

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, SEPTEMBER 12, 2013 (JFC)

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, September 26, 2013 at 10:00 A.M.

Minutes of the Meeting of Thursday, August 15, 2013 (PW)

*****ANNOUNCEMENTS*****

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

September 12, 2013

BUREAU OF ADMINISTRATION

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2381223-BAS Vote 5-0		PUBLIC UTILITY COMMISSION - General Assessment upon Public Utilities for FY 2013-2014. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with Section 510 of the Public Utility Code, the amount of the General Assessment for the Fiscal Year 7/1/13 to 6/30/14, on each applicable public utility.
2381224-BAS Vote 5-0		OFFICE OF CONSUMER ADVOCATE - General Assessment upon Public Utilities for FY 2013-2014. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with Act 15 of 1977, the amount of the General Assessment for the Fiscal Year 7/1/13 to 6/30/14, on each applicable public utility.
2381225-BAS Vote 5-0		OFFICE OF SMALL BUSINESS ADVOCATE - General Assessment upon Public Utilities for FY 2013-2014. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with 73 P.S. §399-46, the amount of the General Assessment for the Fiscal Year 7/1/13 to 6/30/14, on each applicable public utilities.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2175330-OSA Vote 5-0	C-2010-2175330	BUR OF INVESTIGATION & ENFORCEMENT VS GERMANTOWN CAB CO - Complaint filed on 8/4/10, alleging various violations of the Commission's Regulations. On 8/23/10, the Respondent filed an Answer denying the allegations. An evidentiary hearing was held on 10/25/11. On 2/10/12, the Respondent filed a Motion for a Declaratory Order and a Brief in Support of the Motion. On 3/6/12, I&E filed Preliminary Objections to the Motion and a Brief in Support. In an Initial Decision, issued 7/18/12, ALJ Fordham denied the Respondent's Motion and sustained the Complaint. The Respondent filed Exceptions on 8/7/12. I&E filed Replies to Exceptions on 8/17/12. By Order entered 2/14/13, the Commission denied the Respondent's Exceptions and adopted the Initial Decision. On 3/1/13, the Respondent filed a Petition for Reconsideration of the 2/14/13 Order. No Answers to the Petition were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition, in part, and denies the Petition, in part.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2242898-OSA Vote 5-0	P-2011-2242898	<p>BUR OF TRANSPORTATION & SAFETY, RAIL SAFETY PROCEDURAL STREAMLINING PROJECT - A Pilot Program regarding Streamlining Rail Procedures commenced on 1/1/10. The Pilot Program was extended through 6/30/11. On 3/10/11, the Rail Safety Division of the Bureau of Transportation and Safety issued a document titled "Rail Safety Division, Streamlined Procedures." On 4/7/11, the Keystone State Railroad Association submitted a Letter stating its objection to one item in the Streamlined Procedures document, and its reasoning behind the objection. By Letter dated 4/28/11, the BTS rejected KSRRA's reasoning. On 5/20/11, KSRRA filed the instant Petition for Appeal of Staff Action. No Answer to the Petition has been filed. On 9/5/12, a Secretarial Letter was issued holding the Petition in abeyance pending the conclusion of the Rulemaking proceeding. The Commission issued its Final Rulemaking Order on 1/24/13.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies KSRRA's Petition.</p>
2273271-OSA Vote 5-0	F-2011-2273271	<p>SUSAN HEWITT VS PECO ENERGY COMPANY - Formal Complaint filed on 11/12/11, alleging that there were incorrect charges on her electric bill; that there was a reliability, safety, or quality problem with her electric service; that she received a notice that her electric service was being terminated; and, that she would like a payment agreement. On 12/6/11, PECO filed an Answer and New Matter. A hearing was held on 7/17/12. In an Initial Decision issued 12/27/12, ALJ Pell dismissed the Complaint. The Complainant filed Exceptions on 1/11/13. PECO filed Replies to Exceptions on 1/14/13.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the Initial Decision, consistent with the Opinion and Order.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2284038-OSA Vote 5-0	F-2012-2284038	<p>JACK BLEIMAN VS PECO ENERGY COMPANY - Formal Complaint filed on 1/12/12, alleging that PECO wrongfully placed the entire balance of a tenant's bill in his name upon finding a foreign load situation at his rental property. On 5/21/12, the Complainant filed an amended Complaint alleging that PECO trespassed on his property. By Order entered 6/13/13, the Commission sustained the Complaint, in part, and dismissed the Complaint, in part. On 6/26/13, the Complainant filed a Petition for reconsideration of the 6/13/13/Order. No response to the Petition has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Petition.</p>
