

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, SEPTEMBER 27, 2012 (JFC)**

**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, October 11, 2012 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, August 30, 2012 (JC)**

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

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 11, 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, SEPTEMBER 26, 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

September 27, 2012

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2154595-TAS Vote 5-0.	A-2010-2154595	PENNDOT - Application for approval to reconstruct an existing bridge where State Route 0070 cross track of Wheeling & Lake Erie Railway in Rostraver Township. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2266294-TAS Vote 5-0.	A-2011-2266294	PARADISE TRANSIT 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. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2285059-TAS Vote 5-0.	A-2012-2285059	ADVANCE CARE INC T/A ADVANCE CARE AMBULANCE - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Huntingdon Valley, Bucks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2285459-TAS Vote 5-0.	A-2012-2285459	HEALTHCARE TRANSPORTATION SERVICE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. City and County of Philadelphia, and counties of Bucks, Chester, Delaware, Montgomery RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2292973-TAS Vote 5-0.	A-2012-2292973	VERNON A LESLIE JR - 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.

**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>2294681-TAS</b> Vote 5-0.	<b>A-2012-2294681</b>	<b>BRUCE J BYRAM</b> - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Denver, Lancaster County <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order approving the application.
<b>2297392-TAS</b> Vote 5-0.	<b>A-2012-2297392</b>	<b>BARBARA HUGHES</b> - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Port Matilda, Centre County <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order approving the application.
<b>2299194-TAS</b> Vote 5-0.	<b>A-2012-2299194</b>	<b>KIDS IN MOTION, INC</b> - Complaint alleging respondent abandoned or discontinued service without having first filed an application to discontinue service. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order directing that the complaint be sustained and that the certificate be canceled.
<b>2300202-TAS</b> Vote 5-0.	<b>R-2012-2300202</b>	<b>JOHN C MUMMAU</b> - Increase in rates. <b>RECOMMENDATION:</b> That the Commission approve Tariff Paratransit PA PUC No. 2 to become effective on 10/1/12.
<b>2300414-TAS</b> Vote 5-0.	<b>A-2012-2300414</b>	<b>JACK HESS</b> - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Lancaster County <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order approving the application.
<b>2302206-TAS</b> Vote 5-0.	<b>R-2012-2302206</b>	<b>RONALD F WALLACE</b> - Increase in rates. <b>RECOMMENDATION:</b> That the Commission approve Tariff Paratransit PA PUC No. 2 to become effective on 10/1/12.
<b>2305588-TAS</b> Vote 5-0.	<b>A-2012-2305588</b>	<b>KISKI JUNCTION RAILROAD</b> - Application for approval of exemption from the Commission's clearance requirements. <b>RECOMMENDATION:</b> 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>2305814-TAS</b> Vote 5-0.	<b>R-2012-2305814</b>	BUCKS COUNTY TRANSPORT, INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Paratransit PA PUC No. 12 to become effective on 10/1/12.
<b>2308164-TAS</b> Vote 5-0.	<b>A-2012-2308164</b>	RONALD KAYS T/A KAYS GRAVEL CO - 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>2308435-TAS</b> Vote 5-0.	<b>C-2012-2308435</b>	BUR OF INVESTIGATION & ENFORCEMENT VS YANKEE LIMOUSINE - Complaint alleging respondent abandoned or discontinued service without having first filed an application to discontinue service. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and that the certificate be canceled.
<b>2309296-TAS</b> Vote 5-0.	<b>A-2012-2309296</b>	ANTHONY HUGILL TH PORT-A-JOHNS - 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>2310236-TAS</b> Vote 5-0.	<b>A-2012-2310236</b> <b>A-2012-2310241</b> <b>A-2012-2310264</b>	AMEDEO'S LIMOUSINE SERVICE, 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. RECOMMENDATION: That the Commission adopt the proposed Order denying the applications.
<b>2315570-TAS</b> Vote 5-0.	<b>R-2012-2315570</b>	MICHAEL RICHARD GRAB T/A GRAB-A-CAB - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Call or Demand PA PUC No. 3 to become effective on 10/1/12.
<b>2317942-TAS</b> Vote 5-0.	<b>R-2012-2317942</b>	903 RENTALS INC T/A CARBON TAXI - Increase in rates. RECOMMENDATION: That Commission approve Tariff Call or Demand PA PUC No. 3 to become effective on 10/1/12.

