petitioners filed the instant Petition for Rescission with reference to the June 2012 Order. No response to the Petition has been filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order that, inter alia: (1) grants Classy Cab's Motion to Dismiss Protests; (2) dismisses the Petitioners' Joint Protest; and (3) denies the Petitioners' Petition for Rescission.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2296566-OSA</b> <b>Vote 5-0.</b>	<b>C-2012-2296566</b>	<b>BUREAU OF INVESTIGATION &amp; ENFORCEMENT VS TOTAL PACKAGE EXPRESS INC</b> - Complaint instituted on 4/11/12, alleging that it failed to maintain evidence of liability and cargo insurance on file with the Commission. Total Package was notified that, unless its insurer filed evidence of insurance with the Commission and it paid the proposed civil penalty, it was required to file an Answer to the Complaint within twenty days of receipt of the Complaint. The Complaint was served on 4/17/12. Total Package did not file an Answer or pay the fine. On 4/19/12, Total Package's insurer filed evidence of insurance effective 3/4/12. By Secretarial Letter of 6/21/12, Total Package was directed to pay a civil penalty of \$500 within twenty days. On 6/29/12, Total Package filed the instant Appeal from Staff Action, with reference to the Secretarial Letter. No response to the Appeal has been received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the appeal.
<b>2311589-OSA</b> <b>Vote 5-0.</b>	<b>A-2012-2311589</b>	<b>DOBSON CELLULAR SYSTEMS INC AND VZ NORTH</b> - Joint Petition filed on 6/27/12, seeking approval of Amendment No. 2 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2311591-OSA</b> <b>Vote 5-0.</b>	<b>A-2012-2311591</b>	<b>AMERICAN CELLULAR CORP AND VZ PA</b> - Joint Petition filed on 6/27/12, seeking approval of Amendment No. 4 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2311592-OSA</b> Vote 5-0.	<b>A-2012-2311592</b>	NEW CINGULAR WIRELESS AND VZ PA - Joint Petition filed on 6/27/12, seeking approval of Amendment No. 4 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2311593-OSA</b> Vote 5-0.	<b>A-2012-2311593</b>	NEW CINGULAR WIRELESS AND VZ NORTH - Joint Petition filed on 6/27/12, seeking approval of Amendment No. 3 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2311594-OSA</b> Vote 5-0.	<b>A-2012-2311594</b>	SOUTHWESTERN BELL MOBILE D/B/A NEW CINGULAR WIRELESS AND VZ PA - Joint Petition filed on 6/27/12, seeking approval of Amendment No. 2 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2311596-OSA</b> Vote 5-0.	<b>A-2012-2311596</b>	DOBSON CELLULAR SYSTEMS INC AND VZ PA - Joint Petition filed on 6/27/12, seeking approval of Amendment No. 2 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2313542-OSA</b> <b>Vote 5-0.</b>	<b>A-2012-2313542</b>	T-MOBILE USA INC AND DEPOSIT TELEPHONE - Joint Petition filed on 7/11/12, seeking approval of an amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2313544-OSA</b> <b>Vote 5-0.</b>	<b>A-2012-2313544</b>	T-MOBILE USA INC AND MAHANNOY & MAHANTANGO TELEPHONE - Joint Petition filed on 7/11/12, seeking approval of an amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2313545-OSA</b> <b>Vote 5-0.</b>	<b>A-2012-2313545</b>	T-MOBILE USA INC AND SUGAR VALLEY TELEPHONE - Joint Petition filed on 7/11/12, seeking approval of an amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1152832-FUS</b> <b>Vote 5-0.</b>	<b>A-125080</b>	<b>SOUTH JERSEY ENERGY COMPANY</b> - Natural Gas Supplier License filed on 8/9/11, for approval to amend its natural gas supplier license to add the service territory of UGI Central Penn Gas, within PA. SJE filed an additional request on 6/1/12, to add the service territories of Valley Energy, Columbia Gas, Equitable Gas, and Peoples Natural Gas. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the amendment for additional territories.
<b>1184451-FUS</b> <b>Vote 5-0.</b>	<b>A-125124</b>	<b>VOLUNTEER ENERGY SERVICES, INC</b> - Application filed on 5/11/12, for approval to amend its natural gas supplier license to begin to offer, render, furnish, or supply natural gas supply services to residential, small and large commercial, industrial, and governmental customers in the additional natural gas distribution service territories of UGI Gas, UGI Penn Natural Gas, UGI Central Penn Gas, and PECO-Gas. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>1199565-FUS</b> <b>Vote 5-0.</b>	<b>A-311409F0002</b>	<b>VELOCITY.NET COMMUNICATIONS INC</b> - Application amendment filed on 7/31/12, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of VZ PA and VZ North. No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> The Commission approve the application consistent with the proposed Order.