2298281-OSA Vote 5-0	F-2012-2298281	<p>DAVID WILLIAMS VS PENNSYLVANIA AMERICAN WATER COMPANY - Formal Complaint filed on 4/3/12, alleging an inability to pay his water bill, and seeking a new payment arrangement with PAWC. On 5/2/12, PAWC filed an Answer and New Matter, and on 5/30/12, the Complainant filed a Reply to New Matter. An evidentiary hearing was held on 10/22/12. By Initial Decision issued 3/29/13, Special Agent Hunt dismissed the Complaint. On 4/10/13, the Complainant filed Exceptions to the Initial Decision, and on 4/25/13, PAWC filed Replies to the Complainant's Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the Special Agent's Initial Decision, as modified by the proposed Opinion and Order.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2321024-OSA Vote 5-0	C-2012-2321024	<p>PUC - INVESTIGATION AND ENFORCEMENT VS TURTLE CREEK INDUSTRIAL RAILROAD COMPANY</p> <p>- Complaint filed on 8/27/12, alleging failure to file an Assessment Report for the 2007 calendar year and to pay its assessments for the 2007-2008, 2008-2009, 2009-2010, and 2010-2011 fiscal years. I&E requested that the Respondent be ordered to pay its outstanding assessment balance and a civil penalty and that the Respondent's Certificate of Public Convenience be revoked if it failed to do so. The Respondent did not file an Answer to the Complaint. On 11/21/12, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate be revoked. No Answer to the Motion was filed. On 4/10/13, I&E filed a letter indicating that it was no longer pursuing certain civil penalties. On or about 4/16/13, the Respondent submitted a check for \$1,045 toward the unpaid assessments and civil penalties.</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>
2325083-OSA Vote 5-0	C-2012-2325083	<p>PUC - INVESTIGATION AND ENFORCEMENT VS STEVEN J BUTTS</p> <p>- Complaint filed on 9/19/12, alleging that he failed to file assessment reports for two Fiscal Years. By Notice issued on 3/15/13 and subsequently published in the PA Bulletin, a hearing was scheduled for 5/16/13. The hearing was held as scheduled. In her Initial Decision, issued on 6/18/13, ALJ Colwell recommended that the Respondent be directed to pay a sum of \$1,431, consisting of unpaid assessments of \$1,231 plus a civil penalty of \$200. I&E filed Exceptions to the Initial Decision on 7/8/13.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that: (1) grants, in part, and denies, in part, I&E's Exceptions to the Initial Decision; and (2) adopts the Initial Decision as modified.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2330211-OSA Vote 5-0	C-2012-2330211	<p>PUC - INVESTIGATION AND ENFORCEMENT VS WESTMORELAND AEROSPORTS INC T/A A SKY LIMOUSINE</p> <p>- Complaint filed on 10/19/12, alleging failure to file Assessment Reports for the 2009 and 2010 calendar years and to pay its assessments for the 2008-2009, 2010-2011, and 2011-2012 fiscal years. I&E requested that the Respondent be ordered to pay its outstanding assessment balance and a civil penalty and that the Respondent's Certificate of Public Convenience be revoked if it failed to do so. The Respondent did not file an Answer to the Complaint. On 11/20/12, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate be revoked. No Answer to the Motion was filed. On 4/10/13, I&E filed a letter indicating that it was no longer pursuing the civil penalty associated with the outstanding assessment balance for the 2008-2009 fiscal year.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.</p>
2335088-OSA Vote 5-0	C-2012-2335088	<p>BRENDA CRAWFORD VS PECO ENERGY COMPANY</p> <p>- Formal Complaint filed on 11/6/12, requesting a payment agreement. On 11/30/12, PECO filed an Answer and New Matter. A telephonic hearing was held on 4/1/13. By Initial Decision issued on 4/17/13, Special Agent Hunt dismissed the Complaint. The Complainant filed Exceptions on 6/3/13. PECO filed Replies to Exceptions on 6/12/13.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Complainant's Exceptions and adopts the Special Agent's Initial Decision.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2339663-OSA Vote 5-0	C-2012-2339663	<p>PUC - INVESTIGATION AND ENFORCEMENT VS BRIAN J PALMER T/A PALMER TRUCKING - Complaint filed on 12/19/12, alleging that the Respondent failed to pay its total assessment amount for the 2011-2012 Fiscal Year. In the Complaint, I&E requested that: (1) the Respondent be ordered to pay \$168, consisting of the assessment balance of \$148, and a civil penalty of \$20; 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. I&E later filed an Amended Motion for Default Judgment. No Answer to the Amended Motion was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Amended Motion for Default Judgment.</p>
2371351-OSA Vote 5-0	A-2013-2371351	<p>UNITED TELEPHONE T/A CENTURYLINK AND VERIZON WIRELESS - Joint Petition filed on 6/28/13, requesting approval of Amendment No. 2 to the Commercial Mobile Radio Service 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.</p>
2371356-OSA Vote 5-0	A-2013-2371356	<p>VERIZON PENNSYLVANIA AND 365 WIRELESS - Joint Petition filed on 6/28/13, requesting approval of Amendment No. 2 to the 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.</p>