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

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2319106-TAS**

**R-2012-2319106**

CLARION COUNTY TAXI, INC

- Increase in rates.

RECOMMENDATION:

That the Commission approve Tariff Call or Demand

PA PUC No. 3 to become effective 10/1/12.

Vote 5-0.

**BUREAU OF AUDITS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2319703-AUD</b> Vote 5-0.	<b>M-2012-2319703</b>	PECO ENERGY COMPANY-ELECTRIC - Generation Supply Adjustment. RECOMMENDATION: That the Commission approve Supplement No. 51 to Tariff Electric - Pa. P.U.C. No. 4, reflecting the revised GSA rates to become effective 10/1/12.
<b>2323388-AUD</b> Vote 5-0.	<b>M-2012-2323388</b>	CITIZENS ELEC CO. OF LEWISBURG - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 69 to Tariff Electric-Pa. P.U.C. No. 14, reflecting a GSSR of \$0.073583 per KWH, effective 10/1/12.
<b>2323396-AUD</b> Vote 5-0.	<b>M-2012-2323396</b>	WELLSBORO ELECTRIC CO - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 67 to Tariff Electric-Pa. P.U.C. No. 8, reflecting a GSSR of \$0.073094 per KWH, effective 10/1/12.

**BUREAU OF CONSUMER SERVICES**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2207924-BCS**

**M-2010-2207924**

**Vote 5-0.**

**WEST PENN POWER CO**

- Universal Service & Energy Conservation Plan for 2011-2013 filed on 5/4/10, and final amended Plan filed on 2/6/12 in accordance with the Commission's regulations at 52 Pa. Code §§ 54.71-78.

**RECOMMENDATION:**

That the Commission adopt the proposed Final Order, which approves the Company's Plan.



**DIRECTOR OF REGULATORY OPERATIONS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2237952-DIR</b>	<b>I-2011-2237952</b>	INVESTIGATION OF PA'S RETAIL ELECTRICITY MARKET - The Commission entered an Order on 4/29/11, initiating this Investigation. Based upon the information that has been gathered, the OCMO has developed an End State Proposal for the Commission to release for discussion by stakeholders at a meeting on 10/17/12. RECOMMENDATION: That the Commission adopt the proposed Secretarial Letter and End State Proposal.

