

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, OCTOBER 17, 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
Pamela A. Witmer	John F. Coleman, Jr.	Robert F. Powelson	James H. Cawley	Gladys M. Brown

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

The Next Public Meeting is Tentatively Scheduled for Thursday, October 31, 2013 at 10:00 A.M.

Minutes of the Meeting of Thursday, September 12, 2013 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 31, 2013 AT 2:00 P.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, OCTOBER 16, 2013, AT 10:30 A.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

October 17, 2013

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2302868-AUD Vote 5-0.	D-2012-2302868	METROPOLITAN EDISON CO - Default Service Support Rider For The 15 Months Ended 3/31/12. RECOMMENDATION: That the Commission release the Audit Report to the public.
2302870-AUD Vote 5-0.	D-2012-2302870	PENNSYLVANIA ELECTRIC CO - Default Service Support Rider For The 15 Months Ended 3/31/12. RECOMMENDATION: That the Commission release the Audit Report to the public.
2302872-AUD Vote 5-0.	D-2012-2302872	PENNSYLVANIA POWER CO - Default Service Support Rider For The 10 Months Ended 3/31/12. RECOMMENDATION: That the Commission release the Audit Report to the public.
2365865-AUD Vote 5-0.	D-2013-2365865	METROPOLITAN EDISON CO - Non-Utility Generation Charge for the Twelve Months Ended 4/30/13. RECOMMENDATION: That the Commission releases the Audit Report to the public.
2365866-AUD Vote 5-0.	D-2013-2365866	PENNSYLVANIA ELECTRIC CO - Non-Utility Generation Charge for the Twelve Months Ended 4/30/13. RECOMMENDATION: That the Commission releases the Audit Report to the public.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2247934-OSA Vote 5-0.	F-2011-2247934	COLUMBIA GAS OF PA (COMPLAINT APPELLANT) VS KRISTI BYERTS - Formal Complaint/Appeal filed on 6/9/11, pursuant to 52 Pa. Code § 56.173(b) seeking review of a determination by the Commission's Bureau of Consumer Services in BCS Case No. 2834339, issued on 5/20/11. A hearing was held on 12/03/12. Columbia filed a Brief on 1/10/13. By Initial Decision issued on 3/29/13, ALJ Buckley sustained the Complaint/Appeal, in part. Columbia filed Exceptions on 4/18/13. Replies to Exceptions were not filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2302456-OSA Vote 5-0.	C-2012-2302456 A-119348	BUR OF INVESTIGATION & ENFORCEMENT VS JADCO ENTERPRISES INC D/B/A STERLING LIMOUSINE - Settlement Agreement filed on 7/31/13, in order to satisfy the Complaint. In its Complaint, I&E averred that Sterling operated 2 limousines that were more than 8 model years old, thereby violating Commission Regulation 52 Pa. C.S. § 29.33(e). I&E requested that a total civil penalty of \$1000 be imposed for these violations. As part of the Settlement, Sterling agreed to comply with the Public Utility Code and the Commission's Regulations and policies in the future. I&E agreed to reduce the proposed civil penalty to \$500. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the Settlement Agreement as filed.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2311811-OSA Vote 5-0.	M-2013-2311811	<p>PUC - INVESTIGATION & ENFORCEMENT VS AP GAS & ELECTRIC (PA) LLC D/B/A APG&E - Informal investigation initiated on 7/27/12, pertaining to the marketing practices of this electric generation supplier, including allegations of slamming. As a result of the investigation, I&E determined that APG&E may have violated Section 1501 of the Public Utility Code, the Telemarketer Registration Act, and Chapters 54 and 57 of the Commission's Regulations. On 5/29/13, the Parties submitted a Settlement Agreement and Statements in Support of the Settlement Agreement to resolve this matter. By Order entered 8/15/13, the Commission issued the Settlement Agreement for comments. On 9/4/13, the OCA filed Comments to the Settlement Agreement. On 9/5/13, I&E filed Reply Comments.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that approves the Settlement Agreement, as modified.</p>
