

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, JANUARY 10, 2013 (JC)

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 24, 2013 at 10:00 A.M.

Minutes of the Meeting of Wednesday, December 5, 2012 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 24, 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, JANUARY 9, 2013, 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

January 10, 2013

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2245381-TAS Vote 5-0.	A-2011-2245381	PENNDOT - Application to replace the overhead bridge where SR 0053 crosses over tracks of Norfolk Southern Railway in Gallitzin Township, Cambria County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2287514-TAS Vote 5-0.	A-2012-2287514	F & S TRANSPORTATION, INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. York County RECOMMENDATION: That the Commission adopt the proposed Order approving the application, as amended.
2289325-TAS Vote 5-0.	A-2012-2289325	FAMILY TIES TRANSPORTATION LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2290588-TAS Vote 5-0.	A-2012-2290588	NATIONWIDE MEDICAL TRANSPORT 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.
2294203-TAS Vote 5-0.	A-2012-2294203	JOHN E & SUSAN L KURTZ - 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 denying and dismissing the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2295523-TAS Vote 5-0.	A-2012-2295523	GERALD E KELLY T/A KELLY TRANSPORT - 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. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2301439-TAS Vote 5-0.	A-2012-2301439	GHOLSTON PARATRANSIT SERVICE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2301707-TAS Vote 5-0.	A-2012-2301707	AIRPORT LIMOUSINE SERVICE, INC T/A FREEDOM TRANSPORTATION - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Allegheny, Beaver, Butler, Fayette, Greene, Lawrence, Mercer, Washington and Westmoreland Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2302016-TAS Vote 5-0.	A-2012-2302016	BIG BROTHER LITTLE BROTHER ENTERPRISES LLC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2302420-TAS Vote 5-0.	A-2012-2302420	VANDOREN C BOONE T/A B-LINE VAN SERVICES - 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. Philadelphia County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2304139-TAS Vote 5-0.	A-2012-2304139	ELI STOLTZFUS - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Madisonburg, Centre County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2304405-TAS Vote 5-0.	A-2012-2304405	ALLEN H KREIDER - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2304624-TAS Vote 5-0.	A-2012-2304624	LIFE ALERT AMBULANCE INC - 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 Bucks, Chester, Delaware, and Montgomery Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2311206-TAS Vote 5-0.	A-2012-2311206	TRISTATE AMBULANCE 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, as amended.
2313349-TAS Vote 5-0.	A-2012-2313349	WILDERNESS VOYAGEURS 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 denying and dismissing the application.
2318471-TAS Vote 5-0.	A-2012-2318471	MANSUR MALIK T/A 5 STAR LIMOUSINE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Chester, Delaware, Lancaster, Berks and Montgomery Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2321845-TAS Vote 5-0.	A-2012-2321845	WILLIAM MORRIS T/A W M MORRIS TRANSPORTATION SERVICE - 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 denying and dismissing the application.
2322942-TAS Vote 5-0.	A-2012-2322942	BLD LIMOUSINE LLC T/A SAVANNAH'S LIMOUSINE COMPANY - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Tentative Order denying the application.
2325093-TAS Vote 5-0.	A-2012-2325093	RUTH T & CLARENCE N KAUFFMAN T/D/B/A KAUFFMAN TRANSPORT - 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.
2325757-TAS Vote 5-0.	A-2012-2325757	DELMER L PEACHEY - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Mifflin County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2332104-TAS Vote 5-0.	A-2012-2332104 A-2009-2139829	AUTO EFFECTS MOTOR SPORTS INC - 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 passenger 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>
2268425-AUD Vote 5-0.	D-2011-2268425	METROPOLITAN EDISON CO - Smart Meter Technologies Charge. RECOMMENDATION: That the Commission release the Audit Report to the public.
2268426-AUD Vote 5-0.	D-2011-2268426	PENNSYLVANIA ELECTRIC CO - Smart Meter Technologies Charge. RECOMMENDATION: That the Commission release the Audit Report to the public.
2268427-AUD Vote 5-0.	D-2011-2268427	PENNSYLVANIA POWER CO - Smart Meter Technologies Charge. RECOMMENDATION: That the Commission release the Audit Report to the public.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

1119152-OSA

I-00970069

Vote 5-0.