Statement by Chairman Powelson.  
Concurring and Dissenting Statement by  
Commissioner Cawley.  
Vote 4-1 with Commissioner Cawley  
Dissenting.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2202076-OSA</b>  Vote 5-0.	<b>C-2010-2202076</b>	BUR OF TRANSPORTATION & SAFETY VS METRO TRANSPORTATION OF PENNSYLVANIA LLC T/A METRO - Complaint instituted alleging a violation of Section 29.314(c), by failing to file a current list of all vehicles used in its call and demand service. BI&E requested that a civil penalty of \$250 be imposed for the violation. The Complaint was served on the Respondent on 11/12/10. The Respondent filed an Answer to the Complaint on 12/6/10. On 3/19/12, the Respondent and BI&E filed a Settlement Agreement in order to satisfy the Complaint. As part of the Settlement, the proposed civil penalty of \$250 would be reduced to \$100. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
<b>2218369-OSA</b> <b>(PP from 09/13/2012)</b>  Joint Statement by Chairman Powelson and Vice Chairman Coleman. Vote 5-0.	<b>A-2011-2218369</b>	SAMIR OUAQERROUCH - Application filed on 11/24/10, seeking approval for the right to transport persons, upon call or demand, in Tincum Township, Delaware County. Notice was published in the PA Bulletin. A timely Protest was filed by Sawink, Inc., t/d/b/a County Cab Company on 1/31/11. After hearing, the proceeding was transferred to ALJ Melillo. On 2/28/12, OALJ received a call from the Applicant requesting that a hold be placed on the issuance of a decision until mid-April. In her Initial Decision, issued on 6/22/12, ALJ Melillo recommended, inter alia, that the Application be approved. On 7/11/12, Sawink filed Exceptions to the Initial Decision. On 7/20/12, the Applicant filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) denies Sawink's Exceptions to the Initial Decision; (2) approves the application; and (3) adopts the Initial Decision as the action of the Commission.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2227108-OSA</b> <b>Vote 5-0.</b>	<b>M-2012-2227108</b>	<b>WINDSTREAM PENNSYLVANIA LLC</b> - Proposed Settlement Agreement filed on 3/23/12, pertaining to an informal investigation of Windstream's "no proration" billing practice. By an Opinion and Order entered 6/7/12, the Commission issued the proposed Settlement Agreement for comment. No comments have been filed. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order approving the proposed Settlement Agreement.
<b>2251336-OSA</b> <b>Vote 5-0.</b>	<b>A-2011-2251336</b> <b>A-00121505</b>	<b>CANTERBURY INTERNATIONAL INC T/A</b> <b>TWO MEN AND A TRUCK</b> - Application for amendment to its Certificate filed on 6/1/11, so as to include service to the counties of Beaver, Butler, Westmoreland, Fayette and Washington. Notice was published in the PA Bulletin. Protests were filed by several entities. Hearings were held and some Protestants subsequently withdrew their Protests. In her Initial Decision, issued on 6/13/12, ALJ Dunderdale recommended that the Application be granted, in part, and denied, in part. Specifically, the ALJ recommended that the Application be granted as to the counties of Beaver, Butler, Westmoreland and Fayette, but that it be denied as to Washington County. On 7/3/12, the Applicant filed Exceptions to the Initial Decision. On 7/12/12, the Protestants filed Reply Exceptions. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that: (1) denies the Applicant's Exceptions to the Initial Decision; (2) approves the Application, in part, and denies it, in part; and (3) adopts the Initial Decision as the action of the Commission.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2268126-OSA</b> <b>Vote 5-0.