

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, NOVEMBER 14, 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
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, December 5, 2013 at 10:00 A.M.

Minutes of the Meeting of Thursday, October 17, 2013 (JC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, DECEMBER 5, 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, NOVEMBER 13, 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

November 14, 2013

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2330842-AUD Vote 5-0.	D-2012-2330842	PPL ELECTRIC UTILITIES CORP - Transmission Service Charge for the Twelve Months Ended 4/30/12. RECOMMENDATION: That the Commission release the Audit Report to the public.
2342561-AUD Vote 5-0.	D-2013-2342561	PPL ELECTRIC UTILITIES CORP - Smart Meter Rider for the Twelve Months Ended 6/30/12. RECOMMENDATION: That the Commission release the Audit Report to the public.

OFFICE OF EXECUTIVE DIRECTOR

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2362961-DIR (PP from 10/31/2013)	M-2013-2362961	FIXED PRICE PASS-THROUGH CLAUSE - Commission's Office of Competitive Market Oversight's (OCMO) proposal to provide guidance to Electric Generation Suppliers (EGS) regarding pass-through mechanisms and the appropriate use of the "fixed price" and "variable price" labels when presenting products. RECOMMENDATION: That the Commission adopt the proposed Final Order that provides guidelines regarding the use of pass-through clauses and revises the pricing label definitions in the Commission's "Consumer Dictionary for Electric Competition."