READING BLUE MOUNTAIN & NORTHERN RAILROAD

- By Order entered 5/24/99, the Commission directed the Township to prepare construction plans for the demolition of the existing bridge and the construction of a new bridge to carry Mary Street over the tracks of the railroad. The Township has received several time extensions for completion of this project. On 6/29/12, the Township filed a Motion for Extension of Time to Comply with the 1999 Order. By Order entered 8/2/12, the Township's Motion was granted. On 8/13/12, the Railroad filed a Petition for Reconsideration of the August 2012 Order. The Township filed a Reply to the Petition. By Order entered 8/30/12, the Commission granted the Petition, pending further review of, and consideration on, the merits.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order denying the petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2108186-OSA Vote 5-0.	C-2009-2108186 C-2009-2108239	CORE COMMUNICATIONS VS AT&T PENNSYLVANIA & TCG PITTSBURGH - Two Formal Complaints filed on 5/19/09, alleging non-payment by AT&T for terminating AT&T transmissions from Verizon tandem switches to Core's end-user customers. On 5/24/11, the ALJ's Initial Decision was issued. By Opinion and Order entered 1/5/12, the Commission sustained the Complaints, in part, and dismissed them, in part. On 12/19/12, AT&T filed a Petition for Reconsideration and Stay, and on 12/20/12, Core filed a Petition for Reconsideration and Clarification. Answers were filed on 12/31/12. Due to the fact that the thirty-day period to act on the Petition for Reconsideration closed on 1/4/13, we granted Core's Petition pending review of and consideration on the merits, and we denied in part and granted in part AT&T's Petition, pending review of and consideration on the merits. A Final Order was adopted by notational vote on 1/4/13, and served 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.
2244748-OSA Vote 5-0.	C-2011-2244748	MARY KINGCADE VS PECO ELECTRIC COMPANY - Formal Complaint filed on 6/2/11, alleging, inter alia, that PECO had improperly terminated her electric service on 5/27/10 and that she was improperly denied CAP arrearage forgiveness. On 8/9/11, PECO filed an Answer denying the allegations. A hearing was held on 3/21/12. In an Initial Decision, issued on 9/28/12, ALJ Fordham dismissed the Complaint. The Complainant filed Exceptions on 10/18/12. PECO filed Replies to Exceptions on 11/2/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Complainant's Exceptions and adopts the ALJ's Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2248437-OSA Vote 5-0.	C-2011-2248437	RAYMOND KOCHIS VS PENNSYLVANIA AMERICAN WATER COMPANY - Formal Complaint filed on 6/13/11, alleging, inter alia, that PAWC had no right to terminate his service after he refused to grant access to PAWC to inspect the water meter on the inside of his residence. On 7/13/11, PAWC filed an Answer and New Matter. A hearing was held on 1/18/12. In an Initial Decision issued 7/12/12, ALJ Dunderdale dismissed the Complaint. The Complainant filed Exceptions on 8/14/12. PAWC filed Replies to Exceptions on 8/23/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Initial Decision.
2258492-OSA Vote 5-0.	C-2011-2258492	THOMAS ANGELOU & NICHOLAS ANGELOU VS PENNSYLVANIA AMERICAN WATER - Formal Complaint filed on 8/19/11, alleging that PAWC provided inadequate utility service in 2006 by advising the Complainants to wait before installing a service line on their property and placing a meter on one of the structures. The Complainants alleged that, at the time, a trench had already been dug for one service line and the additional line could have been placed in the same trench thereby reducing the cost. The Respondent filed an Answer which denied the material allegations of the Complaint. On 5/21/12, the Initial Decision of ALJ Dunderdale was issued, which sustained the Complaint, in part, and imposed a civil penalty on the Respondent. The Respondent filed Exceptions on 6/11/12. No Reply Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants, in part, and denies, in part, the Respondent's Exceptions, reverses the Initial Decision and dismisses the complaint.