</b>	<b>C-2011-2268126</b>	<p>VICTORY CONDOMINIUM ASSOCIATION VS PECO ENERGY COMPANY</p> <p>- Formal Complaint filed on 10/18/11, alleging, inter alia, that PECO improperly billed it, resulting in overcharges from 6/08 to 12/10, in the amount of approximately \$145,683. On 11/16/11, PECO filed an Answer to the Complaint. The Complainant filed an Amended Complaint and PECO filed an Answer to the Amended Complaint. The matter was assigned to ALJ Pell. On 1/30/12, PECO filed a Motion for Summary Judgment. The Complainant filed an Answer in the form of a Response Brief to PECO's Motion. In his Initial Decision, issued on 6/22/12, ALJ Pell concluded that PECO's Motion should be granted and the Complaint should be dismissed because there are no genuine issues of material fact presented in the proceeding. On 7/11/12, the Complainant filed Exceptions to the Initial Decision. No Reply Exceptions have been filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) denies the Complainant's Exceptions to the Initial Decision; (2) adopts the ALJ's Initial Decision, consistent with the Opinion and Order; and (3) dismisses the Complaint.</p>
<b>2289325-OSA</b> <b>Vote 5-0.</b>	<b>A-2012-2289325</b>	<p>FAMILY TIES TRANSPORTATION LLC</p> <p>- Petition for Reconsideration filed on 9/6/12, of the 8/30/12 Order. An application was filed on 1/17/12, for paratransit authority in the City and County of Philadelphia. By Order entered 8/30/12, the Commission dismissed the Application.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Petition for Reconsideration pending review of, and consideration on, the merits.</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>2316779-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2316779</b> <b>A-310663</b>	<b>T-MOBILE NORTHEAST, LLC AND VERIZON NORTH</b> - Joint Petition filed on 7/27/12, 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>2316800-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2316800</b> <b>A-310489F7000</b>	<b>CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND VERIZON PA</b> - Joint Petition filed on 7/27/12, 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.
<b>2316802-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2316802</b> <b>A-310489F7001</b>	<b>CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND VERIZON NORTH</b> - Joint Petition filed on 7/27/12, 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.
<b>2317504-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2317504</b>	<b>SERVICE ELECTRIC TELEPHONE AND NORTH-EASTERN PA TELEPHONE CO</b> - Joint Petition filed on 8/3/12, seeking approval of an Agreement for Local Wireline Network Interconnection and Traffic Exchange 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>2318797-OSA</b>  Vote 5-0.	<b>A-2012-2318797</b> <b>A-2011-2229473</b>	NTELOS LICENSES D/B/A NTELOS AND VZ PA - Joint Petition filed on 8/13/12, 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>2318812-OSA</b>  Vote 5-0.	<b>A-2012-2318812</b> <b>A-2011-2233866</b>	NTELOS LICENES D/B/A NTELOS AND VZ NORTH - Joint Petition filed on 8/13/12, 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>2319118-OSA</b>  Vote 5-0.	<b>A-2012-2319118</b> <b>A-311394F7003</b>	T-MOBILE & FRONTIER COMM COMMONWEALTH - Joint Petition filed on 8/14/12, requesting approval of Amendment No. 1 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 that grants the Joint Petition.
<b>2319124-OSA</b>  Vote 5-0.	<b>A-2012-2319124</b> <b>A-311394F7019</b>	T-MOBILE & FRONTIER COMM OF CANTON - Joint Petition filed on 8/14/12, requesting approval of Amendment No. 1 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 that 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>2319145-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2319145</b> <b>A-311394F7018</b>	T-MOBILE & FRONTIER COMM OF BREEZEWOOD - Joint Petition filed on 8/14/12, requesting approval of Amendment No. 1 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 that grants the Joint Petition.