2314312-OSA Vote 5-0.	M-2013-2314312	<p>PUC - INVESTIGATION & ENFORCEMENT VS IDT ENERGY INC - Informal investigation initiated involving alleged deceptive sales and marketing practices. In an effort to conclude this investigation in an efficient manner a Settlement was reached. On 8/15/13, the Commission invited comments by interested parties to the proposed Settlement. On 9/4/13 the OCA filed Comments, and on 9/5/13 I&E filed its Replies.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that adopts the Settlement Agreement as modified.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2321178-OSA Vote 5-0.	C-2012-2321178 C-2012-2315775	TIFFANY WOLFE VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 6/22/12, alleging that she had been charged for gas service to a property at which she did not reside during the period 2003 through 2007. On 7/31/12, the Complainant filed a second Formal Complaint, which was a duplicate of the first. On 8/15/12, and 9/18/12, respectively, PGW filed Answers to the two Formal Complaints. On 10/22/12, PGW filed a Motion to Consolidate the two Formal Complaints, which ALJ Pell granted by Order dated 11/14/12. An evidentiary hearing was held on 12/10/12. By Initial Decision issued 3/29/13, ALJ Pell dismissed the Formal Complaints. By Final Order entered 5/2/13, the Initial Decision was declared to be final, pursuant to 66 Pa. C.S. § 332(h). On 6/7/13, the Complainant filed a Petition for Rescission of the Commission's final action. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Petition for Rescission.
2324869-OSA Vote 5-0.	F-2012-2324869	SHAWN KAY VS PENNSYLVANIA ELECTRIC COMPANY - On 9/6/12, the Complainant filed a Formal Complaint filed on 9/6/12, alleging that there were incorrect charges on his electric utility bill and that he would like a payment agreement. On 10/5/12, Penelec filed an Answer. A hearing was held on 2/6/13. In an Initial Decision issued 3/19/13, ALJ Colwell dismissed the Complaint. The Complainant filed Exceptions on 4/22/13. Penelec filed Replies to Exceptions on 4/29/13. 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2330205-OSA Vote 5-0.	C-2012-2330205	<p>PUC - INVESTIGATION AND ENFORCEMENT VS SORANTINO ENTERPRISES INC</p> <p>- Complaint filed on 10/19/12, alleging failure, inter alia, to pay its total assessment amount for the 2009-2010, 2010-2011, and 2011-2012 Fiscal Years. Inter alia, I&E requested that: (1) the Respondent be ordered to pay \$5,233, consisting of the outstanding assessment balance of \$1,943, and a civil penalty of \$3,290; 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. 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 and a Second Amended Motion. The Second Amended Motion withdrew I&E's requested \$1,000 penalty for the Respondent's failure to file a report showing its revenues earned during the 2008 calendar year. No Answer to the Motion, Amended Motion or Second Amended Motion was filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Second Amended Motion for Default Judgment.</p>
2330853-OSA Vote 5-0.	F-2012-2330853	<p>TERESA SUGAR VS DUQUESNE LIGHT COMPANY</p> <p>- Formal Complaint filed on 10/15/12, alleging her inability to pay her electric bills and requesting a payment agreement. On 11/14/12, Duquesne filed an Answer. A hearing was held on 1/18/13. In an Initial Decision issued 4/29/13, Special Agent Hunt dismissed the Complaint. The Complainant filed Exceptions on 4/29/13. Duquesne filed Replies to Exceptions on 5/10/13.</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>
2334904-OSA Vote 5-0.	C-2012-2334904	<p>PUC - INVESTIGATION AND ENFORCEMENT VS SCOTT A DECHERT T/A DISTINCTIVE LIMOUSINE SERVICE</p> <p>- Formal Complaint initiated on 11/19/12, alleging that he failed to pay his assessments for fiscal years 2010-2011 and 2011-2012. On 1/8/13, the Respondent filed a letter stating it had not received the outstanding assessment invoices and that it is refusing to pay a civil penalty. On 1/10/13, the Respondent paid his outstanding assessments but not the requested civil penalty. ALJ Colwell convened the hearing on 4/30/13 at which I&E was represented by counsel. The Respondent did not appear at the hearing. In her Initial Decision, issued on 6/12/13, ALJ Colwell recommended, inter alia, that the Respondent be directed to pay a civil penalty of \$85. I&E filed Exceptions to the Initial Decision on 7/1/13. No Replies to Exceptions were filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies I&E's 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>
