

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 20, 2012 (PW)

10:00 A.M.

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

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:

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

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

The Next Public Meeting is Tentatively Scheduled for Thursday, January 10, 2013 at 10:00 A.M.

Minutes of the Meeting of Thursday, November 8, 2012 (WG)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 10, 2013 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, DECEMBER 19, 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.

**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

December 20, 2012

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2286479-TAS Vote 5-0.	A-2012-2286479	GRANDEUR EXECUTIVE TRANSPORTATION - 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 denying the application.
2303327-TAS Vote 5-0.	R-2012-2303327	READING YELLOW CAB, INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Call and Demand PA PUC No. 4, to become effective on 12/24/12.
2303334-TAS Vote 5-0.	R-2012-2303334	READING CHECKER CAB, INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Call and Demand, PA PUC No. 4, to become effective on 12/24/12.
2312893-TAS Vote 5-0.	A-2012-2312893	QUAKERTOWN TAXI LLC - Application for the right to transport as a common carrier by motor vehicle, persons upon call or demand. Montgomery County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2313497-TAS Vote 5-0.	A-2012-2313497	KEENAN EDWARD CHRISTIANSEN LLC T/D/B/A 1ST CLASS TRANSPORTATION - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Montgomery, Delaware, Chester, and Bucks Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2316875-TAS Vote 5-0.	A-2012-2316875	RIDE RIGHT LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in contract carrier service. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2317384-TAS Vote 5-0.	A-2012-2317384	E & M TRANS INC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Berks, Bucks, Chester, Delaware, Lehigh and Montgomery Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2318489-TAS Vote 5-0.	A-2012-2318489	PEAT'S ELITE CAR SERVICE INC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Montgomery County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2323365-TAS Vote 5-0.	A-2012-2323365	PLATINUM TOUCH TRANSPORTATION LLC - 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 15 or less service. Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2324111-TAS Vote 5-0.	A-2012-2324111	CASINO EXPRESS 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.
2324825-TAS Vote 5-0.	A-2012-2324825	WILLIAM R SMOLEY - 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 15 or less service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2324837-TAS Vote 5-0.	A-2012-2324837	WILLIAM R SMOLEY - 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 AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2259841-AUD Vote 5-0.	D-2011-2259841	PIKE COUNTY LIGHT & POWER CO - GAS - Default Service Charge. RECOMMENDATION: That the Commission release the Audit Report to the public.
2334076-AUD Vote 5-0.	M-2012-2334076	PECO ENERGY COMPANY - ELECTRIC - Generation Supply Adjustment. RECOMMENDATION: That the Commission approve the proposed Supp. No. 56 to Tariff electric Pa. P.U.C. No. 4, reflecting the revised GSA rates to become effective 1/1/13.
2336681-AUD Vote 5-0.	R-2012-2336681	NATIONAL FUEL GAS DISTRIBUTION - Rider E Consumer Education Charge. RECOMMENDATION: That the Commission approve proposed Tariff Gas - Pa. P.U.C. Supp. No. 136 to Tariff Gas - Pa. P.U.C. No. 9, reflecting the proposed Rider E rates to become effective 1/1/13.
2337129-AUD Vote 5-0.	M-2012-2337129	WELLSBORO ELECTRIC CO - Generation Supply Service Rate. RECOMMENDATION: That the Commission approve proposed Supp. No. 68 to Tariff Electric - Pa. P.U.C. No. 8, reflecting a GSSR of \$0.068344 per KWH, effective 1/1/13.
2337148-AUD Vote 5-0.	M-2012-2337148	CITIZENS' ELECTRIC COMPANY OF LEWISBURG - Generation Supply Service Rate. RECOMMENDATION: That the Commission approve the revised proposed Supp. No. 70 to Tariff Electric - Pa. P.U.C. No. 14, submitted on 12/7/12, reflecting a GSSR of \$0.062543 per KWH, effective 1/1/13.
2337344-AUD Vote 5-0.	M-2012-2337344	METROPOLITAN EDISON CO - Universal Service Charge. RECOMMENDATION: That the Commission approve proposed Supp. No. 31 to Tariff Electric - Pa. P.U.C. no. 51, reflecting a USC rate of \$0.00654 per KWH, effective 1/1/13.
2337346-AUD Vote 5-0.	M-2012-2337346	PENNSYLVANIA ELECTRIC CO - Universal Service Charge. RECOMMENDATION: That the Commission approve proposed Supp. No. 30 to Tariff Electric - Pa. P.U.C. No. 80, reflecting a USC rate of \$0.00763 per KWH, effective 1/1/13.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2337347-AUD Vote 5-0.	M-2012-2337347	PENNSYLVANIA POWER CO - Universal Service Charge. RECOMMENDATION: That the Commission approve proposed Supp. No. 91 to Tariff Electric - Pa. P.U.C. No. 35, reflecting a USC rate of \$0.00608 per KWH, effective 1/1/13.
2337578-AUD Vote 5-0.	M-2012-2337578	WEST PENN POWER CO - Transmission Service Charge. RECOMMENDATION: That the Commission approve proposed Supp. No. 220 to Tariff Electric - Pa. P.U.C. No. 39, reflecting the revised TSC rates to become effective 1/1/13.