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2371366-OSA

A-2013-2371366

VERIZON NORTH AND 365 WIRELESS
- Joint Petition filed on 7/1/13, requesting approval of Amendment No. 2 to an existing 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.

Vote 5-0

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2284063-TUS Vote 5-0	C-2013-2284063	BUR OF INVESTIGATION & ENFORCEMENT VS SHERMANS VALLEY TRUCKING LLC - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. RECOMMENDATION: That the Commission adopt the proposed Order directing that the Order of March 14, 2013 be rescinded, that the instant complaint be closed, and that the respondent's Certificate of Public Convenience at A-8913995 be reinstated.
2294930-TUS Vote 5-0	R-2012-2294930 A-6310311	ROSEMONT TAXICAB CO INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Paratransit PA PUC No. 2, to become effective on 9/16/13.
2317871-TUS Vote 5-0	R-2012-2317871	TIME SAVER TAXI, INC. - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Paratransit PA PUC No. 4, to become effective on 9/16/13.
2329021-TUS Vote 5-0	P-2012-2329021	KUTZTOWN AREA TRANSPORT SERVICE INC - Petition requesting a waiver of 52 PA Code § 29.503. Berks County RECOMMENDATION: That the Commission adopt the Order granting the petition.
2343429-TUS Vote 5-0	A-2013-2343429	TRANSCEND MOTOR SERVICE LLC - 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.
2346222-TUS Vote 5-0	A-2013-2346222	U S GRID ENERGY F/N/A PJM WHOLESALE BROKERS - Application filed on 2/4/13, 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 customers in all of the electric distribution company service territories 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>
2348810-TUS Vote 5-0	A-2013-2348810	ARMANI'S LIMOUSINE SERVICE LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2350290-TUS Vote 5-0	A-2013-2350290	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 2/22/13, for approval of the right to offer, render, furnish, or supply water service to the public in an additional portion of Young Township, Jefferson County. Proofs of publication and service to appropriate entities were submitted by PAWC. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2351644-TUS Vote 5-0	A-2013-2351644	MARTHA K KING T/A VU GAESHT ONNA - 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.
2355919-TUS Vote 5-0	A-2013-2355919	NATIONAL FUEL GAS DISTRIBUTION - Application filed on 3/29/13, for approval to seek a Certificate of Public Convenience authorizing it to abandon natural gas distribution service to one commercial customer located in Mercer County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2356337-TUS Vote 5-0	A-2013-2356337	AMIRAH CUTTS T/A CUTTS ENTERPRISE SOLUTIONS - Application for the right to begin to transport persons as a contract carrier by motor vehicle. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2357015-TUS Vote 5-0	A-2013-2357015	POWER MANAGEMENT CO LLC - Application filed on 3/12/13, 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), governmental, and industrial customers in the natural gas distribution company service territories of Columbia Gas, National Fuel Gas, PECO Energy, Peoples Natural Gas, Peoples TWP, Philadelphia Gas Works, UGI Central Penn, UGI Penn Natural, UGI Utilities, and Valley Energy within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2357038-TUS Vote 5-0	A-2013-2357038	PYRAMIDS EXECUTIVE LIMOUSINE INCORPORATED - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Philadelphia area RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2359735-TUS Vote 5-0	A-2013-2359735	ALL VALLEY TRANSPORTATION NETWORK INC - Application for the right to begin to transport as a contract 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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2359806-TUS Vote 5-0	A-2013-2359806	REFLECTIVE ENERGY SOLUTIONS LLC - Application filed on 4/22/13, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial (under 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial, and governmental customers in the natural gas distribution company service territories of Valley Energy, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, Peoples TWP, PECO Energy, Philadelphia Gas Works, National Fuel Gas, Peoples Natural Gas, Equitable Gas, and Columbia Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2359823-TUS Vote 5-0	A-2013-2359823	PROGRESSIVE ENERGY CONSULTANTS - Application filed on 4/25/13, for approval for a license to supply electric generation services as a broker/marketer to residential, small commercial (25kW and under demand), large commercial (over 25kW demand), industrial and governmental customers in the electric distribution company service territories of Met-Ed, Penn Power, West Penn Power, Penelec, PECO Energy and PPL Electric within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2365129-TUS Vote 5-0	A-2013-2365129	TELCO PROS INC D/B/A TIP EFFICIENCY - Application filed on 5/16/13, seeking to act as a broker/marketer of retail electric power to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in all electric distribution company service territories within PA. TPI Efficiency requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c). 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>