<b>2173980-FUS</b> <b>Vote 5-0.</b>	<b>A-2010-2173980</b>	<b>SUNOCO POWER MARKETING LLC</b> - Application filed on 5/2/12, for approval to abandon its electric generation supplier license. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application for abandonment.



**BUREAU OF TECHNICAL UTILITY SERVICES**

<u><b>AGENDA NO.</b></u>	<u><b>DOCKET NO.</b></u>	<u><b>NAME AND SUBJECT</b></u>
<b>2279431-FUS</b>  <b>Vote 5-0.</b>	<b>A-2011-2279431</b> <b>P-2011-2279379</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - Letter of Notification filed on 12/19/11, for approval of the construction of the Trumbauersville #1 and #2 138/69 kV Tap Line in Richland Township, Bucks County. No protest was filed and no hearing was held. Also a Petition was filed on 12/19/11, pursuant to 52 Pa. Code §5.41 and 53 P.S. §10619 for a finding that a building to shelter control equipment at the proposed Trumbauersville 69-12 kV Substation in Richland Township, Bucks County, is reasonably necessary for the convenience or welfare of the public and therefore, exempt from any local zoning ordinance. No protest was filed. A hearing was held. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order that approves the application and grants the petition.
<b>2282219-FUS</b>  <b>Vote 5-0.</b>	<b>A-2012-2282219</b> <b>A-2012-2282221</b> <b>S-2012-2282224</b> <b>S-2012-2282229</b> <b>S-2012-2282230</b> <b>S-2012-2282232</b>	<b>COLUMBIA WATER CO AND MARIETTA GRAVITY</b> - Joint Application and accompanying securities certificates filed on 1/5/12, for approval of the transfer of the water system of Marietta Gravity to Columbia Water; the commencement by Columbia Water of water service to the public currently served by Marietta Gravity; the abandonment of service by Marietta Gravity; and approval of debt to finance the acquisition. The Joint Applicants agreed to a voluntary extension of the statutory consideration period until 8/31/12. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order which approves the transfer, commencement of water service, and abandonment; and the registration of the securities certificates.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2286475-FUS</b> <b>Vote 5-0.</b>	<b>R-2012-2286475</b>	PECO ENERGY COMPANY-ELECTRIC - Supplement No. 34 to Tariff Electric – Pa. P.U.C. No. 4 filed on 1/31/12, for approval to propose a number of revisions and updates to various sections of the tariff. Supplement No. 34 was originally filed to become effective on 3/31/12. However, PECO filed subsequent tariff supplements to voluntarily postpone the effective date on several occasions, the latest being until 8/31/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order approving Supplement No. 34 to Tariff Electric – Pa. P.U.C. No. 4.
<b>2289864-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2289864</b>	PENNSYLVANIA AMERICAN WATER CO-WASTEWATER - Application filed on 2/24/12, for approval of the right to begin to offer and furnish wastewater service to five residential customers in West Sadsbury Township, Chester County. No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order that approves the application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2295320-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2295320</b>	ENERGY BROKERS LLC - Application filed on 3/7/12, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of providing competitive pricing to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the PECO service territory within PA. RECOMMENDATION: That the Commission adopt the proposed Order.
<b>2300435-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2300435</b>	BTU DIRECT MARKETING LLC - Application filed on 4/19/12, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in the electric distribution company service territory of PECO Energy in PA. BTU Direct Marketing also requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c). RECOMMENDATION: The Commission adopt the proposed Order which approves the application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2300484-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2300484</b>	<b>LITTLE DEEP LLC D/B/A POWER USA</b> - Application filed on 4/24/12, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity to residential, small commercial (25 kW and under), large commercial (over 25 kW), industrial and governmental customers classes in all the electric distribution company service territories throughout PA. Little Deep also requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(d). <b>RECOMMENDATION:</b> The Commission adopt the proposed Order which approves the application.