DIRECTOR OF REGULATORY OPERATIONS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2237952-DIR

I-2011-2237952

Vote 5-0.

INVESTIGATION OF PA'S RETAIL ELECTRICITY MARKET

- Secretarial Letter of 12/15/11, directed certain EDCs to produce and mail a Commission-endorsed postcard no later than 2/29/12, encouraging customers to shop for a competitive electric generation supplier as well as promoting www.PAPowerSwitch.com. At the conclusion of this mailing, the Commission then directed in the Final Order and Intermediate Work Plan of 3/1/12, that the Commission-endorsed postcard be re-established on an annual basis. This Secretarial Letter proposes to dispense with the mailing of the annual postcard in 2013 and resume with the mailing of the postcard in 2014.

RECOMMENDATION:

That the Commission approve the Secretarial Letter.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2184996-OSA Vote 5-0.	F-2010-2184996	MIMOSE INNOCENT VS PPL ELECTRIC UTILITIES CORP - Complaint filed on 6/28/10, requesting a lower payment and additional time to pay her electric bill. On 7/21/10, PPL filed an Answer, denying the material allegations of the Complaint. A hearing was held on 8/11/11. The Commission issued ALJ Jandebour's Initial Decision on 1/5/12, which recommended the Complaint be dismissed. The Complainant filed Exceptions on 1/19/12. PPL filed Replies to Exceptions on 2/10/12. By Order entered 7/19/12, the Commission denied the Exceptions. On 7/26/12, the Complainant filed a letter Petition for Reconsideration of the 7/19/12 Order. PPL filed an Answer to the Petition on 8/9/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Petition for Reconsideration.
2241747-OSA Vote 5-0.	A-2011-2241747	J ANDREW ASSOCIATES INC D/B/A SEVEN - UTILITY MANAGEMENT CONSULTANTS LLC - Application filed on 5/12/11, for approval to supply electricity or generation services as a broker/consultant. In a Recommended Decision, issued on 8/21/12, ALJ Colwell recommended, inter alia, that SUMC's Application be denied. SUMC filed Exceptions to the Recommended Decision and the OCA and Keith Bulls (Protestant) each filed Reply Exceptions. On 10/9/12, SUMC filed a Petition for Leave to Withdraw Application. The Commission's Bureau of Investigation and Enforcement and the OCA each filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which, inter alia denies SUMC's Petition; denies SUMC's Exceptions to the Recommended Decision; and adopts the Recommended Decision as the action of the Commission.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2251832-OSA Vote 5-0.	C-2011-2251832	DELORES ASECIO VS PHILADELPHIA GAS WORKS - Complaint filed on 6/28/11, contesting a municipal lien for unpaid gas service that the City of Philadelphia had filed against a property she inherited from her mother in 2006. PGW filed an Answer on 8/4/11. After an evidentiary hearing, ALJ Cheskis issued an Initial Decision on 7/6/12 that sustained the Complaint, in part, and reduced the amount owed for service provided between 1999 and 2005 from \$23,055.08 to \$3,702.97. PGW filed Exceptions on 8/13/12. No Reply Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants PGW's Exceptions in part, reverses the ALJ's Initial Decision, and dismisses the Complaint.
2266224-OSA (PP from 12/05/2012) Vote 5-0.	C-2011-2266224	LARRY L WOLFE VS VERIZON NORTH LLC - Formal Complaint filed 9/29/11, alleging unreliable service, frequent outages, and poor customer service. A hearing was conducted by ALJ Cheskis on 1/31/12. On 4/19/12, the Commission issued the ALJ's Initial Decision, sustaining the Complaint, in part, and denying the Complaint, in part. The ALJ also ordered Verizon North to pay a civil penalty of \$3,000 for violations of the Commission's regulations. Verizon North filed Exceptions on 5/9/12. No Replies to Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants in part, and denied, in part, the Exceptions of Verizon North.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2266733-OSA (PP from 12/05/2012) Commissioner Cawley Concurring in Result Only. Vote 5-0.	F-2011-2266733	MATTHEW GILLETTE VS PPL ELECTRIC UTILITIES CORP - Formal Complaint filed on 9/6/11, alleging that he was being overcharged. On 10/31/11, PPL filed an Answer. A hearing was held on 2/2/12. In an Initial Decision issued 5/10/12, ALJ Jandebeur granted in part and denied in part the Complaint. The Complainant filed Exceptions on 5/29/12. PPL filed Replies to Exceptions on 6/7/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Initial Decision, consistent with the Opinion and Order.
2268719-OSA Vote 5-0.	A-2011-2268719	AEGIS AMBULETTE SERVICE, LLC - Application filed on 10/20/11, for certain paratransit authority. Notice of the Application was published in the PA Bulletin on 12/10/11. Protests were filed by several entities. A hearing was held on 4/3/12. In his Initial Decision, issued on 9/5/12, ALJ Pell recommended that the Application be denied due to the Applicant's failure to establish the basic requirements for certification. On 9/25/12, the Applicant filed Exceptions to the Initial Decision. On 10/2/12, the Protestants filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) grants, in part, the Applicant's Exceptions; (2) vacates the Initial Decision; and (3) remands the matter to OALJ for such further proceedings as may be appropriate.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2270675-OSA Vote 5-0.	