<b>2319162-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2319162</b> <b>A-311394F7007</b>	T-MOBILE & FRONTIER COMM OF PENNSYLVANIA - Joint Petition filed on 8/14/12, requesting approval of Amendment No. 1 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 that grants the Joint Petition.
<b>2319168-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2319168</b> <b>A-311394F7021</b>	T-MOBILE & FRONTIER COMM OF LAKEWOOD - Joint Petition filed on 8/14/12, requesting approval of Amendment No. 1 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 that grants the Joint Petition.
<b>2319177-OSA</b>  <b>Vote 5-0.</b>	<b>A-2012-2319177</b> <b>A-311394F7020</b>	T-MOBILE & FRONTIER COMM OF OSWAYO RIVER - Joint Petition filed on 8/14/12, requesting approval of Amendment No. 1 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 that 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>2308991-FUS</b> Vote 5-0.	<b>A-2012-2308991</b>	<b>STREAM ENERGY PENNSYLVANIA LLC</b> - Application filed on 6/8/12, for approval to offer, render, furnish, or supply natural gas supply services to residential, small commercial (less than 6,000 MCF annually), and large commercial (6,000 MCF or more annually) customers in the natural gas distribution company service territory of PECO, within PA <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2309315-FUS</b> Vote 5-0.	<b>A-2012-2309315</b> <b>P-2012-2309302</b>	<b>PPL ELECTRIC UTILITIES CORP</b> Letter of Notification filed on 6/11/12, pursuant to 52 Pa. Code Chapter 57.72, with respect to the siting and construction of the Peckville-Paupack 230kV Line and the Paupack-Blooming Grove 230kV Line in Paupack Township, Wayne County. No protests were filed and no hearings were held. Also, a Petition was filed on 6/11/12, pursuant to Pa. Code §5.41 and 53 P.S. §10619 for a finding that a building to shelter control equipment at the proposed Paupack 230-69kV Substation to be constructed in Paupack Township, Wayne County, is reasonably necessary for the convenience or welfare of the public. No protests were filed and one pre-hearing conference was held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that approves the application and grants the petition.
<b>2311434-FUS</b> Vote 5-0.	<b>A-2012-2311434</b>	<b>PENNSYLVANIA AMERICAN WATER COMPANY</b> - Application filed on 6/15/12, for approval of (1) the transfer, by sale, of waterworks property and rights of the Fernwood Community Water System (Fernwood) to PAWC, (2) the commencement by PAWC of water service to the public in additional portions of Middle Smithfield Township, Monroe County, presently being served by Fernwood. 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>2312632-FUS</b> Vote 5-0.	<b>R-2012-2312632</b>	NANTMEAL WARWICK SEWER CO INC. - Tariff Supplement No. 1 to Tariff Wastewater-Pa. P.U.C. No. 1, filed on 6/29/12, proposing an annual increase in revenues of \$9,871 (99.6%) to become effective 9/30/12. RECOMMENDATION: The Commission adopt the proposed Order that approves this tariff supplement.
<b>2312886-FUS</b> Vote 5-0.	<b>M-2012-2312886</b> <b>M-00920366</b>	CUMBERLAND COUNTY'S 911 - System Renewal Plan filed by PEMA on 7/6/12, requesting a formal review of the costs associated with the contribution rate of \$1.25 per access line per month and 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>2312903-FUS</b> Vote 5-0.	<b>M-2012-2312903</b> <b>M-00950649</b>	PIKE COUNTY'S 911 - System Renewal Plan filed by PEMA on 7/6/12, requesting a formal review of the costs associated with the contribution rate of \$1.50 per access line per month and 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 \$1.50 per access line per month.
<b>2317843-FUS</b> Vote 5-0.	<b>A-2012-2317843</b>	METROPOLITAN EDISON CO - Letter of Notification filed on 8/1/12, pursuant to 52 Pa. Code Chapter 57.72 for approval to install the North Lebanon-North Temple 230kV HV Transmission Line Loop to the Northkill Substation project in Jefferson Township, Berks County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2318065-FUS**