<b>2301488-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2301488</b>	<b>SECURE ENERGY SOLUTIONS LLC</b> - Application filed 4/27/12, for approval for a license to offer, render, furnish or supply natural gas supply services as a broker/marketer to small commercial (under 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial and governmental customers, in the service territories of Columbia Gas, Equitable Gas, National Fuel Gas, PECO Energy, Peoples Natural Gas, Peoples TWP, PGW, UGI Utilities, UGI Central Penn, UGI Penn Natural Gas, and Valley Energy within PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2305457-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2305457</b>	<b>GUIDANCE TELECOM LLC</b> - Application filed on 5/8/12, for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider throughout PA. No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> The Commission approve the application consistent with the proposed Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2305629-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2305629</b>	EGP ENERGY SOLUTIONS LLC T/A ATLANTIC ENERGY RESOURCES - Application filed on 5/16/12, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in the electric distribution company service territories throughout PA. EGP Energy Solutions requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c). RECOMMENDATION: The Commission adopt the proposed Order which approves the application.
<b>2305663-FUS</b> <b>Vote 5-0.</b>	<b>R-2012-2305663</b>	CONWAGO INDUSTRIAL PARK-SEWER - Supplement No. 11 to Tariff Sewage-Pa. P.U.C. No. 1, filed on 5/17/12, proposing an annual increase in revenues of \$30,029 (46.12%) to become effective 7/16/12, and voluntarily postponed to 8/31/12. RECOMMENDATION: The Commission adopt the proposed Order that approves the tariff supplement.
<b>2308026-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2308026</b>	ACHIEVE ENERGY SOLUTIONS LLC - Application filed on 6/1/12, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of energy consulting that will serve residential, small commercial, large commercial, industrial, and governmental customers in all electric distribution company service territories throughout PA. Achieve Energy requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(d). RECOMMENDATION: The Commission adopt the proposed Order which approves the application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2309845-FUS</b> <b>Vote 5-0.</b>	<b>M-2012-2309845</b>	MERCER COUNTY'S 911 - System Renewal Plan filed on 6/15/12 by PEMA, requesting a formal review of the costs associated with the contribution rate of \$1.25 per access line per month and to make a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION: The Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.
<b>2311725-FUS</b> <b>Vote 5-0.</b>	<b>R-2012-2311725</b>	HANOVER MUNICIPAL WATERWORKS - Supplement No. 22 to Tariff Water-Pa. P.U.C. No. 3, filed on 6/29/12, proposing an annual increase in revenues of \$980,973 (29.7%) for customers located outside the Borough to become effective 8/28/12, and voluntarily postponed to 8/31/12. A Formal Complaint has been filed by OCA. RECOMMENDATION: The Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
<b>2312577-FUS</b> <b>Vote 5-0.</b>	<b>R-2012-2312577</b> <b>G-2012-2312597</b>	EQUITABLE GAS CO - Supplement No. 86 to Tariff Gas - Pa. P.U.C. No. 22, proposing to establish a Rider E-Appalachian Production Enhancement Program Surcharge, to become effective 8/28/12, voluntarily postponed until 8/31/12. Application filed on 6/29/12, for an Affiliated Interest Approval and the Acquisition of Assets from Affiliates. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the proposed tariff filing until 2/28/13, and institutes an investigation of the proposed tariff filing and application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2312615-FUS</b> Vote 5-0.	<b>A-2012-2312615</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - Letter of Notification filed on 6/29/12, for approval of the reconstruction of the Cumberland-West Shore #3 and #4 69 kV Transmission Line in Lower Allen Township and Upper Allen Township, Cumberland County. Authority for this procedure is provided for in §57.72(d)(1)(vi). No protest was filed and no hearing was held. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order that approves the application.
<b>2313195-FUS</b> Vote 5-0.	<b>R-2012-2313195</b>	<b>YMAX COMMUNICATIONS CORP</b> - Supplement No. 4 to its Switched Access Tariff PA PUC No. 2, filed on 7/9/12, to incorporate the FCC Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released 11/18/11) regarding the treatment of Toll VoIP-PSTN traffic. On 7/30/12, AT&T Communications, TCG New Jersey, and TCG Pittsburgh filed formal complaints against the filing. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order.
<b>2314694-FUS</b> Vote 5-0.	<b>A-2012-2314694</b>	<b>PACIFIC-SOUTH TELECOM INC</b> - Application filed on 5/31/12, seeking the approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller Services to the public within PA. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order approving the application.

## LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1204570-LAW Vote 5-0.	A-311446	GLOBAL CAPACITY GROUP INC - Failure to file its 2011 TRS Annual Access Line Summary Report and TRS Annual Tracking Report. Commission staff has been unable to reach Global Capacity Group by mail. The former employee who handled the TRS filings in previous years advised Commission staff that Global Capacity Group filed for Chapter 7 bankruptcy and is no longer in business. RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificate of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.
2275748-LAW Vote 5-0.	P-2011-2275748	T-MOBILE - Petition for Reconsideration and Modification of the Order entered on 5/24/12, filed on 6/8/12. No responses have been filed to the Petition. RECOMMENDATION: That the Commission adopts the proposed Order approving the petition.
2297304-LAW Postponed until the Public Meeting of September 13, 2012.	P-2012-2297304	PECO ENERGY COMPANY-ELECTRIC - Petition filed, seeking approval of its selection of an Electric Generation Supplier as a vendor to provide time-of-use (TOU) service for PECO's Dynamic Pricing Plan. PECO is also petitioning for approval of its Plan supplement, which was developed by it solely to facilitate the provision of TOU service by an EGS and does not materially change the plan. RECOMMENDATION: That the Commission adopts the proposed Order.
2297650-LAW Vote 5-0.	P-2012-2297650	T-MOBILE - Petition for Reconsideration, Modification and Clarification of the Order entered on 6/21/12, filed on 7/6/12. No responses have been filed to the Petition. RECOMMENDATION: That the Commission adopts the proposed Order approving the petition.



**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2308982-LAW</b>  Vote 5-0.	<b>P-2012-2308982</b> <b>R-2011-2232243</b>	<b>PENNSYLVANIA AMERICAN WATER COMPANY</b> - Petition filed on 6/8/12, seeking authority to defer certain expenses in the amount of \$463,000 associated with a customer demand study undertaken pursuant to a Commission approved settlement agreement at Docket Number R-2011-2232243. No answers have been filed. <b>RECOMMENDATION:</b> That the Commission approve the proposed Order.
<b>2314902-LAW</b>  Vote 5-0.	<b>P-2012-2314902</b>	<b>PEOPLES TWP LLC</b> - Petition pursuant to 52 Pa. Code § 62.6(b) for an extension of time to submit its evaluation report for universal service and energy conservation programs from 11/1/12 to 11/1/13. Peoples states that the impact evaluation report will be more useful if it takes into account the effects of its current customer assistance program, implemented on 12/21/11, by including a longer period of post-implementation data. If the report focuses on the new customer assistance program, the auditor can make useful recommendations for the future, instead of focusing on the previous program that is no longer in effect. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order granting the petition.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2266040-ALJ</b> <b>Motion by Commissioner Gardner.</b> <b>Vote 5-0.</b>	<b>C-2011-2266040</b>	CONNIE DARLENE MULLINS VS PHILADELPHIA GAS WORKS - Complaint filed 9/28/11 as an appeal of a BCS decision. Answer filed 10/25/11 denying the allegations. Hearing held 2/27/12. COMMISSION REVIEW: That the Commission adopt ALJ Heep's Initial Decision granting in part and denying in part the complaint and ordering respondent to credit complainant for service charges for the period 1/09 to 11/10.
<b>2278221-ALJ</b> <b>Joint Motion by Commissioner Gardner and Commissioner Witmer.</b> <b>Vote 5-0.</b>	<b>A-2011-2278221</b>	EMPIRE AMBULANCE INC - Application filed 11/23/11, to transport as a common carrier, by motor vehicle, persons, in paratransit service, limited to transportation between medical facilities from points in the Counties of Bucks, Montgomery and Delaware, and the City and County of Philadelphia, to points in Pennsylvania and return. Several protests filed. No hearing was held. COMMISSION REVIEW: That the Commission adopt ALJ Vero's Initial Decision dismissing the application.
<b>2279186-ALJ</b> <b>Vote 4-1 with Commissioner Gardner Dissenting.</b>	<b>C-2011-2279186</b>	JOHN AND TRACY KNABB VS WEST PENN POWER - Formal Complaint filed on 12/5/11, alleging failure to render safe and reliable electric service causing equipment damage as a result of a power outage. An answer was filed on 1/10/12. A hearing was held 3/14/12. COMMISSION REVIEW: That the Commission adopt ALJ Long's Initial Decision dismissing the complaint.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2286447-ALJ</b>  Statement by Commissioner Cawley. Vote 5-0.	<b>R-2012-2286447</b>	<b>PHILADELPHIA GAS WORKS</b> - Annual Gas Cost Rate for 2012-2012 filed on 1/31/12. On 2/24/12, a Petition to Intervene was filed by PICGUG. On 2/29/12, PGW also filed Supplement No. 51 to Gas Tariff – Pa.P.U.C. No. 2 and Supplement No. 43 to Supplier Tariff – Pa.P.U.C. No. 1. On 6/5/12, a Joint Petition for Settlement was filed. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Pell’s Recommended Decision approving the Settlement.