2363227-OSA Vote 5-0.	R-2013-2363227 C-2013-2364490 C-2013-2364629	PECO ENERGY COMPANY - GAS - Definitive PGC filing on 5/31/13, to become effective 12/1/13. The OCA and the OSBA filed Complaints in opposition. An Entry of Appearance was filed by the Bureau of Investigation and Enforcement. Intervention was granted to the Philadelphia Area Industrial Users Group. On 7/23/13, a Joint Petition for Complete Settlement was filed by all Parties. On 8/22/13, the Recommended Decision of ALJs Vero and Guhl was issued which recommended adoption of the Joint Petition for Complete Settlement without modification. On 8/30/13, I&E filed a revised Statement in Support of the Joint Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which adopts the Recommended Decision as the Commission's action and approves the Joint Petition for Complete Settlement.
2375147-OSA Vote 5-0.	A-2013-2375147	UNITED TELEPHONE D/B/A CENTURYLINK AND AT&T - Joint Petition filed on 7/22/13, requesting approval of an Interconnection, Collocation, Resale 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 consistent with the directives contained therein.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2375688-OSA Vote 5-0.	A-2013-2375688	UNITED TELEPHONE D/B/A CENTURYLINK AND BROADVOX - Joint Petition filed on 7/25/13, requesting approval of adaption of an Interconnection Agreement and an Amendment, pursuant to Sections 252 (i) and 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.
2378650-OSA Statement by Commissioner Brown. Vote 4-0 with Commissioner Brown Recusing.	A-2013-2378650	FRONTIER COMM. OF PA & BREEZEWOOD AND TIME WARNER CABLE INFORMATION SERVICES - Joint Petition filed on 8/13/13, 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 on 8/24/13. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
2378723-OSA Statement by Commissioner Brown. Vote 4-0 with Commissioner Brown Recusing.	A-2013-2378723	COMMONWEALTH TELEPHONE CO. T/A FRONTIER COMMUNICATIONS AND TIME WARNER CABLE INFORMATION SERVICES - Joint Petition filed on 8/14/13, 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2381991-OSA Vote 5-0.	A-2013-2381991	UNITED TELEPHONE D/B/A CENTURYLINK AND TCG PITTSBURGH INC - Joint Petition filed on 9/5/13, requesting approval of an Interconnection, Collocation, Resale 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 consistent with the directives contained therein.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2202733-TUS Postponed until the Public Meeting of October 31, 2013.	A-2010-2202733	NRGING LLC D/B/A NETGAIN ENERGY ADVISORS - Application filed on 1/20/11, and was granted a license to supply natural gas services as a broker/marketer to 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 Distribution Corporation, Peoples Natural Gas, Equitable Gas, and Columbia Gas. Subsequently, NRGING filed an application to offer, render, furnish, or supply natural gas supply services as a broker/marketer to the additional class of small commercial (under 6,000 MCF annually) customers in their previously approved NGDC service territories. 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>
2290597-TUS (PP from 09/12/2013)	R-2012-2290597	<p>PPL ELECTRIC UTILITIES CORP - Supplement No. 130 to Tariff Electric-Pa. P.U.C. No. 201 proposing a Storm Damage Expense Rider (SDER) in compliance with the Commission's Opinion and Order entered 12/28/12. On 3/28/13, the proposed tariff supplement was filed to become effective on 1/1/13. The OCA filed comments on 4/18/13, urging rejection of the proposed SDER. The Bureau of Investigation & Enforcement filed comments on 4/18/13, requesting approval of a modified SDER. Also on 4/18/13, PP&L Industrial Customer Alliance (PPLICA) filed comments urging rejection of PPL's request to establish an SDER. On 5/5/13, the OCA and PPLICA both filed reply comments urging rejection of the SDER and BIE's proposed modifications. PPL also filed reply comments on 5/5/13 requesting approval of the SDER as proposed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff supplement and institutes an investigation.</p>
2319485-TUS	A-2012-2319485	<p>MTDJ TRANSPORTATION LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Allegheny County</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order approving the application.</p>