2366873-TUS Vote 5-0	P-2013-2366873	LITTLE WASHINGTON WASTEWATER CO - Petition filed on 5/31/13, for approval of a Long-Term Infrastructure Improvement Plan (LTIP) & Distribution System Improvement Charge (DSIC). The OCA filed Comments to the LTIP, and a Formal Complaint, Comments, and an Answer to the DSIC. Arnold M. Kring filed a Formal Complaint. RECOMMENDATION: That the Commission approve the petition consistent with the proposed Order.
2367313-TUS Vote 5-0	A-2013-2367313	INSIGHT ENERGY LLC - Application filed on 6/4/13, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small commercial (under 25kW demand) and large commercial (over 25kW demand) customers in all of the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2369286-TUS Vote 5-0	A-2013-2369286	UGI ENERGY SERVICES, INC. D/B/A UGI NEWCO LLC - Petition filed on 5/8/13, for approval requesting that the natural gas supplier license of UGI Energy Services, Inc. at A-125018, be transferred to UGI Newco, LLC. Also, an application was filed for approval to offer, render, furnish or supply natural gas supply services as a broker/marketer, an aggregator, and a supplier of natural gas 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 throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order that approves the transfer of UGI Energy Services, Inc.'s natural gas supplier license to UGI Newco, LLC, approves the license application of UGI Newco, LLC and cancels the license of UGI Energy Services, Inc.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2369288-TUS Vote 5-0	A-2013-2369288	UGI ENERGY SERVICES, INC. D/B/A UGI NEWCO LLC - Petition filed on 5/8/13, for approval to request that the electric generation supplier license of UGI Energy Services, Inc. at A-110076, be transferred to UGI Newco LLC. Also, an application was filed for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marker, an aggregator, and a supplier to residential, small commercial (25 kW and under), large commercial (over 25 kW), industrial and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order that approves the transfer of UGI Energy Services, Inc.'s electric generation supplier license; approves the license application of UGI Newco LLC and cancels the license of UGI Energy Services, Inc.
2370205-TUS Vote 5-0	A-2013-2370205	PENNSYLVANIA POWER CO. - Letter of Notification filed on 6/20/13, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(vi), with respect to the Krendale-Maple 138 kV Transmission Line Tap to the Mark West Liberty Bluestone Project in Jackson Township, Butler County. No protests were filed and no hearings were held. 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>
2372112-TUS Vote 5-0	A-2013-2372112	<p>PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 7/3/13, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(i), (iv) and (vi), with respect to the replacement of two existing 69 kV Lines with the Siegfried-Hauto #1 & #2 138/69 kV Transmission Line and the modification and construction of the Treichlers 138/69 kV Taps in Allen Township in Northampton County and North Whitehall and Washington Townships in Lehigh County. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.</p>
2372436-TUS Vote 5-0	E-2013-2372436	<p>SEAN FINAN & MAURA K FINAN - Petition filed on 4/18/13, for approval for an exception from the underground utility service requirements at 52 Pa. Code §57.83. The Petition was determined to be deficient for lack of service to the appropriate parties. On 7/1/13, the Petitioners satisfied the filing requirements and the Petition was officially docketed. The property subject to the underground utility service requirements is a 57 lot residential subdivision (Quarry Heights of Parker Glen) in part of a 743 acre plot (Tax Map number 036.00-01-38) located in Shohola Township, Pike County.</p> <p>RECOMMENDATION: That the Commission grant an exception from the underground requirements in 52 Pa. Code §57.83. This exception also applies to the provision of telephone service as provided for at 52 Pa. Code §63.41(i).</p>