<b>2287044-ALJ</b>  Vote 5-0.	<b>R-2012-2287044</b> <b>C-2012-2295220</b> <b>C-2012-2297006</b>	<b>EQUITABLE GAS CO</b> - Supplement to Tariff Gas-Pa. P.U.C. No. 6, filed on 4/2/12, which proposed a Purchased Gas Cost Rate of \$5.12 per Mcf, which represents a decrease of \$1.15 per Mcf in the then-effective PGC rate of \$6.27 per Mcf. On 7/13/12, a Joint Settlement Agreement was filed. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Dunderdale’s Recommended Decision approving the Settlement.
<b>2291770-ALJ</b>  Vote 5-0.	<b>M-2012-2291770</b>	<b>METROPOLITAN EDISON CO</b> - Consumer Education Charge Section 1307(e) for the year ended 12/31/11, filed on 2/27/12. A hearing was held on 4/20/12. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Buckley’s Recommended Decision accepting the Statements, insofar as they are undisputed.
<b>2291780-ALJ</b>  Vote 5-0.	<b>M-2012-2291780</b>	<b>PENNSYLVANIA ELECTRIC CO</b> - Consumer Education Charge Section 1307(e) for the year ended 12/31/11, filed on 2/27/12. A hearing was held on 4/20/12. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Buckley’s Recommended Decision accepting the Statements, insofar as they are undisputed.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2292082-ALJ</b> <b>Vote 5-0.</b>	<b>R-2012-2292082</b>	<b>PEOPLES NATURAL GAS CO</b> - Proposed Tariff Supplement filed on 4/2/12, containing changes in the Purchased Gas Cost included in tariff rates resulting from Peoples' projected cost of gas purchased for the period 2/1/12 through 9/30/13. PNG also filed its reconciliation statement reporting the differences between revenues and costs from 2/1/11 through 1/31/12. A hearing was held on 6/14/12. On 6/29/12, a Joint Settlement Agreement was filed. Dominion Retail did not oppose the settlement. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Long's Recommended Decision approving the Settlement.
<b>2292141-ALJ</b> <b>Vote 5-0.</b>	<b>M-2012-2292141</b>	<b>DUQUESNE LIGHT COMPANY</b> - Reconciliation Statements of the Consumer Education Surcharge Rider for the annual calendar periods of 2008 through 2011, filed on 3/5/12. A hearing was held on 4/20/12. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statements, insofar as they are undisputed.
<b>2294704-ALJ</b> <b>(PP from 08/02/2012)</b> <b>Vote 5-0.</b>	<b>M-2012-2294704</b>	<b>UGI UTILITIES, INC-ELECTRIC DIVISION</b> - Revised Reconciliation Statement filed on 4/10/12, setting forth the over/under collections for the calendar years 2009, 2010 and 2011. A hearing was held on 5/24/12. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Salapa's Recommended Decision accepting the statements insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

August 30, 2012

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1190251-OSA  Vote 5-0.	A-00121329	<p>BUFFALO &amp; PITTSBURGH RAILROAD INC - Application filed on 12/28/04, for the abolition of eleven crossings in Jefferson County. On 12/28/09, the Commission issued the Recommended Decision of ALJ Nene. By the time of the hearings, the only issue remaining was the assignment of responsibility for the removal of two structures, including one in Snyder Township and the allocation of costs therefore. Per Order entered 4/20/10, we modified the ALJ's Recommended Decision and directed PennDOT and the Township to equally divide the costs of removing the structure. After appeals of the April 2010 Order were denied, PennDOT filed the instant Motion for Extension of Time on 6/28/12. By Letter submitted 7/13/12, Kovalchick Corp., successor to B&amp;P, indicated that it had no objection to the grant of the requested time extension.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants PennDOT's Motion.</p>

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2275595-OSA</b> <b>Vote 5-0.</b>	<b>A-2011-2275595</b>	<p>LEATHERSTOCKING GAS COMPANY LLC - Application filed on 11/23/11. On 12/27/11, UGI Penn Natural Gas filed a Protest. On 1/17/12, Leatherstocking filed Preliminary Objections requesting dismissal of UGI's Protest for lack of standing. On 1/27/12, UGI filed an Amended Protest. On 2/16/12, Leatherstocking filed Preliminary Objections to UGI's Amended Protest. On 3/20/12, ALJ Salapa issued an Initial Decision that dismissed UGI's Protest for lack of standing, and that dismissed UGI's Amended Protest as late-filed. Following several extensions, UGI filed timely Exceptions on 7/30/12. Leatherstocking filed Reply Exceptions on 8/6/12.</p> <p><b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order denying the Exceptions and adopts the Initial Decision.</p>