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2303046-OSA Vote 5-0.	C-2012-2303046	CARL HILL VS READING BLUE MOUNTAIN AND NORTHERN RAILROAD - Complaint filed on 5/2/12, alleging that the pertinent crossing is in a state of disrepair and is in need of improvement. Two meetings were held at the crossing. By Order of 8/30/12, the Commission found that a hearing was not necessary and directed that certain repairs be made within 30 days of the date of entry of the Order. On 9/18/12, the Railroad filed "Exceptions" to the August 30 Order, which were deemed to be a Petition for Reconsideration. By Order entered October 24, 2012, the Commission: (1) granted the Railroad's Petition; (2) directed that the Railroad immediately perform repairs at the crossing; (3) referred the matter to the OALJ for proceedings on the allocation of costs for the project. On 11/7/12, the Railroad filed a Petition for Reconsideration of the October 24 Order. On 11/16/12, PennDOT filed an Answer to the Petition. By Order entered 11/20/12, the Commission granted the Petition pending review of the merits. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order denying the Petition.
2316995-OSA Vote 5-0.	A-2012-2316995	LIFESTAR AMBULANCE, INC. - Application filed on 8/1/12, seeking contract carrier rights. By Order entered 12/5/12, the Commission denied and dismissed the Application. Lifestar filed a Petition for Reconsideration on 12/21/12. Due to the fact that the thirty day period to act on the Petition for Reconsideration closed on 1/4/13, we granted the Petition pending review of, and consideration on, the merits. A Final Order was adopted by notational vote on 12/31/12, and served 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2331895-OSA Vote 5-0.	A-2012-2331895	CITIZENS TELECOMMUNICATIONS OF NEW YORK INC T/A FRONTIER COMMUNICATIONS AND SERVICE ELECTRIC TELEPHONE - Joint Petition filed on 11/1/12, seeking approval of an Interconnection 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.
2332502-OSA Vote 5-0.	A-2012-2332502 A-311080	VERIZON PA & CRICKET COMMUNICATIONS - Joint Petition filed on 11/2/12, seeking approval of Amendment No. 2 to an Interconnection 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 that grants the Joint Petition.
2332504-OSA Vote 5-0.	A-2012-2332504 A-311080F7001	VERIZON NORTH & CRICKET COMMUNICATIONS - Joint Petition filed on 11/2/12, seeking approval of Amendment No. 1 to an Interconnection 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 that grants the Joint Petition.
2332507-OSA Vote 5-0.	A-2012-2332507	VERIZON PA & PRINCETON HOSTED SOLUTIONS - Joint Petition filed on 11/2/12, seeking approval of an Interconnection 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2332509-OSA Vote 5-0.	A-2012-2332509	VERIZON NORTH & PRINCETON HOSTED SOLUTIONS - Joint Petition filed on 11/2/12, seeking approval of an Interconnection 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.
2332749-OSA Vote 5-0.	A-2012-2332749 A-2008-2034991	MAHANAY AND MAHANTANGO & SERVICE ELECTRIC - Joint Petition filed on 11/5/12, seeking approval of the an Amendment to an Interconnection 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.
2333300-OSA Vote 5-0.	A-2012-2333300	CONSOLIDATED COMMUNICATIONS & SALSGIVER TELECOM - Joint Petition filed on 11/8/12, requesting approval of an Interconnection Agreement pursuant to Section 252(i) 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 that grants the Joint Petition.