F-2011-2270675	<p>MARI JENSEN VS PECO ENERGY COMPANY - Formal Complaint filed on 10/21/11, alleging that PECO is violating the Commission's Regulations in calculating the end of year reimbursement for customer-generators with unused accumulated kilowatt-hours. On 11/23/11, PECO filed an Answer which denied the material allegations of the Complaint and a New Matter. On 2/28/12, PECO filed a Motion for Judgment on the Pleadings seeking dismissal of the Complaint or, in the alternative, that the Complaint be dismissed to allow the legal dispute to proceed as a Petition for Declaratory Order. On 5/31/12, the Commission issued the Initial Decision of ALJ Pell which granted PECO's Motion. Exceptions were filed by the Complainant on 6/18/12. PECO filed Replies to Exceptions on 8/20/12.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants the Exceptions, in part, and denies them, in part, and modifies the ALJ's Initial Decision consistent with the discussion therein.</p>
2286037-OSA Vote 5-0.	F-2012-2286037	<p>MOON KIM VS PPL ELECTRIC UTILITIES - Formal Complaint filed on 1/30/12, alleging that she was being charged improperly for more electric service than what was in her "OnTrack" agreement letter. On 2/20/12, PPL filed an Answer. A hearing was held on 4/18/12. In an Initial Decision issued 8/8/12, ALJ Jandebour dismissed the Complaint. The Complainant filed Exceptions on 8/15/12. PPL filed Replies to Exceptions on 8/30/12.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Initial Decision.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2291937-OSA Vote 5-0.	A-2012-2291937 A-6414319	QUALITY TRANSPORT SERVICES INC - Application filed on 2/22/12. No protests were filed, and the Application was decided without a formal hearing. By Order entered on 6/7/12, the Commission dismissed the Application based on its conclusion that Quality Transport failed to demonstrate the financial ability to provide the proposed service. On 6/13/12, Quality Transport filed a Petition for Reconsideration of the 6/7/12 Order. On 10/25/12, Quality Transport filed a revised Petition. No response has been filed to the Petition. Per Order of 6/21/12, the Petition was granted pending further review of, and consideration on, the merits. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition for Reconsideration, in part, and refers the Application to the Commission's Bureau of Technical Utility Services.
2293532-OSA (PP from 12/05/2012) Vote 5-0.	C-2012-2293532	JENNIFER PARKER VS PEOPLES TWP LLC - Complaint filed on 3/7/12, in which she averred, inter alia, that she was having difficulty reading her bills with regard to Peoples' low-income program. Peoples filed an Answer on 4/25/12. A telephonic hearing was held on 6/27/12. In his Initial Decision, issued on 9/13/12, ALJ Cheskis recommended that the Complaint be dismissed with prejudice. On 9/24/12, the Complainant filed Exceptions to the Initial Decision. On 10/10/12, Peoples filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) denies the Complainant's Exceptions to the Initial Decision; (2) dismisses the Complaint, with prejudice; and (3) adopts the Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2304727-OSA Vote 5-0.	R-2012-2304727 R-2012-2304735 R-2012-2304731	EQUITABLE GAS CO - Three separate Supplements filed on 5/15/12, to its gas delivery tariff. The OCA filed Complaints against each of the proposed Supplements. The Bureau of I&E, OSBA, RESA, and Dominion Energy Solutions were all granted intervention. After evidentiary hearings and briefing, ALJ Johnson's Recommended Decision was issued on 11/2/12, recommending denial of the proposed tariff supplements. Exceptions were filed by Equitable and RESA. Reply Exceptions were filed by Equitable, I&E, OCA, and OSBA. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants, in part, and denies, in part the Exceptions of Equitable, denies the Exceptions of RESA, and modifies the ALJ's recommendation.
2310181-OSA Vote 5-0.	C-2012-2310181	PUC - INVESTIGATION AND ENFORCEMENT VS LOWER BUCKS TRANSPORTATION SERVICE INC - Complaint initiated on 6/19/12, alleging that the Respondent failed to pay its full assessment for the 7/1/11 to 6/30/12 Fiscal Year. I&E requested that the Respondent be ordered to pay \$8,154, consisting of an outstanding assessment balance of \$7,094 and a civil penalty of \$1,060, and that the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint or take other action. As a result, on 7/26/12, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate of Public Convenience be revoked. No Answer to the Motion was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2311750-OSA Vote 5-0.	C-2012-2311750	<p>PUC - INVESTIGATION AND ENFORCEMENT VS TRIMAC TRANSPORTATION EAST INC - Complaint initiated on 6/29/12, alleging that the Respondent failed to file an assessment report and to pay its assessment. I&E requested that the Respondent be ordered to pay \$6,487, consisting of an outstanding assessment balance of \$4,772 and a civil penalty of \$1,715, and that the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint or take other action. As a result, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate of Public Convenience be revoked. No Answer to the Motion was filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>