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2035163-OSA Vote 5-0.	A-2008-2035163	<p>CITY OF PHILADELPHIA - Application filed on 4/4/08. On 7/25/08, Conrail filed a Protest to the Application. A Prehearing Conference was held on 10/14/09, at which the Parties announced they would be submitting a settlement to the Commission by 12/1/09. When no settlement was forthcoming, the matter was reassigned to ALJ Colwell. The Parties informed the ALJ that they needed additional time in which to complete the negotiations. On 9/16/11, Conrail, the City and PennDOT submitted their Stipulation of Settlement. In her Recommended Decision, issued on 11/22/11, ALJ Colwell recommended that the Settlement be approved. By Order entered 12/15/11, the Commission adopted the ALJ's Recommended Decision. By Secretarial Letter issued 8/30/13 the Commission stated that the case is marked closed. On 9/20/13, Conrail filed a Petition to Appeal Staff Action with reference to the August 30 Secretarial Letter. No Answer to the Petition has been filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) grants Conrail's Petition; and (2) vacates the August 2013 Secretarial Letter.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2299868-OSA Vote 5-0.	C-2012-2299868	STEVE ATUAHENE VS PECO ENERGY COMPANY - Formal Complaint filed on 4/20/12, relating to high bills, unnecessary service interruptions, and failure to provide proper termination of service. On 5/2/12, PECO filed an Answer denying the allegations in the Complaint. An evidentiary hearing was held on 9/26/12. By Initial Decision issued 3/4/13, ALJ Vero dismissed the Complaint. The Complainant requested extensions to file Exceptions and the Commission issued Secretarial Letters authorizing two extensions. However, the Complainant failed to file timely Exceptions. On 5/13/13, the Initial Decision became final. On 5/15/13, the Complainant filed a Petition for Reconsideration. On 6/3/13, PECO filed an Answer to the Petition for Reconsideration. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Petition for Reconsideration.
2312422-OSA Vote 5-0.	C-2012-2312422	WILLIAM BACHMANN VS PENNSYLVANIA ELECTRIC COMPANY - Formal Complaint filed on 9/2/12, requesting an alternative billing cycle. On 9/23/12, Penelec filed an Answer and New Matter. A telephonic hearing was held on 4/9/13. By Initial Decision issued on 7/9/13, ALJ Long dismissed the Complaint. The Complainant filed Exceptions on 7/31/13. Penelec filed Replies to Exceptions on 8/8/13. 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>
2313375-OSA Vote 5-0.	M-2013-2313375	UGI UTILITIES, INC - GAS DIVISION - Informal investigation initiated by the Bureau of Investigation and Enforcement as a result of a gas ignition incident that occurred in Hazleton on 6/5/12, and involved a UGI Utilities – Gas Division inspector and crew members of UGI's contractor. The Parties filed a Settlement Agreement on 6/28/13, to resolve the investigation. Each Party also filed a Statement in Support of the Settlement Agreement. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which issues the Settlement Agreement for comment.
2329578-OSA Vote 5-0.	F-2012-2329578	THOMAS M HARTNETT VS PPL ELECTRIC UTILITIES CORP - Formal Complaint filed on 10/9/12, alleging inadequate customer service regarding a request for a payment arrangement and asked that the Commission set a payment arrangement he could afford. PPL filed an Answer to the Complaint on 11/6/12 averring that the Complainant had been enrolled in its OnTrack program but was removed from the program when he missed several payments. In an Initial Decision issued 8/5/13, ALJ Salapa dismissed the Complaint. The Complainant filed Exceptions on 8/20/13. PPL filed Replies to Exceptions on 9/3/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants in part and denies in part the Complainant's Exceptions, and modifies the Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2333793-OSA Vote 5-0.	C-2012-2333793	BUR OF INVESTIGATION & ENFORCEMENT VS GENE POLSINELLI T/A AMERICAN LENDERS SVC - Complaint initiated on 11/20/12, alleging failure to maintain evidence of cargo insurance on file with the Commission and requested that a civil penalty in the amount of \$500 be assessed. An answer was filed by Respondent's insurance carrier on 12/12/12 stating that Respondent had insurance coverage but that the proof did not "go through." In an Initial Decision, issued 9/5/13, the ALJ dismissed the Complaint. I&E filed Exceptions on 9/16/13. No Replies to Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants I&E's Exceptions and reverses the Initial Decision.