2334884-OSA Vote 5-0.	A-2012-2334884	CONSOLIDATED COMMUNICATIONS & LEVEL 3 COMMUNICATIONS - Joint Petition filed on 11/19/12, seeking approval of an Interconnection 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 that grants the Joint Petition.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2311471-FUS Vote 5-0.	A-2012-2311471	CLEARVIEW ELECTRIC INC T/A CLEARVIEW ENERGY - Application filed on 6/25/12, for approval to offer, render, furnish, or supply natural gas supply services to residential, small commercial (less than 6,000 mcf annually), large commercial (6,000 Mcf or more annually), industrial and governmental customers in the natural gas distribution service territories of PECO Energy and Peoples Natural Gas, within PA, as a supplier of natural gas services. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2319320-FUS Vote 5-0.	A-2012-2319320	COLUMBIA GAS OF PA INC - Application filed on 8/2/12, for approval to abandon natural gas distribution service to one commercial customer located in Indiana, PA. 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.
2321411-FUS Vote 5-0.	A-2012-2321411	SOUTH SHORE TRADING AND DISTRIBUTORS INC - Application filed on 8/28/12, 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 supplying electricity to small commercial (under 25 kW), large commercial (over 25 kW), industrial, and governmental customers in the electric distribution company service territories of West Penn Power, PECO Energy, Duquesne Light, PPL Electric Utilities, Met-Ed, Penelec, Penn Power, UGI Utilities, Pike County Light & Power, Citizens' Electric, and Wellsboro 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>
2325034-FUS (PP from 12/20/2012) Joint Statement by Chairman Powelson and Commissioner Witmer. Statement by Commissioner Cawley. Vote 5-0.	P-2012-2325034 M-2012-2293611	PPL ELECTRIC UTILITIES CORP - Petition filed on 9/18/12, filed pursuant to Act 11 of 2012, the Final Implementation Order of Act 11 and 66 Pa. C.S. § 1352 for approval of PPL Electric's Long-Term Infrastructure Improvement Plan. No protests were filed. One petition to intervene was filed. No hearings were held. Two entities filed comments but did not request hearings. RECOMMENDATION: That the Commission adopt the proposed Order that grants this petition.
2330542-FUS Joint Statement by Chairman Powelson and Commissioner Witmer. Vote 5-0.	A-2012-2330542	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 10/19/12, for approval of the right to offer, render, furnish, or supply water service to the public in additional portions of Summit Township, Butler County. No protests were filed and no hearings were held. RECOMMENDATION: The Commission adopt the proposed Order that approves the application.
2330899-FUS Vote 5-0.	M-2012-2330899 M-00981068	FULTON COUNTY'S 911 - System Renewal Plan filed on 10/25/12, 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2331882-FUS Vote 5-0.	A-2012-2331882 A-2012-2331884 A-2012-2331886 A-2012-2331888 A-2012-2331889 A-2012-2331890 A-2012-2331891 A-2012-2331894 A-2012-2331972	SPECTROTEL OF PENNSYLVANIA LLC - Application filed on 10/16/12, for approval to offer, render, furnish or supply telecommunication services as a CLEC in the service areas of Frontier Communications Commonwealth Telephone, Frontier Communications of Breezewood, Frontier Communications of Canton, Frontier Communications of Lakewood, Frontier Communications of Oswayo River, Frontier Communications of Pennsylvania, Verizon North, and Verizon Pennsylvania and; a Reseller Interexchange Carrier throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2332923-FUS Vote 5-0.	A-2012-2332923	C GROUP ENERGY SERVICES LLC - Application filed on 10/29/12, 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 Met-Ed, PECO and PPL Electric service territories in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2334188-FUS Vote 5-0.	A-2012-2334188	AUI ASSOCIATES INC - Application filed on 11/5/12, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial (25 kW and under), large commercial (over 25 kW), industrial and governmental customer classes in the electric distribution company service territory of PECO Energy throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves application.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2074154-LAW