2315998-OSA Vote 5-0.	C-2012-2315998	<p>PUC - INVESTIGATION AND ENFORCEMENT VS NORTH EAST TRANSFER INC - Complaint initiated on 7/26/12, alleging that the Respondent failed, inter alia, to pay its total assessment amounts for the 7/1/10 to 6/30/11 and the 7/1/11 to 6/30/12 Fiscal Years. In the Complaint, I&E requested that: (1) the Respondent be ordered to pay \$3,295, consisting of the outstanding assessment balances of \$1,130 and a civil penalty of \$2,165; and (2) the Respondent's Certificate be cancelled if it failed to pay the amount owing. The Respondent did not file an Answer to the Complaint. As a result, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that the Respondent's Certificate be revoked. No Answer to the Motion was filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2317467-OSA Vote 5-0.	C-2012-2317467	<p>PUC - INVESTIGATION & ENFORCEMENT VS ANDRES ROLANDO HERNANDEZ DIAZ - Complaint initiated on 8/3/12, alleging that the Respondent failed to pay its total assessment amount for the 7/1/10 to 6/30/11 and the 7/1/11 to 6/30/12 Fiscal Years. In the Complaint, I&E requested that: (1) the Respondent be ordered to pay \$1,314, consisting of the outstanding assessment balances of \$274, and the civil penalty of \$1,040; and (2) the Respondent's Certificate be cancelled if it failed to pay the amount owing. The Respondent did not file an Answer to the Complaint. As a result, I&E filed a Motion for Default Judgment, requesting the Complaint be sustained and that the Respondent's Certificate be revoked. No Answer to the Motion was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>
2318070-OSA Vote 5-0.	C-2012-2318070	<p>PUC - INVESTIGATION AND ENFORCEMENT VS WILLS TRUCKING INC - Complaint initiated on 8/7/12, alleging that the Respondent failed, inter alia, to pay its total assessment amount for the 7/1/08 to 6/30/09 Fiscal Year. In the Complaint, I&E requested that: (1) the Respondent be ordered to pay \$1,212, consisting of the outstanding balance of \$187, and a civil penalty of \$1,025; and (2) the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the amount owing. The Respondent did not file an Answer to the Complaint. As a result, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that the Respondent's Certificate be revoked. No Answer to the Motion was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2318088-OSA Vote 5-0.	C-2012-2318088	<p>PUC - INVESTIGATION AND ENFORCEMENT VS EUGENE R MOWERY - Complaint initiated on 8/7/12, alleging that the Respondent failed, inter alia, to pay his total assessment amount for the 7/1/11 to 6/30/12 Fiscal Year. In the Complaint, I&E requested that: (1) the Respondent be ordered to pay \$1,214, consisting of the outstanding assessment balance of \$189, and a civil penalty of \$1,025; and (2) the Respondent's Certificate be cancelled if he failed to pay the amount owing. The Respondent did not file an Answer to the Complaint. As a result, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that the Respondent's Certificate be revoked. No Answer to the Motion was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>
2318302-OSA Vote 5-0.	C-2012-2318302	<p>PUC - INVESTIGATION AND ENFORCEMENT VS JODIE L BINNER T/A JR SB HAULING - Complaint initiated on 8/8/12, alleging that the Respondent failed, inter alia, to pay its total assessment amount for the 7/1/11 to 6/30/12 Fiscal Year. In the Complaint, I&E requested that: (1) the Respondent be ordered to pay \$122, consisting of the assessment balance of \$107, and a civil penalty of \$15; and (2) the Respondent's Certificate be cancelled if it failed to pay the amount owing. The Respondent did not file an Answer. As a result, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and Respondent's Certificate be revoked. No Answer to the Motion was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2329817-OSA Vote 5-0.	A-2012-2329817	CONSOLIDATED COMMUNICATIONS OF PA AND CRICKET COMMUNICATIONS - Joint Petition filed on 10/17/12, seeking approval of an Amendment to a Commercial Mobile Radio Service Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania 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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2098011-FUS Withdrawn by the Bureau of Technical Utility Services.	A-2009-2098011	JUST ENERGY PENNSYLVANIA CORP - Application filed on 6/10/11, for approval to amend its electric generation supplier license to serve as a supplier and a broker/marketer and aggregator engaged in the business of supplying electricity for residential, small commercial (25kw demand and under) and large commercial (over 25kw demand) customers in all electric distribution company service territories within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application amendment.
2283967-FUS Vote 5-0.	A-2012-2283967	XOOM ENERGY PENNSYLVANIA LLC - The Commission, on 9/13/12, issued a 703(g) Order that tentatively rescinded its Order entered 7/20/12, that approved the NGS license of XOOM Energy Pennsylvania, LLC, regarding authority to operate in the natural gas distribution company service territory of PECO Gas, because of non-compliance with 66 Pa. C.S. §2208(c). XOOM was therefore afforded an opportunity to evidence its compliance with Section 2208(c) to the Commission by providing the necessary documentation. On 11/14/12, XOOM provided documentation to evidence its compliance with the Section 2208(c) bonding requirement for the NGDC territory of PECO Gas. RECOMMENDATION: The Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2285320-FUS Vote 5-0.	A-2012-2285320	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 1/25/12, for approval of the transfer, by sale, of the water works property and rights of the Paint Township Municipal Water Authority to PAWC; and, the commencement by PAWC of water service to the public in a portion of Paint Township, Clarion County, presently being served by the Paint Township Municipal Water Authority. No protests were filed and no hearings were held. RECOMMENDATION: The Commission adopt the proposed Order which approves the application.