**Postponed until the Public Meeting of
October 31, 2013.**

Vote 5-0.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2320270-TUS Vote 5-0.	A-2012-2320270	SAVE WAVE ENERGY LLC - Application filed on 1/24/13, was granted a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer serving residential, small commercial (25 kW and under), large commercial (over 25 kw), industrial and governmental customers in the electric distribution company service territories of Duquesne Light, Met-Ed, PECO Energy, Penn Power, PPL Electric, and West Penn Power within PA. On 5/10/13, Save Wave filed an application to modify their license to serve customers in the additional EDC service territory of Penelec. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2329717-TUS Vote 5-0.	A-2012-2329717	LA MEXICANA EXPRESS 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 the application.
2338273-TUS Vote 5-0.	A-2012-2338273	ROYAL TRANSPORTATION GROUP LLC - 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. Pittsburgh RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2347731-TUS Vote 5-0.	R-2013-2347731	MONESSEN AMBULANCE SERVICE - Rate Increase. RECOMMENDATION: That the Commission approve Tariff Paratransit PA. P.U.C. No. 5, to become effective 10/21/13.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2351341-TUS Vote 5-0.	A-2013-2351341	PAOLI AIRPORT LIMO SERVICE, INC. - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. Chester, Bucks, Delaware, and Montgomery Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2353800-TUS Vote 5-0.	A-2013-2353800	PRO-STAR ENERGY SERVICES LLC - Application filed on 2/18/13, for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to residential, small commercial (25 kW and under demand), large commercial (over 25kW demand), industrial and governmental customers in all electric distribution company service territories, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2354031-TUS Vote 5-0.	A-2013-2354031	DANIEL FAKE - 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. York County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2354748-TUS Vote 5-0.	A-2013-2354748	SONJA'S VAN SERVICE LLC - 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. Northumberland County 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>
2355899-TUS Vote 5-0.	A-2013-2355899	AVALON LIMOUSINE, LLC - 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. Delaware County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2356294-TUS Vote 5-0.	A-2013-2356294	CITYMED 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.
2356615-TUS Vote 5-0.	A-2013-2356615	MICHAEL MIZUR - 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. Northampton and Lehigh Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2357240-TUS Vote 5-0.	A-2013-2357240	JONATHAN & LISA WEAVER - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Lebanon County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2357256-TUS Vote 5-0.	A-2013-2357256	DIRECT LIMO & 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2359337-TUS Vote 5-0.	A-2013-2359337	NEGAWATT BUSINESS SOLUTIONS D/B/A NEGAWATT BUSINESS SOLUTIONS INC - Application filed on 4/16/13, 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), large commercial (over 25kW demand), industrial, and governmental customers in all of the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2362303-TUS Vote 5-0.	A-2013-2362303	CITY OF PHILADELPHIA - Application for approval of the reconstruction of the bridge carrying Willow Grove Avenue, over and above the tracks of the Southeastern Pennsylvania Transportation Authority, located in the City of Philadelphia, Philadelphia County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2368622-TUS Vote 5-0.	A-2013-2368622	TFS ENERGY SOLUTIONS LLC - Application filed on 5/30/13, for approval to operate as a supplier of natural gas supply services as a broker/marketer in the natural gas distribution company service territories of Valley Energy, UGI Central Penn Gas, Peoples TWP, UGI Penn Natural Gas, PECO Energy, Philadelphia Gas Works, National Fuel Gas Distribution Corporation, Peoples Natural Gas, UGI Utilities, Equitable Gas and Columbia Gas, 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>
2372602-TUS Vote 5-0.	A-2013-2372602	URA INC A/K/A UTILITY RATES ANALYSTS - Application filed on 6/12/13, 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 Distribution Corporation, Peoples Natural Gas, Equitable Gas, and Columbia Gas, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2372803-TUS Vote 5-0.	A-2013-2372803	JOHNSONS TRANSFER, INC. - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in household goods service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2377433-TUS Vote 5-0.	A-2013-2377433	BARGAIN ENERGY LLC - Application filed on 7/9/13, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial (25 kW and under demand), and large commercial (over 25kW demand) customers in the electric distribution company service territories of PECO Energy and PPL Electric, in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2386557-TUS