2335357-OSA Joint Statement by Chairman Powelson and Commissioner Witmer. Vote 5-0.	C-2012-2335357	EMORY BLACKSHIR VS PECO ENERGY COMPANY - Formal Complaint filed on 11/12/12, alleging that there are incorrect charges on his bill, that he received a termination notice and that he would like a payment agreement. On 12/3/12, PECO filed an Answer and New Matter. A hearing was held on 5/02/13. By Initial Decision, issued on 7/10/13, ALJ Melillo denied the Complaint. On 7/29/13, the Complainant filed Exceptions to the Initial Decision. PECO filed Replies to Exceptions on 8/12/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2337615-OSA Motion by Vice Chairman Coleman. Vote 5-0.	C-2012-2337615	RON CARSON VS PECO ENERGY COMPANY - Formal Complaint filed on 11/29/13, making various allegations. On 12/14/12, PECO filed an Answer denying the allegations of the Complaint, as well as New Matter. No Answer to the New Matter was filed. In an Initial Decision issued 8/16//13, ALJ Vero dismissed the Complaint. The Complainant filed a Petition for Reconsideration on 9/6/2013. PECO filed an Answer to the Petition on 9/10/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants the Complainant's Petition, vacates the Initial Decision, and remands to the OALJ.
2337862-OSA Vote 5-0.	C-2012-2337862	FRANK REZZETANO VS DUQUESNE LIGHT COMPANY - Complaint filed on 12/6/12, alleging incorrect charges on his electric bill. On 12/21/12, Duquesne filed an Answer to the Complaint. An evidentiary hearing was held on 6/5/13, at which the Complainant failed to appear. By Initial Decision issued 6/27/13, ALJ Watson dismissed the Complaint. On 7/17/13, the Initial Decision became final, pursuant to 66 Pa. C.S. § 332(h). On 7/22/13, the Complainant filed a Petition for Reconsideration. On 8/5/13, Duquesne filed an Answer to the Petition for Reconsideration. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Petition for Reconsideration.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2367308-OSA Vote 5-0.	C-2013-2367308	HAROLD BRAKE VS WEST PENN POWER COMPANY - Formal Complaint filed on 5/30/13, requesting that the smart meter charge on his bill be waived until his smart meter is installed. On 6/11/13, West Penn filed an Answer and New Matter and Preliminary Objections. On 6/20/13, the Complainant filed responses to the New Matter and Preliminary Objections. By Initial Decision, issued on 7/25/13, ALJ Melillo granted West Penn's Preliminary Objections and dismissed the Complaint. On 8/02/13, the Complainant filed Exceptions to the Initial Decision. West Penn filed Replies to Exceptions on 8/07/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2382314-OSA Vote 5-0.	A-2013-2382314	VERIZON NORTH AND NEXTEL - Joint Petition filed on 9/6/13, 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.
2382317-OSA Vote 5-0.	A-2013-2382317	VERIZON NORTH AND NEXTEL - Joint Petition filed on 9/6/13, requesting 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2382322-OSA Vote 5-0.	A-2013-2382322	VERIZON NORTH AND SPRINT SPECTRUM - Joint Petition filed on 9/6/13, requesting approval of Amendment No. 3 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.
2382325-OSA Vote 5-0.	A-2013-2382325	VERIZON PA AND NEXTEL PARTNERS - Joint Petition filed on 9/6/13, requesting 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.
2382333-OSA Vote 5-0.	A-2013-2382333	VERIZON PA AND NEXTEL PARTNERS - Joint Petition filed on 9/6/13, 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.
2382335-OSA Vote 5-0.	A-2013-2382335	VERIZON PA AND WIRELESSCO - Joint Petition filed on 9/6/13, 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2382524-OSA Vote 5-0.	A-2013-2382524 A-2013-2384981	UNITED TELEPHONE D/B/A CENTURYLINK AND NTELOS - Joint Petitions filed on 9/10/13 and 9/25/13, requesting approval of an Interconnection Agreement and of Amendment No. 1 to the Interconnection Agreement. The Joint Petitions were filed pursuant to Section 252(e) of the Telecommunications Act of 1996. Notices of the Joint Petitions were published in the Pennsylvania Bulletin on 9/21/13 and 10/12/13. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petitions.
2382563-OSA Vote 5-0.	A-2013-2382563	VERIZON PA AND 365 WIRELESS - Joint Petition filed on 9/7/13, seeking approval of an Interconnection Agreement and Amendment No. 1 pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin. No comments were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
2382575-OSA Vote 5-0.	A-2013-2382575	VERIZON NORTH AND 365 WIRELESS - Joint Petition filed on 9/7/13, seeking approval of an Interconnection Agreement and Amendment No. 1 pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin. No comments 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>
2382736-OSA Vote 5-0.	A-2013-2382736	VERIZON PA AND PHILLIECO - Joint Petition filed on 9/7/13, requesting approval of Amendment Nos. 1, 2 and 3 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.
2383814-OSA Vote 5-0.	A-2013-2383814	WINDSTREAM PA AND LUMOS NETWORKS - Joint Petition filed on 9/13/13, requesting 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>
2119279-TUS Vote 5-0.	A-2009-2119279	IDT ENERGY INC - Application amendment filed on 5/15/12, for approval to offer, render, furnish, or supply natural gas supply services to residential and small commercial (less than 6,000 MCF annually), and large commercial (6,000 MCF or more annually) customers in the additional service territory of Columbia Gas, UGI Penn Natural Gas, UGI Central Penn Gas, and UGI Gas, within the Commonwealth of Pennsylvania, as a natural gas supplier. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2192731-TUS (PP from 10/17/2013) Vote 5-0.	A-2010-2192731	AP GAS & ELECTRIC (PA) LLC D/B/A APG&E D/B/A AP GAS & ELECTRIC - Application filed on 8/19/13, for approval to amend its electric generation supplier license in order to serve residential, small commercial (25 kW and under), and large commercial (over 25 kW) customers, as a broker/marketer in the additional electric distribution company service territories of Citizens' Electric and Wellsboro Electric within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application for additional territories.