2286041-FUS Vote 5-0.	A-2012-2286041	CITY OF BETHLEHEM - WATER - Application filed on 1/25/12, for approval of the transfer, by sale, of the water works property and rights of the East Allen Township Municipal Authority to the City of Bethlehem; and, the commencement by the City of Bethlehem of water service to the public in East Allen Township, and a portion of Allen Township, Northampton County. One protest was filed. Hearings were held. RECOMMENDATION: The Commission adopt the proposed Order that approves the application.
2315535-FUS Vote 5-0.	A-2012-2315535	UGI CENTRAL PENN GAS, INC - Application filed on 7/20/12, for approval to abandon natural gas distribution service to one residential customer and three commercial customers located in Oil City, Venango County. The application was filed pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa.C.S. §1102(a)(2). RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2319921-FUS Vote 5-0.	A-2012-2319921	CHRISTOFF MITCHELL PETROLEUM INC - Application filed on 7/24/12, for approval for a license to offer, render, or furnish natural gas supply services to residential, commercial (less than 6,000 Mcf annually), commercial (6,000 Mcf or more annually), industrial, and governmental customers in the service territory of Peoples Natural Gas, Columbia Gas, and UGI Central Penn, within PA, as a supplier of natural gas services. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2322668-FUS Vote 5-0.	A-2012-2322668	MP2 ENERGY NE LLC - Application filed on 8/24/12, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier for residential, small commercial (25 kw and under), large commercial (over 25 kw), industrial, and governmental customers in the electric distribution company service territories of PECO Energy, PPL Electric, Met-Ed, Duquesne Light, Penelec, UGI Utilities, Penn Power, and West Penn Power, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2322961-FUS Vote 5-0.	A-2012-2322961	GLOBAL VISION ENERGY LLC - Application filed 9/4/12, 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. Global Vision Energy, LLC also 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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2326165-FUS Vote 5-0.	A-2012-2326165 A-2012-2326081 A-2012-2326085 A-2012-2326163 A-2012-2326168 A-2012-2326172 A-2012-2326174 A-2012-2326176	US SIGNAL COMPANY LLC - Application filed on 9/11/12, for approval to offer, render, furnish or supply telecommunication services as a: CLEC in the service areas of VZ PA, VZ North, Armstrong Telephone Co North, Consolidated Communications of PA, and Windstream Pennsylvania; Reseller Interexchange Carrier (detariffed) throughout the PA; Facilities-Based Interexchange Carrier throughout PA; and a Competitive Access Provider throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: The Commission approve the application consistent with the proposed Order.
2327625-FUS Vote 5-0.	M-2012-2327625 M-00920364	CRAWFORD COUNTY'S 911 - System Renewal Plan filed on 10/3/12, by PEMA requesting a formal review of the costs associated with the contribution rate of \$1.50 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 \$1.50 per access line per month.
2327971-FUS Vote 5-0.	A-2012-2327971	HEALTHTRUST PURCHASING GROUP LP - Application filed on 10/1/12, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial (less than 6,000 MCF annually), large commercial (6,000 MCF or more annually), and industrial customers in the service territories of Columbia Gas, Equitable Gas, National Fuel Gas, PECO Energy, Peoples Natural Gas, Peoples TWP, Philadelphia Gas Works, UGI Central Penn, UGI Penn Natural, UGI Utilities Inc., and Valley Energy, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2327993-FUS Vote 5-0.	M-2012-2327993 M-00920340	DAUPHIN COUNTY'S 911 - System Renewal Plan filed on 10/5/12, 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.
2328001-FUS Vote 5-0.	P-2012-2328001	PPL ELECTRIC UTILITIES CORP - Petition filed on 10/2/12, pursuant to 52 Pa. Code. § 5.41 and 53 P.S. §10619, for a finding that a building to shelter control equipment at the Breinigsville 500-138-69 kV substation to be constructed in Upper Macungie Township, Lehigh 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. RECOMMENDATION: The Commission adopt the proposed Order that grants the petition.
2328016-FUS Vote 5-0.	A-2012-2328016	LVI POWER LLC - Application filed on 10/3/12, 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 energy consulting and electric brokering services for residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the electric distribution company service territories of Met-Ed, PECO Energy, and PPL Electric, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2330700-FUS Vote 5-0.	A-2012-2330700	F&P HOLDINGS LP - Application filed on 10/18/12, 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 large commercial, industrial, and governmental customers in all electric distribution company service territories throughout PA. F&P Holdings, LP also 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.