M-2013-2386557

NORFOLK SOUTHERN RAILWAY CO
- PennDOT notified the Commission on 9/23/13 of an immediate safety concern regarding the condition of an existing bridge carrying Leet Street, above grade, four tracks of Norfolk Southern Railway and above grade, S.R. 0065. A field conference was held at the site on 10/2/13. An Emergency Order was issued by the Commission on 10/7/13.
RECOMMENDATION:
That the Commission ratify the Emergency Order.

Vote 5-0.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2375551-LAW (PP from 09/26/2013)	L-2013-2375551 M-2012-2288561	IMPLEMENTATION OF UNCONVENTIONAL GAS WELL IMPACT FEE ACT - Governor Corbett signed into law Act 13 of 2012 on 2/14/12, the Unconventional Gas Well Impact Fee Act (Act 13 or Act), which amends Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes. Act 13 provides, inter alia, for an unconventional gas well fee, Oil and Gas Act amendments and standards for local ordinances. The PUC's administrative responsibilities for implementing the provisions of Act 13 are contained within Chapters 23 (relating to the unconventional gas well fee) and Chapter 33 (relating to local ordinances) of the Act. By this rulemaking, the Commission proposes to implement regulations that will assist us in carrying out our administrative responsibilities contained in Chapter 23 of the Act. Because the Commission is currently enjoined from carrying out its responsibilities contained in Chapter 33, this rulemaking is limited to Chapter 23 of the Act. RECOMMENDATION: That the Commission adopt the Proposed Rulemaking Order.