2210236-TUS Vote 5-0.	A-2010-2210236	UGI UTILITIES, INC - GAS DIVISION - Application filed on 11/10/10, for approval to acquire certain pipeline assets from its affiliate, the Hellertown Pipeline Company, located in Northampton County. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application and refers the matter to the Commission's Bureau of Investigation and Enforcement for review and appropriate action.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2325264-TUS Vote 5-0.	A-2012-2325264	BETTERCHOICE LIMO & CAR SERVICE INC - 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.
2351595-TUS Vote 5-0.	A-2013-2351595	DZ TAXI LLC - Application for the right to transport as a common carrier by motor vehicle, persons upon call or demand. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2355537-TUS Vote 5-0.	A-2013-2355537	MARYJO HOME CARE 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.
2356789-TUS Vote 5-0.	A-2013-2356789	WILDERNESS VOYAGEURS INC - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service. Ohiopyle, Fayette County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2359740-TUS Vote 5-0.	A-2013-2359740	CADDEN BROS MOVING & STORAGE INC - Applications for the transfer of stock and the transfer of rights to transport, as a common carrier by motor vehicle, household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2365066-TUS Vote 5-0.	A-2013-2365066	SENIORITY TRANSPORTATION LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Ligonier, Westmoreland 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>
2367108-TUS Vote 5-0.	R-2013-2367108	FRYBURG WATER CO. - Supplement No. 14 to Tariff Water-Pa. P.U.C. No. 3 filed on 8/16/13, for approval to propose an annual increase in rates of \$38,948 (42.98%) to become effective 11/18/13. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order which suspends the tariff supplement and institutes an investigation.
2367125-TUS Vote 5-0.	R-2013-2367125	COOPERSTOWN WATER COMPANY - Supplement No. 23 to Tariff Water-Pa. P.U.C. No. 3 filed on 8/16/13, for approval to propose an annual increase in rates of \$10,636 (20.47%) to become effective 11/18/13. A Formal Complaint was filed by the OCA on 9/20/13. RECOMMENDATION: That the Commission adopt the proposed Order which suspends the tariff supplement and institutes an investigation.
2375162-TUS Vote 5-0.	A-2013-2375162	CANYON COUNTRY CABS LLC - Applications for the right to transport as a common carrier by motor vehicle, persons in airport transfer service, and upon call or demand. Wellsboro, Tioga County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2375988-TUS Vote 5-0.	A-2013-2375988	VERDE ENERGY USA PENNSYLVANIA LLC - Application filed on 7/24/13, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to residential, 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, PECO Energy, 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2377412-TUS Vote 5-0.	A-2013-2377412	CARING VAN LLC - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2379646-TUS Vote 5-0.	A-2013-2379646	LETSON TRUCKING INC - Application for the right to transport as a common carrier by motor vehicle, property, excluding household goods in use, between points in Pennsylvania. RECOMMENDATION: That the Commission adopt the proposed Order denying the application.
2380072-TUS Vote 5-0.	A-2013-2380072	TRANSPARENT ELECTRIC INC - Application filed on 8/23/13, for approval for a license to supply electric generation services as a broker/marketer to small commercial (25kW and under demand), large commercial (over 25kW demand), and industrial customers in the electric distribution company service territories of PECO Energy, PP&L Electric Utilities, and Met-Ed within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2380092-TUS Vote 5-0.	A-2013-2380092	NORTH STAR GAS CO D/B/A YEP ENERGY - Application filed on 8/13/13, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial (les than 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial and governmental customers in the service territories of Columbia Gas, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, and PECO Energy, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2380667-TUS Vote 5-0.	A-2013-2380667	PPL ELECTRIC UTILITIES CORP - Application filed on 8/26/13, pursuant to 52 Pa. Code Chapter 57 Subchapter G, with respect to the addition of a second 230 kV circuit to the Jenkins-Stanton Line in Plains, Jenkins and Exeter Townships and in Wyoming and Exeter Boroughs, Luzerne County. Authority for this procedure is provided for at §57.72(d)(1)(i). No protest was filed and no hearing was held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2381717-TUS Vote 5-0.	M-2013-2381717 M-00950653	LUZERNE COUNTY'S 911 - System Renewal Plan filed on 9/4/13 by PEMA requesting a formal review of the costs associated with the contribution rate of \$1.25 per access line per month and make to 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.