2330877-FUS Vote 5-0.	R-2012-2330877	NORTH HEIDELBERG SEWER COMPANY - Tariff Wastewater-Pa. P.U.C. No. 2 filed on 10/24/12, proposing an annual increase in revenues of \$106,139 (77.6%) to become effective 1/1/13. Formal Complaints have been filed. RECOMMENDATION: The Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
2330890-FUS Vote 5-0.	A-2012-2330890 A-2012-2330825 A-2012-2330891 A-2012-2330953 A-2012-2330954 A-2012-2330701 A-2012-2330702 A-2012-2330792 A-2012-2330796	TELEPORT COMMUNICATIONS AMERICA LLC - Application filed on 10/19/12, for approval to offer, render, furnish or supply telecommunication services as a CLEC in the service areas of VZ PA and VZ North. No protests were filed and no hearings were held. RECOMMENDATION: The Commission approve the application consistent with the proposed Order.
2332813-FUS Oral Statement by Chairman Powelson. Vote 5-0.	S-2012-2332813	PENNSYLVANIA AMERICAN WATER COMPANY - Securities Certificate filed on 11/6/12, with respect to the issuance of debt in a principal amount not to exceed \$60,555,000. No protests were filed and no hearings were held. On 11/19/12, PAWC voluntarily extended the consideration period to 12/21/12. RECOMMENDATION: The Commission adopt the proposed Order.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2333775-FUS Vote 5-0.	R-2012-2333775	NATIONAL FUEL GAS DISTRIBUTION - Supplement No. 135 to Tariff Gas-Pa. P.U.C. No. 9 filed on 11/9/12, proposing to unbundle natural gas procurement costs from distribution rates and recover these costs through a Gas Procurement Charge that will be included in its Price to Compare (PTC), to become effective on 2/1/13. A formal complaint was filed. RECOMMENDATION: The Commission adopt the proposed Order that suspends the tariff supplement and institutes an investigation.
2333983-FUS Vote 5-0.	R-2012-2333983	EQUITABLE GAS CO - Supplement No. 91 to Tariff Gas-Pa. P.U.C. No. 22, filed on 11/13/12, proposing to unbundle natural gas procurement costs from distribution rates and recover these costs through a Gas Procurement Charge that will be included in its Price to Compare (PTC). Equitable is also proposing to establish a Merchant Function Charge (MFC) rider to remove uncollectible bad debt expense from distribution rates and to recover these costs through an MFC rider that will be included in its PTC, to become effective on 1/12/13. A formal complaint was filed. RECOMMENDATION: The Commission adopt the proposed Order that suspends the tariff supplement and institutes an investigation.
2333993-FUS Vote 5-0.	R-2012-2333993	PHILADELPHIA GAS WORKS - Supplement No. 55 to Gas Service Tariff - Pa. P.U.C. No. 2, filed on 11/13/12, proposing to unbundle natural gas procurement costs and gas supply related uncollectible expense from distribution rates and recover these costs through a Gas Procurement Charge and a Merchant Function Charge that will be included in its Price to Compare, to become effective on 1/12/13. A formal complaint was filed. RECOMMENDATION: The Commission adopt the proposed Order that suspends the tariff supplement and institutes an investigation.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2334938-FUS Vote 5-0.	S-2012-2334938	PPL ELECTRIC UTILITIES CORP - Securities certificate filed on 11/19/12, in respect to the issuance of long-term debt in an aggregate principal amount not to exceed \$400 million. PPL Electric agreed to a voluntary extension of the consideration period until 12/20/12. RECOMMENDATION: The Commission register the securities certificate consistent with the proposed Order.
2335100-FUS Vote 5-0.	A-2012-2335100	PENTELEDATA LIMITED PARTNERSHIP - Application filed on 11/13/12, for approval of the Company's Discontinuance and Abandonment of Competitive Access Provider Services to the public within PA. RECOMMENDATION: The Commission adopt the proposed Order approving the application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2288561-LAW (PP from 12/05/2012) Vote 5-0.	M-2012-2288561	IMPLEMENTATION-UNCONVENTIONAL GAS WELL FEE ACT 13 - Order issued on 5/10/12, implementing Chapter 23 of the Unconventional Gas Well Impact Fee Act. Petitions for Reconsideration were filed. A Reconsideration Order was issued on 7/19/12, regarding Chapter 23 of Act 13. On 9/28/12, Anadarko E&P Company LP filed a Petition for Amendment and Clarification of the 5/10/12 Implementation Order. RECOMMENDATION: That the Commission adopt the proposed Order.
2289393-LAW Vote 5-0.	P-2012-2289393	TRAILCO AND PENELEC - Joint Petition pursuant to 66 Pa. C.S. § 703(g) and 52 Pa. Code § 5.43 for Rescission or Amendment of the Commission Order denying Trans-Allegheny Interstate Line Companies request for waiver of 52 Pa. Code § 57.71(d)(1)(i), (vi) to allow filing of letter of notification for construction of 2.11 miles of 230 kilovolt transmission line, instead of an application. RECOMMENDATION: That the Commission adopt the proposed Order.
2313373-LAW Vote 5-0.	M-2012-2313373 M-00051865	ACT 129 EE&C PROGRAM - 2013 TECHNICAL REFERENCE MANUAL - The Commission adopted the 2009 update to the TRM on 5/28/09. In that Order, the Commission directed Commission staff to annually revise the TRM. In August 2009, the Commission contracted with GDS Associates, Inc., to be the Act 129 Statewide Evaluator (SWE), which, among other duties, is to assist in reviewing and providing suggested changes to the TRM and Total Resource Cost Test. The SWE, in conjunction with Commission staff, has reviewed the 2012 version of the TRM and proposes several changes and additions for the 2013 TRM update. RECOMMENDATION: That the Commissioner adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2327809-LAW Vote 5-0.	P-2012-2327809	BOROUGH OF DOYLESTOWN - Petition for a Declaratory Order requesting that the Commission determine that service to eighteen customers outside its corporate boundaries is an isolated, limited group of customers that does not constitute public utility service. RECOMMENDATION: That the Commission adopt the Tentative Order.