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2372934-TUS Vote 5-0	M-2013-2372934	UNION COUNTY'S 911 - System Renewal Plan filed on 7/10/13, by PEMA 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: That the Commission adopt the proposed Order which approves a contribution rate of \$1.50 per access line per month.
2374342-TUS Vote 5-0	M-2013-2374342 M-00910303	ERIE COUNTY'S 911 - System Renewal Plan filed on 7/15/13, 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: That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.
2376653-TUS Vote 5-0	S-2013-2376653	AQUA PENNSYLVANIA, INC. - Securities certificate filed on 7/30/13, with respect to the issuance of debt in a principal amount not to exceed \$75 million. No protests were filed and no hearings were held. Aqua PA voluntarily extended the consideration period to 9/13/13. RECOMMENDATION: That the Commission register the securities certificate consistent with the proposed Order.
2378884-TUS Vote 5-0	S-2013-2378884	PPL ELECTRIC UTILITIES CORP - Securities certificate filed on 8/15/13, in respect to the issuance of long-term debt in an aggregate principal amount not to exceed \$400 million. RECOMMENDATION: That the Commission register the securities certificate consistent with the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2107155-LAW (PP from 08/29/2013) Vote 5-0	L-2009-2107155 M-2008-2058386	RULEMAKING - AMENDMENT 59.18 METER LOCATION - Bureau of Transportation, Gas Safety Division, was directed by the PUC on 8/21/08, to institute an investigation into the issue of gas meter placement and relocation in the context of service disputes between gas distribution companies and their customers. The Gas Safety Division reviewed existing regulations, tariff language on meter location, and issued data requests to the largest gas utilities under Commission jurisdiction. The Gas Safety Division concluded that the Commission's existing regulation is vague, inadequate, and out-of-date with respect to the federal standards which the Commission has adopted. Therefore, on 7/28/11, the Commission adopted and entered a Proposed Rulemaking Order titled "Rulemaking Re Amendment to 52 Pa. Code § 59.18 Meter Location." Comments were filed by approximately 44 interested parties, including the Independent Regulatory Review Commission (IRRC). Numerous letters were also filed by individual homeowners. RECOMMENDATION: That the Commission adopt the Advance Notice of Final Rulemaking Order.
2155915-LAW Vote 5-0	P-2010-2155915	VIRGIN MOBILE USA, L.P. - By Order entered 12/22/10, the Commission designated Virgin Mobile USA, L.P. as an Eligible Telecommunications Carrier for the purposes of offering wireless Lifeline services in the Commonwealth of Pennsylvania. Virgin Mobile is a wholly-owned affiliate of Sprint Nextel Corporation. On 7/10/13, a transaction between Sprint Nextel, Starburst II, Inc. and Softbank Corp., was completed by which Softbank Corp. acquired indirect control of Virgin Mobile. Virgin Mobile filed a petition requesting renewal of its ETC designation as a result of its the change in corporate control. RECOMMENDATION: That the Commission adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2213754-LAW Vote 5-0	M-2010-2213754 M-2011-2239805	PPL ELECTRIC UTILITIES CORP - Proposed Transmission Service Charge (TSC) Reconciliation for the 12 Months Ended November 30, 2010 RECOMMENDATION: That the Commission adopt the proposed Order.
2266832-LAW Vote 5-0	L-2011-2266832	LICENSING REQUIREMENTS FOR NATURAL GAS SUPPLIERS - Order entered 1/13/12, the Commission initiated a proposed rulemaking to review the scope of its natural gas supplier regulations at 52 Pa. Code § 62.101 and § 62.102. Comments were filed by various interested parties to the proposed regulations. The Commission reviewed those comments and issued an Advanced Notice of Final Rulemaking requesting further comments on additional revisions it had made to the proposed regulations. Interested parties filed comments to the Advanced Notice of Final Rulemaking. On 8/15/13, the Commission adopted a Final Rulemaking Order establishing final form regulations regarding the licensing of Natural Gas Suppliers. A Petition for Clarification and/or Reconsideration was filed by Washington Gas Energy Services, Inc. to the Final Rulemaking Order. RECOMMENDATION: That the Commission adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2301013-LAW Vote 5-0	P-2012-2301013	BOOMERANG WIRELESS LLC - Petition filed on 4/27/12, seeking approval to be designated as an Eligible Telecommunications Carrier (ETC) in the Commonwealth of Pennsylvania for the limited purpose of receiving federal low-income universal service support for prepaid wireless services. Q Link filed a supplement to its Petition, which indicated that the FCC had approved its Compliance Plan that outlined the measures Boomerang would take to implement the conditions imposed in the FCC's Lifeline Reform Order for its wireless service. The Compliance Plan was approved by the FCC on 8/8/12. Subsequently, Boomerang filed a Petition to Withdraw its Petition for Designation as a Lifeline-only ETC. RECOMMENDATION: That the Commission grant the Petition for Withdrawal.
2339954-LAW Vote 5-0	P-2012-2339954	YMAX COMMUNICATIONS CORP. - Petition filed on 12/20/12, seeking to be designated as an Eligible Telecommunications Carrier (ETC) in the Commonwealth of Pennsylvania where its underlying carriers, VZ North and VZ PA provide service. The Petition was published in the Pa. B. at 43 Pa.B. 1679. The OCA filed Comments. Reply Comments were not filed. On 7/19/13, YMAX filed a Letter Request to withdraw its Petition, without prejudice. RECOMMENDATION: That the Commission adopt the Order.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