2385591-TUS Vote 5-0.	A-2013-2385591	COVISTA INC - Application filed on 9/24/13, seeking the approval of the Company's Discontinuance and Abandonment of Competitive Local Exchange Carrier and Facilities-Based Interexchange Carrier Services. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2385876-TUS Vote 5-0.	M-2013-2385876 M-00970952	HUNTINGDON COUNTY'S 911 - System Renewal Plan filed on 9/27/13 by PEMA requesting a formal review of the costs associated with the County's 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: That the Commission adopt the proposed Order which approves a County contribution rate of \$1.50 per access line per month.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2213754-LAW Statement by Commissioner Witmer. Vote 5-0.	M-2010-2213754 M-2011-2239805	PPL ELECTRIC UTILITIES CORP - Petitions filed separately on 8/30/13 by PPL & PPLICA for reconsideration of the Commission's 8/15/13 Order at these dockets. PPL and PPLICA each answered the other party's petition, and OSBA filed an answer in support of the PPLICA position. On 9/12/13, the Commission granted the petitions pending a review on the merits of the relief requested in the petitions. RECOMMENDATION: That the Commission adopt the proposed Order.
2266832-LAW Vote 5-0.	L-2011-2266832	LICENSING REQUIREMENTS FOR NATURAL GAS SUPPLIERS - By 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. By Order entered 9/12/13, the Commission granted the Petition for Reconsideration pending further review of, and consideration on, its merits. RECOMMENDATION: The Commission recommends adopting the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2371147-LAW Motion by Vice Chairman Coleman. Vote 5-0.	P-2013-2371147	COLUMBIA GAS OF PA INC - Petition filed on 6/28/13, requesting that the Commission authorize the use of refund proceeds received from Columbia Gas Transmission, LLC to: (1) provide additional funding to Columbia's existing residential Hardship Fund until the refund proceeds are exhausted; and (2) provide a portion of the refund proceeds to non-residential customers through Columbia's Purchased Gas Cost (PGC) rates. On 8/15/13, the Commission denied Columbia's Petition relative to diverting the residential share of the refund to Columbia's USECP Hardship Fund. The non-residential refund proposal was approved. On 8/30/13, Columbia petitioned for amendment of the Commission's 8/15/13 Order relative to the residential refund diversion. RECOMMENDATION: That the Commission adopt the proposed Order.
2384967-LAW Vote 5-0.	P-2013-2384967	METROPOLITAN EDISON CO. - Petition filed on 10/1/13, requesting a waiver of 52 Pa. Code § 56.97(a) to facilitate Met-Ed's planned implementation of new website and interactive voice response (IVR) functions designed to provide expanded services to customers seeking to obtain payment arrangements or make payments to avoid termination. RECOMMENDATION: That the Commission adopt the Order approving the petition.
2386059-LAW Statement by Commissioner Witmer. Vote 5-0.	P-2013-2386059	ENTERPRISE RIDESHARE - Petition filed on 9/30/13, requesting a declaratory order and/or waiver of the Commission's regulation at 52 Pa. Code § 29.105 regarding employee commuter vanpooling. Enterprise also served the Petition on the OCA and the OSBA. No comments were filed. RECOMMENDATION: That the Commission adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2386061-LAW Vote 5-0.	P-2013-2386061	PENNSYLVANIA POWER CO. - Petition filed on 10/1/13, requesting a waiver of 52 Pa. Code § 56.97(a) to facilitate Penn Power's planned implementation of new website and interactive voice response (IVR) functions designed to provide expanded services to customers seeking to obtain payment arrangements or make payments to avoid termination. RECOMMENDATION: That the Commission adopt the Order approving the petition.
2386062-LAW Vote 5-0.	P-2013-2386062	PENNSYLVANIA ELECTRIC CO. - Petition filed on 10/1/13, requesting a waiver of 52 Pa. Code § 56.97(a) to facilitate Penelec's planned implementation of new website and interactive voice response (IVR) functions designed to provide expanded services to customers seeking to obtain payment arrangements or make payments to avoid termination. RECOMMENDATION: That the Commission adopt the Order approving the petition.
2386064-LAW Vote 5-0.	P-2013-2386064	WEST PENN POWER CO. - Petition filed on 10/1/13, requesting a waiver of 52 Pa. Code § 56.97(a) to facilitate West Penn's planned implementation of new website and interactive voice response (IVR) functions designed to provide expanded services to customers seeking to obtain payment arrangements or make payments to avoid termination. RECOMMENDATION: That the Commission adopt the Order approving the petition.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2389253-LAW