2333985-LAW Statement by Commissioner Gardner. Vote 5-0.	P-2012-2333985	VERIZON PENNSYLVANIA AND VERIZON NORTH - Petition for a bona fide retail request deployment extension for 4 1/2 months for VZ PA and 3 months for VZ North, to 4/30/13, relating to their Youngsville CSA 4285, Elkland CSA 4001, and Westfield CSA 4001 pursuant to 66 Pa. C.S. § 3014(c)(5). Verizon asserts that the delay in completing the project is attributable to a limited work force. Verizon sent extra manpower to New Jersey to restore telephone service as a result of Hurricane Sandy in late October 2012. RECOMMENDATION: That the Commission adopt the proposed Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2273245-ALJ Postponed until the Public Meeting of January 10, 2013.	F-2011-2273245	SUE CHRISTMAS VS PECO ENERGY COMPANY - Complaint filed on 11/11/11, alleging that there were incorrect charges on her bill, and that her service was terminated because PECO failed to adhere to the terms of a Commission-issued payment arrangement. An Answer was filed 12/6/11. A hearing was held 5/1/12. COMMISSION REVIEW: That the Commission adopt ALJ Vero's Initial Decision sustaining the complaint, insofar as PECO's failure to correctly apply the terms of the Commission-issued payment arrangement.
2291457-ALJ Vote 5-0.	C-2012-2291457	BOROUGH OF NESQUEHONING VS C&S RAILROAD, PENNDOT, & CARBON COUNTY COMMISSIONERS - Complaint filed on 2/22/12, alleging that the railroad crossings at Allen Street, Mermon Avenue, and two crossings on Industrial Road in the Borough of Nesquehoning are uneven, poorly maintained and dangerous to cross; that they are hazardous and unsafe for the community. An Answer and New Matter was filed on 3/16/12; and a Response to New Matter was filed 3/20/12. A Joint Stipulation in Settlement was filed 10/2/12. COMMISSION REVIEW: That the Commission adopt ALJ Jandebour's Recommended Decision approving the Settlement.
2305467-ALJ Vote 5-0.	M-2012-2305467	WEST PENN POWER CO - Section 1307(e) Transmission Service Charge Reconciliation Statement filed on 5/21/12, setting forth the over/under collections for the twelve-month period which ended on 12/31/11. An initial hearing was held on 7/13/12. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision accepting the statement insofar as it is undisputed.
2317807-ALJ Vote 5-0.	M-2012-2317807	PENNSYLVANIA POWER CO - Section 1307(e) Smart Meter Charge Reconciliation Statement filed on 7/31/12 for the twelve months ended 6/30/12. An initial hearing was held on 9/24/12. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision accepting the statement insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2317811-ALJ Vote 5-0.	M-2012-2317811	WEST PENN POWER CO - Section 1307(e) Smart Meter Technology Charge Reconciliation Statement filed on 7/31/12, for the twelve months ended 6/30/12. On 8/24/12, WPP filed a revised Reconciliation Statement of revenues and expenses for the year ended 6/30/12. An initial hearing was held on 9/24/12. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision accepting the statement insofar as it is undisputed.
2317814-ALJ Vote 5-0.	M-2012-2317814	UGI UTILITIES, INC - ELECTRIC DIVISION - Section 1307(e) Electric Cost Adjustment Reconciliation Statement filed on 8/1/12, setting forth the over/under collections for the period 6/11-5/12. An initial hearing was held on 9/26/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statements insofar as it is undisputed.
2317816-ALJ Vote 5-0.	M-2012-2317816	UGI UTILITIES, INC - ELECTRIC DIVISION - Section 1307(e) Alternative Energy Cost Charge Reconciliation Statement filed on 8/1/12, setting forth the over/under collections for the period 6/11 through 5/12. A hearing was held on 9/26/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statements insofar as it is undisputed.
2317818-ALJ Vote 5-0.	M-2012-2317818	PECO ENERGY COMPANY - ELECTRIC - Section 1307(e) Smart Meter Cost Recovery Reconciliation Statement filed on 8/1/12, setting forth its over/under collections for the twelve-month period ending 6/30/12. A hearing was held on 9/24/12. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision accepting the statements insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2317869-ALJ Vote 5-0.	M-2012-2317869	VALLEY ENERGY, INC - Section 1307(e) Gas Cost Rate Reconciliation Statement filed on 8/2/12, setting forth its over/under collections for the twelve-month period ending 6/30/12. A hearing was held on 9/28/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statements insofar as it is undisputed.
2318051-ALJ Vote 5-0.	M-2012-2318051	PIKE COUNTY LIGHT & POWER CO - ELECTRIC - Section 1307(e) Default Service Rate Reconciliation Statement filed on 8/2/12, setting forth the over/under collections for the period from 6/11 through 5/12. A hearing was held on 9/26/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statements insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