**R-2012-2318065**

**Vote 5-0.**

PECO ENERGY COMPANY-ELECTRIC  
- Supplement No. 50 to Tariff Electric – Pa. P.U.C.  
No. 4, filed on 8/2/12, proposing a tariff change and an  
interim adjustment to the Transmission Service Charge  
rates to become effective 10/1/12.  
RECOMMENDATION:  
The Commission adopt the proposed Order which  
approves the supplement.

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2291983-LAW</b> Vote 5-0.	<b>P-2012-2291983</b>	DOMINION RETAIL INC, INTERSTATE GAS SUPPLY AND SHIPLEY CHOICE LLC - Petition filed by three natural gas suppliers for a declaratory order asking the Commission to rule that its transition Orders at Docket No. M-00991249F0009 in 2000, and 52 Pa. Code § 62.78 establish an on-going duty on natural gas distribution companies to provide NGSs with customer lists at no charge. RECOMMENDATION: That the Commission approve the proposed Order.
<b>2312225-LAW</b> Vote 5-0.	<b>M-2012-2312225</b> <b>M-2012-2291824</b>	2012 ETC RECERTIFICATION REPORTS-HIGH COST SUPPORT - State Certification of Rural Carriers for Federal Universal Service High Cost Support For 1/1/13 through 12/31/13; In the Matter of Federal-State Joint Board on Universal Service; CC Docket No. 96-45. RECOMMENDATION: That the Commission adopt the Secretarial letters.
<b>2320110-LAW</b> Vote 5-0.	<b>P-2012-2320110</b>	MET-ED, PENELEC, PENN POWER & WEST PENN - Joint Petition for temporary waiver of 52 Pa. Code § 56.42, requesting that the Companies be permitted to employ a twenty-day due date instead of a twenty-one day due date for deposit bills, through 12/31/12. The Companies state that the temporary waiver is needed to facilitate their implementation of a new deposit procedure aimed to manage uncollectible residential expenses. RECOMMENDATION: That the Commission adopt the proposed Order granting the petition.
<b>2324075-LAW</b> Vote 5-0.	<b>M-2012-2324075</b>	INTERIM GUIDELINES FOR NATURAL GAS DISTRIBUTION CO - Proposing to initiate guidelines for Natural Gas Eligible Customer Lists similar to those established for the electric industry in 2011. RECOMMENDATION: That the Commission approve the proposed Order.

**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>2285985-ALJ</b>  Statement by Commissioner Cawley. Vote 5-0.	<b>R-2012-2285985</b>	PEOPLES NATURAL GAS CO LLC - Tariffs filed on 2/28/12, proposing changes in rates, rules, and regulations calculated to produce additional annual revenues. By Order entered 4/26/12, the Commission suspended these tariffs until 11/28/12. A Joint Petition for Approval of Settlement of All Issues was filed on 8/8/12, including statements in support. COMMISSION REVIEW: That the Commission adopt ALJ Long's Recommended Decision approving of the Settlement without modification.
<b>2302219-ALJ</b>  Joint Statement by Commissioner Gardner and Commissioner Cawley. Vote 5-0.	<b>R-2012-2302219</b>	UGI CENTRAL PENN GAS INC - Annual purchased gas cost filing pursuant to 52 Pa. Code §§53.64 and 53.65, filed on 6/1/12, proposing PGC rates for residential, non-residential, Rates N, CIAC, IS and GL, were reductions from rates in effect on 6/1/12. On 8/10/12, a Stipulation In Settlement of Section 1307(f) Rate Investigation was filed. COMMISSION REVIEW: That the Commission adopt ALJ Melillo's Recommended Decision approving the Settlement without modification.
<b>2302220-ALJ</b>  Joint Statement by Commissioner Gardner and Commissioner Cawley. Vote 5-0.	<b>R-2012-2302220</b>	UGI UTILITIES, INC - GAS DIVISION - Annual purchased gas cost filing pursuant to 52 Pa. Code §§53.64 and 53.65, filed on 6/1/12, proposing modifications to UGI's Tariff Gas – Pa. P.U.C. No. 5. PGC rates for Rate R Customers and for Rate N customers were reductions from rates in effect on 6/1/12. On 8/13/12, a Stipulation In Settlement of Section 1307(f) Rate Investigation was filed. COMMISSION REVIEW: That the Commission adopt ALJ Melillo's Recommended Decision approving the Settlement.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2302784-ALJ**

**R-2012-2302784**

Vote 5-0.

PECO ENERGY COMPANY-GAS  
- Definitive purchase gas cost filing, PGC No. 29 proposed Supplement No. 126 to Tariff Gas-Pa.P.U.C. No. 2, filed on 5/31/12, proposing changes in rates resulting from changes in the purchased gas costs. The tariff supplement proposed to decrease the PGC. A Joint Petition for Complete Settlement was filed on 8/3/12.  
COMMISSION REVIEW:  
That the Commission adopt ALJ Vero's Recommended Decision approving the Joint Petition for Complete Settlement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