**2376902-LAW
(PP from 08/29/2013)**

L-2013-2376902

Vote 5-0

RULEMAKING AMENDING 52 PA CODE,
CHAPTERS 3, 5, 23, 31, 32, 41
- Modify existing regulations governing household
goods carriers, eliminating the requirement that
applicants for authority establish a public demand or
need for the proposed service. This change impacts
territorial and tariff considerations as well, which are
addressed in the proposed rulemaking. Additionally,
modify the insurance requirements for property carriers
and household goods carriers to be consistent with
Federal Law.
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>
2357013-ALJ Statement by Commissioner Cawley Vote 5-0	P-2013-2357013 G-2013-2357003	UGI UTILITIES INC - ELECTRIC DIVISION - Petition filed 4/5/13 for approval of a Default Service Plan and Retail Market Enhancement Program for the period of 6/1/14 through 5/31/17, and for certain approvals and waivers related to potential affiliated interest transactions. Joint Petition for Settlement filed 8/2/13. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approval of the Settlement without modification.
2357296-ALJ (PP from 08/29/2013) Motion by Commissioner Gardner Vote 5-0	C-2013-2357296	JOE VENTURA VS PEOPLES TWP LLC - Complaint filed on 4/1/13, alleging outrageous charges on his gas bill. Peoples filed its answer and preliminary objections on 5/2/13. No hearing was held. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision sustaining the preliminary objections and dismissing the complaint.
2359935-ALJ (PP from 08/29/2013) Motion by Commissioner Gardner Vote 5-0	F-2013-2359935	PRECIOUS APARTMENTS VS PHILADELPHIA GAS WORKS - Complaint filed on 4/10/13, alleging PGW bills the Complainant when tenants fail to apply for service in their own names. Complainant wants the bills removed. Answer filed 5/16/13 denying the allegations. A hearing was scheduled for 8/7/13. Complainant was informed by Prehearing Order that it needed to obtain counsel prior to the hearing date. No entry of appearance for counsel was entered at the time the hearing was to be held. COMMISSION REVIEW: That the Commission adopt ALJ Pell's Initial Decision dismissing the complaint.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2364723-ALJ Vote 5-0	M-2013-2364723	DUQUESNE LIGHT COMPANY - Annual 1307(e) Default Service Program and Competitive Procurement Plans Reconciliation of Revenue and Expenses for Small Commercial and Industrial Customers for the Period of 5/1/12 through 4/30/13 and the Reconciliation of Revenue and Expenses for Medium Commercial and Industrial Customers for the Period 11/1/12 through 4/30/13. A hearing was held on 7/9/13. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statement insofar as it is undisputed.
2364858-ALJ Vote 5-0	C-2013-2364858	BERTHA JONES VS PHILADELPHIA GAS WORKS - Complaint filed 5/3/13 alleging "Incorrect charges on my bill." Respondent filed preliminary objections to the complaint, alleging that the complaint lacked specificity. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision dismissing the complaint.

COMMISSIONERS OFFICE

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2381742-CMR

INVESTIGATION OF PA'S RETAIL NATURAL
GAS SUPPLY MARKET
- JOINT MOTION of Commissioner Pamela A. Witmer
and Commissioner James H. Cawley

Joint motion by
Commissioners
Cawley and Witmer
Vote 5-0