December 20, 2012

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2310670-TAS Vote 5-0.	R-2012-2310670	YELLOW CAB COMPANY OF PITTSBURGH - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Call or Demand Pa. PUC No. 32, to become effective 12/24/12.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2337090-AUD Vote 5-0.	M-2012-2337090	PPL ELECTRIC UTILITIES CORP - Universal Service Rider. RECOMMENDATION: That the Commission approve the proposed USR rate of \$0.00393 per KWH, inclusive of GRT, to become effective 1/1/13.
2337320-AUD Vote 5-0.	M-2012-2337320	DUQUESNE LIGHT COMPANY - Universal Service Charge. RECOMMENDATION: That the Commission approve the revised proposed Supp. No. 66 to Tariff Electric – Pa. P.U.C. No. 24, submitted on 12/12/12, reflecting a USC of \$0.00388 per KWH to become effective 1/1/13.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2273650-OSA Vote 5-0.	P-2011-2273650 P-2011-2273668 P-2011-2273669 P-2011-2273670	<p>MET-ED, PENELEC, PENN POWER, & WEST PENN - By Order entered 8/16/12, the Commission, inter alia, granted, in part, the FirstEnergy Companies' Joint Petition for approval of their DSPs. On 9/6/12, the Companies filed Revised DSPs (Compliance Filing). On 9/17/12, Met-Ed Industrial Users Group, Penelec Industrial Customer Alliance, Penn Power Users Group, and West Penn Power Industrial Intervenors (collectively, Industrials) filed Comments on the Compliance Filing and the Companies filed Reply Comments on 9/24/12. By Secretarial Letter dated 11/8/12, the Compliance Filing was approved. On 11/19/12, the Industrials filed a Petition for Appeal of Staff Action (Petition) challenging the approval of the Compliance Filing. The Companies filed an Answer to the Petition on 11/29/12.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants, in part, the petition.</p>
2316131-OSA Vote 5-0.	A-2012-2316131	<p>DZ TAXI LLC - Application filed on 7/11/12, seeking the initial right to provide call or demand service. By Order entered 12/5/12, the Commission dismissed the application. On 12/14/12, DZ Taxi filed a Petition for Reconsideration of the 12/5/12 Order.</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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2333992-OSA Vote 5-0.	M-2012-2333992 M-2012-2289411 M-2009-2093215	PECO ENERGY COMPANY-ELECTRIC - Act 129 Phase II Energy Efficiency and Conservation (EE&C) Plan filed on 11/1/12, in accordance with Energy Efficiency and Conservation Program, Docket Nos. M-2012-2289411 and M-2008-2069887 (Order entered 8/3/12) (Implementation Order). On 12/5/12, PECO, OCA, OSBA, the City of Philadelphia, the Philadelphia Area Industrial Energy Users Group, Wal-Mart Stores East, and Sam's East, Citizens for Pennsylvania's Future, and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania filed a petition to modify the procedural schedule that had been established for all Act 129 Phase II EE&C proceedings in the Implementation Order, due to an unanticipated delay in the publication of notice of the Plan filing. Due to the 120 day timeline for processing Plans, we granted the Petition by notational vote on 12/14/12, and served the Order the same day. RECOMMENDATION: That the Commission, consistent with 4 Pa. Code § 1.43(c), record and enter this action in the minutes of this Public Meeting.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2322416-FUS Statement by Chairman Powelson. Commissioner Cawley Concurring in Result Only. Vote 5-0.	A-2012-2322416 A-2012-2322501	TOTAL ENVIRONMENTAL SOLUTIONS (TESI) & AQUA PA - WATER; AND, TESI & LITTLE WASHINGTON WASTEWATER COMPANY - Joint Application filed on 8/3/12, for approval of: 1) the acquisition by Aqua of the water system assets of TESI; 2) the right of Aqua to begin to offer, render, furnish and supply water service to the public; and, 3) the abandonment by TESI of public water service in Sandy Twp, Clearfield County. Joint Application also filed on 8/31/12, for approval of: 1) the acquisition by LWWC of the wastewater system assets of TESI; 2) the right of LWWC to begin to offer, render, furnish and supply public wastewater service; and, 3) the abandonment by TESI of public wastewater service. One protest was filed but is ordered dismissed because it was not filed in a timely manner. RECOMMENDATION: The Commission adopt the proposed Order which approves the Joint Applications.
2328634-FUS Vote 5-0.	R-2012-2328634	PENNSYLVANIA ELECTRIC CO - Supplement No. 26 to Tariff Electric-Pa. P.U.C. No. 80 filed on 10/5/12, for approval to modify Provision G by adding subsection (4) Alternative Energy Street Lighting, to the Municipal Street Lighting Service tariff section. Supplement No. 26 was originally filed to become effective on 12/14/12, however, Penelec voluntarily postponed the effective date to 12/27/12. RECOMMENDATION: That the Commission adopt the proposed Order approving the tariff supplement.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2329373-FUS Vote 5-0.	R-2012-2329373 M-2012-2322896	PECO ENERGY COMPANY - ELECTRIC - Supplement No. 54 to Electric Tariff No. 4, filed on 10/12/12, for approval to adjust its USFC, which includes a proposal to include an adjustment to the C-Factor (projected cost of CAP shortfall costs) to address the loss of discounts for residential heating customers (RH) and the affect it will have on the RH customers who are in the CAP program. Concurrently, PECO Energy filed Supplement No. 55 to Electric Tariff No. 4, to become effective 1/1/13, proposing to raise the CAP usage limit for CAP-RH customers in the months of November through April from 650 KWH to 1,500 KWH to compensate for the loss of the RH generation block discount. RECOMMENDATION: That the Commission adopt the proposed Order which approves the tariff supplements.