Vote 4-0 with Commissioner Witmer
Abstaining.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2361763-ALJ Vote 5-0.	R-2013-2361763 C-2013-2364423 C-2013-2367950	UGI PENN NATURAL GAS COMPANY - Definitive 2013 Purchased Gas Cost filing, with proposed modifications to PNG's Tariff Gas - Pa. P.U.C. No. 8, was filed 5/31/13 to become effective 12/1/13. PNG proposed a PGC rate of \$5.9749/Mcf for the residential class (Rate R), which is a \$0.4299/Mcf increase from its current PGC rate. Hearings were held which resulted in a Stipulation In Settlement Of Section 1307(f) Rate Investigation being filed 8/12/13. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement.
2361764-ALJ Statement by Commissioner Cawley. Vote 5-0.	R-2013-2361764 C-2013-2364425 C-2013-2367934	UGI CENTRAL PENN GAS, INC. - Definitive 2013 Purchased Gas Cost filing, with proposed modifications to CPG's Tariff Gas - Pa. P.U.C. No. 4, to become effective 12/1/13. The Company proposed a PGC rate of \$6.1835/Mcf for the residential class, which was an increase of \$0.4775/Mcf from its then current PGC rate. Hearings were held which resulted in a Stipulation In Settlement Of Section 1307(f) Rate Investigation being filed 8/12/13. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement
2361771-ALJ Vote 5-0.	R-2013-2361771 C-2013-2364428 C-2013-2367941	UGI UTILITIES, INC - GAS DIVISION - 2013 Purchased Gas Cost filing, with proposed modifications to UGI's Tariff Gas - Pa. P.U.C. No. 5, was filed 5/31/13 to become effective 12/1/13. Hearings were held which resulted in a Stipulation In Settlement Of Section 1307(f) Rate Investigation being filed 8/12/13. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2367067-ALJ Vote 5-0.	M-2013-2367067	PENNSYLVANIA ELECTRIC CO. - Annual 1307(e) Non-Utility Generation Charge Rider Reconciliation Statement of Revenues and Expenses for the Twelve-Month Period Ended 4/30/13. A hearing was held 7/29/13. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement insofar as it is undisputed.
2367068-ALJ Vote 5-0.	M-2013-2367068	METROPOLITAN EDISON CO. - Annual 1307(e) Non-Utility Generation Charge Rider Reconciliation Statement of Revenues and Expenses for the Twelve-Month Period Ended 4/30/13. A hearing was held 7/29/13. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement insofar as it is undisputed.
2370895-ALJ Vote 5-0.	M-2013-2370895	WEST PENN POWER CO. - 1307(e) Default Service Generation Charge Revenue and Expense Report and its Generation Charge and Energy Cost Adjustment Surcharge Report for the Five Month Period Ended 5/31/13. A hearing was held 7/29/13. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement insofar as it is undisputed.
2370902-ALJ Vote 5-0.	M-2013-2370902	WEST PENN POWER CO. - 1307(e) Transmission Service Revenues and Expense Report for the Five-Month Period Ended 5/31/13. A hearing was held 7/29/13. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

October 17, 2013

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2302261-OSA Vote 5-0.	R-2012-2302261 C-2012-2309951 C-2012-2310992	RIEMER GAS COMPANY INC - Supplement No. 18 to Tariff Gas - Pa. PUC No. 3, filed on 4/30/12, containing proposed changes in rates, rules, and regulations calculated to produce additional annual revenues to become effective 8/1/12. On 11/26/12, a Joint Petition for Settlement of Rate Investigation was filed. By Recommended Decision issued on 2/06/13, ALJ Hoyer recommended that the Joint Petition be approved without modification. In an Order issued on 3/05/13, the Commission adopted the ALJ's Recommended Decision, as modified. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order
2371789-OSA Vote 5-0.	A-2013-2371789 P-2013-2371775	SUNOCO PIPELINE, L.P. - Application and Suspension Petition filed on 7/3/13. Notice of was published in the PA Bulletin on 7/20/13. No protests were filed and no hearings were held. By Order entered on 8/29/13 (August 29 Order) the Commission approved the Company's Application and its Suspension Petition. The Company then filed Supplement No. 2 to Tariff Pipeline - Pa. P.U.C. No. 15 on 8/30/13. On 9/12/13, the Company filed the instant Petition for Clarification with reference to the August 29 Order. No Answer to the Petition has been filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Petition; and (2) clarifies the August 29 Order as outlined.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2349189-TUS Vote 5-0.	A-2013-2349189	PENNSYLVANIA AMERICAN WATER CO - WASTEWATER - Application was filed on 2/20/13, for approval of the right to offer, render, furnish, or supply wastewater service to the public in an additional portion of Clarion Township, Clarion 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.
2381170-TUS Vote 5-0.	A-2013-2381170	PENNSYLVANIA ELECTRIC CO. - Letter of Notification filed on 8/28/13, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(i) and (vi), with respect to the Allegheny-Somerset 115 kV HV Transmission Line Tap to the new Somerset Rural Electric Cooperative (REC) Pride Substation in Somerset Township, Somerset County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

**Statement by Commissioner Witmer
Regarding the Recognition of
National Cybersecurity Awareness Month.**