M-2008-2074154

Vote 5-0.

ACT 129 - PHASE 2 - REGISTRY OF CONSERVATION SERVICE PROVIDERS

- Order adopted on 2/5/09, that established the minimum experience and qualification requirements each Conservation Service Provider (CSP) must meet to be included on the CSP registry, in accordance with Act 129 of 2008, 66 Pa.C.S. § 2806.2. This 2009 CSP Registry Order also established the application for registration and the registration fee. During the more than three years since the establishment of the CSP registry, the Commission, electric distribution companies and CSPs have gained experience and knowledge in registering and qualifying CSPs to implement the Act 129 Energy Efficiency and Conservation Program. Based on this experience and newfound knowledge, the Commission proposes, through this Tentative Order, changes to the CSP application and application process and seeks comments on these proposed changes.

RECOMMENDATION:

That the Commission adopt the proposed Tentative Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2331973-LAW Vote 5-0.	M-2012-2331973	ELECTRONIC ACCESS TO PRE-SERVED TESTIMONY - The Efficient Work Group was formed to streamline Commission paperwork requirements and processes. The Group has identified the need to provide Commission staff, as well as parties of record in an adjudicatory proceeding, electronic access to parties' pre-served testimony through the Commission's case and document management system. On 11/8/12, the Commission issued a Secretarial Letter proposing that parties serving pre-served testimony in proceedings pending before the Commission pursuant to 52 Pa. Code § 5.412(f) be required, within a certain time period after the final hearing in an adjudicatory proceeding, to either eFile with or provide to the Secretary's Bureau a Compact Disc (CD) containing all testimony furnished to the court reporter during the proceeding. Comments to the Secretarial Letter were filed by the PA Department of Transportation; OCA; PECO Energy; Eckert Seamans Cherin & Mellott, LLC; and, jointly, the First Energy companies. RECOMMENDATION: That the Commission adopt the proposed Order.
2333159-LAW Vote 4-1 with Commissioner Cawley Dissenting.	P-2012-2333159	VERIZON NORTH LLC - Petition filed for temporary exemption from 52 Pa. Code § 63.53(b)(2) (Operator handled calls – speed of call answer metric), and instead to comply with 52 Pa. Code § 54.153(b) until the Commission either repeals or changes 52 Pa. Code § 63.59(b)(2), or otherwise completes a rulemaking proceeding to consider changes to or repeal of section 63.59(b)(2). 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 (PP from 12/20/2012) Motion by Commissioner Gardner. Vote 5-0.	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.
2308313-ALJ Vote 5-0.	C-2012-2308313	MICHAEL SALKO JR VS UGI PENN NATURAL GAS INC - Complaint filed on 5/30/12, alleging that a prior oral agreement settling a formal complaint was not being honored. On 6/27/12, UGI PNG filed an Answer. A hearing was held on 8/22/12. COMMISSION REVIEW: That the Commission adopt ALJ Jandebour's Initial Decision, denying in part, granting in part the complaint, and ordering PNG to provide the agreed upon written materials.
2312472-ALJ Vote 5-0.	M-2012-2312472	PPL ELECTRIC UTILITIES CORP - Final Generation Supply Charge-1 Reconciliation Report filed on 6/29/12, for the period ended 4/30/12. A hearing was held on 9/6/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2317797-ALJ Vote 5-0.	M-2012-2317797	METROPOLITAN EDISON CO - Smart Meter Technologies Charge – Section 1307(e) Statement filed on 7/31/12, for the twelve months ended 6/30/12. A 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>
2317803-ALJ Vote 5-0.	M-2012-2317803	PENNSYLVANIA ELECTRIC CO - Smart Meter Technologies Charge – Section 1307(e) Statement filed on 7/31/12, for the twelve months ended 6/30/12. A 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.
2318339-ALJ Vote 5-0.	M-2012-2318339	NRG ENERGY CENTER PGH - Steam Cost Rate Section 1307(e) Reconciliation Statement filed on 8/8/12, setting forth the over/under collections for the twelve month period which ended on 6/30/12. A hearing was held on 10/24/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa’s Recommended Decision accepting the Statement insofar as it is undisputed.
2326598-ALJ Statement by Commissioner Gardner. Vote 5-0.	C-2012-2326598	THAI VAN THIEU VS PHILADELPHIA GAS WORKS - Complaint filed on 9/20/12, alleging PGW mailed him a pre-lien letter on 6/15/12, informing him that a municipal lien would be placed on his service property unless full payment of \$4,672 was received. On 10/18/12, PGW filed an Answer and Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Barnes’ Initial Decision granting the Preliminary Objections for lack of jurisdiction and otherwise dismissing the complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

January 10, 2013

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2098011-FUS

A-2009-2098011

Vote 5-0.

JUST ENERGY PENNSYLVANIA CORP
- Application filed on 6/10/11, for approval to amend its natural gas supplier license to offer, render, furnish, or supply natural gas supply services to residential, small commercial (less than 6,000 Mcf annually), large commercial (6,000 Mcf or more annually), industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas, PECO Energy, National Fuel Gas, UGI Utilities, UGI Central Penn Gas, and UGI Penn Natural Gas, within PA, as a supplier of natural gas services, an aggregator engaged in the business of supplying natural gas services and a broker/marketer engaged in the business of supplying natural gas services.

RECOMMENDATION:

That the Commission adopt the proposed Order which approves the application amendment.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
SUPPLEMENTAL CARRY-IN AGENDA**

January 10, 2013

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 - Formal Complaint filed on 10/21/11. By Initial Decision, issued on 5/31/12, ALJ Pell recommended that the Complaint be dismissed. Complainant filed Exceptions to the Initial Decision on 6/15/12. By Order entered 12/20/12, the Commission granted, in part and denied, in part the Complainant's Exceptions. PECO filed a Petition for Reconsideration on 1/4/13. 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.</p>