September 27, 2012

CASES OF SPECIAL INTEREST

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2283641-OSA	P-2012-2283641	PECO ENERGY COMPANY-ELECTRIC - Petition filed on 1/13/12, requesting approval of its DSP II for the period from 6/1/13 to 5/31/15. Following an on-the-record proceeding, a Recommended Decision by ALJ Buckley was issued on 8/28/12. Exceptions and/or Reply Exceptions were filed by PECO, the OCA, the OSBA, the Bureau of I&E, Dominion Retail, and Interstate Gas Supply, FirstEnergy Solutions, and PPL EnergyPlus, the Retail Energy Supply Association, Green Mountain Energy, the Joint Suppliers Group, the Philadelphia Area Industrial Energy Users Group and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania. RECOMMENDATION: That the Commission conduct a BINDING POLL of the outstanding issues litigated in this proceeding.

Binding Poll.  
Two Motions by Commissioner Witmer on Individual Polling Issues.  
Statement by Commissioner Witmer on Individual Polling Issue.  
Vote 5-0.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2273650-OSA</b>	<b>P-2011-2273650 P-2011-2273668 P-2011-2273669 P-2011-2273670</b>	<b>METROPOLITAN EDISON COMPANY</b> - By Order entered 8/16/12, the Commission, inter alia, granted, in part, the Companies' Joint Petition for approval of their DSP. On 8/31/12, the following six Parties each filed Petitions for clarification, rehearing and/or reconsideration: (1) the Coalition for Affordable Utility Services & Energy Efficiency in PA; (2) the Constellation Energy Commodities Group, Constellation NewEnergy, Exelon Generation, and Exelon Energy; (3) the Companies; (4) the OCA; (5) the OSBA; and (6) the Retail Energy Supply Association. On 9/10/12, five of the Parties filed Answers to the Petitions, including Met-Ed Industrial Users Group, Penelec Industrial Customer Alliance, Penn Power Users Group, West Penn Power Industrial Intervenors, and Washington Gas Energy Services, Inc. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants, in part, the Petitions.
<b>2303046-OSA</b>	<b>C-2012-2303046</b>	<b>CARL HILL VS READING BLUE MOUNTAIN AND NORTHERN RAILROAD</b> - Complaint filed on 5/2/12, alleging that the crossing where State Route 3019 crosses, at grade, a single track of RBM&N is in need of repair in order to attain an acceptable condition. By Order entered 8/30/12, the Commission directed that certain repairs be made to the subject crossing. On 9/18/12 RBM&N filed a Petition for Reconsideration of the 8/30/12 Order. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants the Petition for Reconsideration pending review of, and consideration on, the merits.

Joint Statement by Chairman Powelson  
and Commissioner Witmer.  
Vote 5-0.

Vote 5-0.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2289411-LAW  Vote 5-0.	M-2012-2289411 M-2008-2069887	ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE 2 - The Commission adopted the Energy Efficiency and Conservation Program Phase II Implementation Order 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. On 8/20/12, Met-Ed, Penelec, Penn Power and West Penn Company (collectively, FirstEnergy) filed a Petition for Reconsideration and Clarification. Also, on 8/20/12, PPL Electric Utilities Corp filed a Petition for Reconsideration. On 9/4/12, PECO Energy filed a Motion for Leave to File a Petition for Reconsideration and a Petition for Reconsideration of the Implementation Order. RECOMMENDATION: That the Commission adopt the proposed Reconsideration Order.



**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**SUPPLEMENTAL CARRY-IN AGENDA**

**September 27, 2012**

**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>2275595-FUS</b>  <b>Statement by Chairman Powelson.</b> <b>Statement by Commissioner Gardner.</b> <b>Vote 5-0.</b>	<b>A-2011-2275595</b>	<b>LEATHERSTOCKING GAS COMPANY LLC</b> - Application filed on 11/23/11, for approval to supply natural gas service to the public in Northern Susquehanna County, in the Townships of Bridgewater, Forest Lake, Great Bend, Harmony, New Milford and Oakland, and in the Boroughs of Great Bend, Hallstead, Lanesboro, Montrose, New Milford, Oakland and Susquehanna. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.