<b>2275595-OSA</b> <b>Vote 5-0.</b>	<b>A-2011-2275595</b>	<p>LEATHERSTOCKING GAS COMPANY LLC - Application filed on 11/23/11. On 12/27/11, UGI Penn Natural Gas filed a Protest to the Application. On 1/27/12, UGI filed an Amended Protest. On 3/20/12, ALJ Salapa issued an Initial Decision that dismissed UGI's Protest for lack of standing, and that dismissed UGI's Amended Protest as late-filed. On 6/21/12, Leatherstocking and UGI filed a Joint Stipulation in Settlement. On 6/26/12, Leatherstocking and UGI filed an Amended Stipulation. On 6/27/12, the Bureau of Investigation and Enforcement filed a Motion to Strike the Stipulation and Amended Stipulation. On 7/17/12, Leatherstocking filed an Answer to I&amp;E's Motion to Strike.</p> <p><b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that rejects the Stipulation/Amended Stipulation, denies the Motion to Consolidated, and refers the application to TUS for modified procedure.</p>

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2294930-OSA  Vote 5-0.	R-2012-2294930 A-6310311	ROSEMONT TAXICAB CO INC - Tariff filed on 3/22/12, proposing an increase in its revenues to cover increased operating expenses. By Opinion and Order entered on 8/2/12, the Commission denied Rosemont's proposed tariff on the basis that Rosemont failed to maintain proper records that would enable the Commission to assess the need for a rate increase. On 8/17/12, Rosemont filed a Petition for Reconsideration seeking reconsideration of the Opinion and Order entered on 8/2/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition for Reconsideration, pending further review of, and consideration on, the merits.

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2289411-LAW  Vote 5-0.	M-2012-2289411 M-2008-2069887	ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE 2 - Energy Efficiency and Conservation Program Phase II Implementation Order was adopted on 8/3/12, establishing the standards each electric distribution company's energy efficiency and conservation plan must meet and providing guidance on the procedures to be followed for submittal, review and approval of all aspects of those plans. The Phase II Implementation Order also adopted additional incremental reductions in consumption that each electric distribution company must meet. On 8/20/12, Met-Ed, Penelec, Penn Power, West Penn Power and PPL Electric filed Petitions for Reconsideration of the Implementation Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order granting the Petitions for Reconsideration pending further review and consideration on the merits.

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2300653-LAW</b>  <b>Vote 5-0.</b>	<b>M-2012-2300653</b> <b>M-2009-2108601</b>	ACT 129 PHASE 2 TOTAL RESOURCE COST TEST-2012 - Act 129 of 2008, 66 Pa. C.S. § 2806.1, mandates use of TRC testing to analyze benefits and costs of EDCs' energy efficiency and conservation (EE&C) plans. The initial PA TRC Test was adopted 6/23/09, at M-2009-2108601. On 5/25/12, a Tentative Order proposed refinements to the PA TRC Test for Act 129's Phase II that begins 6/1/13, pursuant to M 2012-2289411 (8/3/12). Comments and reply comments were received. RECOMMENDATION: That the Commission adopts the proposed Order.
<b>2318841-LAW</b>  <b>Vote 5-0.</b>	<b>M-2012-2318841</b>	PASSENGER TRANSPORTATION WITHIN ALLEGHENY COUNTY - ACT 61 - Effective 9/11/12, Act 61 transfers oversight of all passenger transportation within Allegheny County from the Port Authority to the Commission. Carriers that currently authorized by the Port Authority to provide within Allegheny County will retain their authority through the Commission. This Order implements Act 61, providing guidance for those carriers. RECOMMENDATION: That the Commission adopt the proposed Order.