M-2013-2389253

Vote 5-0.

DELEGATION OF AUTHORITY - MOTOR CARRIER ABANDONMENT AND DISCONTINUANCE
- In order to deal efficiently with the numerous routine and non-controversial matters that require agency approval, the PUC has explicitly delegated its approval authority as to certain matters that are deemed to be routine, ministerial and non-policy making in nature to certain Bureau Directors. The Commission now desires to delegate additional authority to the Bureau of Technical Utility Services' Motor Carrier Compliance Office to approve or disapprove applications to voluntarily abandon or discontinue motor carrier service. In lieu of action at public meeting, the approval or disapproval of these applications will be addressed by Secretarial Letter.

RECOMMENDATION:

That the Commission adopt the Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2367030-ALJ (PP from 10/31/2013) Postponed until the Public Meeting of December 5, 2013.	F-2013-2367030	JENNIE CARTER HARRIS VS PHILADELPHIA GAS WORKS - Formal complaint filed 5/16/13, alleging a lien was imposed on Complainant's property even though she enrolled in PGW's Landlord Cooperation Program. PGW filed its Answer and Preliminary Objections with a Notice to Plead 6/25/13 stating Complainant created an account with LCP but did not complete the process, thus, was not afforded its protections and requested the complaint be dismissed. COMMISSION REVIEW: That the Commission adopt ALJ Cheskis' Initial Decision granting the Preliminary Objections and dismissing the complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

November 14, 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	HERMAN RIEMER GAS COMPANY - Supplement No. 18 to Tariff Gas - PA P.U.C. 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 2/6/13, ALJ Hoyer recommended that the Joint Petition be approved without modification. In an Order issued on 3/5/13, the Commission adopted the ALJ's Recommended Decision, as modified. In an Order issued on 10/17/13, the Commission provided notice of its intention to reconsider the 3/5/13 Order and provided for a comment period. Comments were received by the Company, I&E, the OCA and John Namey. An Opinion and Order addressing the Comments was adopted by the Commission by notational vote on 11/12/13, 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2329717-OSA Vote 5-0.	A-2012-2329717	LA MEXICANA EXPRESS SERVICE LLC - Application filed on 9/11/12, to provide paratransit service. Notice was given in the PA Bulletin on 2/2/13, with Protests due 2/19/13. Kutztown Area Transport Service, Inc., filed a Protest, but the Protest was withdrawn on the filing of a restrictive amendment by both the Applicant and the Protestant. On 6/5/13, the unopposed Application was referred to TUS for processing under modified procedure. By Order entered 10/17/13, the Application was denied because, inter alia, the Applicant failed to provide evidence that it possesses the necessary financial fitness to provide the proposed service. On 10/29/13, the Applicant filed a Petition for Reconsideration regarding the October 2013 Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order granting the Petition for Reconsideration pending review of, and consideration on, the merits.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2384826-TUS Statement by Commissioner Witmer. Vote 5-0.	R-2013-2384826	PENNSYLVANIA AMERICAN WATER CO - WASTEWATER - Supplement No. 10 to Tariff Wastewater - Pa. P.U.C. No. 8, filed on 9/25/13, proposing to add Victory Brewing Company, a new customer, to the Mittal special bulk rate in its tariff. The proposed tariff change will become effective on 11/24/13. RECOMMENDATION: The Commission adopt the proposed Order that approves this tariff supplement.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2388468-TUS Vote 5-0.	A-2013-2388468	ARM ENERGY MANAGEMENT LLC - Application filed on 10/10/13, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to large commercial (6,000 MCF or more annually) and industrial customers in the natural gas distribution company service territories of Peoples Natural Gas, Peoples TWP, Equitable Gas, and Columbia Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1151742-LAW Vote 5-0.	M-00001337	PA UNIVERSAL SERVICE FUND - Solix, Inc., on 11/4/13, filed its Administrator's Report with recommendations about the PaUSF's fund size for calendar year 2014. RECOMMENDATION: That the Commission adopts the Administrator's Report and establishes the PaUSF size at \$34,055,257.88.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2289411-LAW Vote 5-0.	M-2012-2289411 M-2008-2069887	ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE 2 - The Commission is charged with the responsibility of comparing the total costs of EE&C plans to the total savings in energy and capacity costs to retail customers in this Commonwealth by 11/30/13. 66 Pa. C.S. § 2806.1(d)(2). If the Commission determines that the benefits exceed the costs, the Commission must set additional incremental requirements for reduction in peak demand for the 100 hours of greatest demand or an alternative approved by the Commission. Id. With this Tentative Order, the Commission releases, for comment, the amended Act 129 Demand Response Study, which includes the Preliminary Wholesale Price Suppression and Prospective TRC Analysis prepared by the Statewide Evaluator, GDS Associates, Inc., et al., assessing the cost-effectiveness of the Phase I peak demand reduction program. In addition, the Commission seeks comments on an alternative peak demand reduction program to be studied for inclusion in a subsequent phase of the EE&C Program. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2353647-ALJ	A-2013-2353647 A-2013-2353649 A-2013-2353651	PEOPLES NATURAL GAS, PEOPLES TWP AND EQUITABLE GAS - Joint Application filed on 3/19/13, requesting all necessary approvals pursuant to 66 Pa.C.S. §§ 1102(a)(3), 1317(d), 2102(a), and 2204(e)(4), authorizing and approving: (1) the transfer of 100% of the issued and outstanding limited liability company membership interests in Equitable, to PNG Companies LLC; (2) the merger of Equitable with Peoples, a wholly-owned subsidiary of PNG, and the operation of Equitable as an operating division of PNG; (3) the transfer of certain storage and transmission assets of Peoples to EQT; (4) the transfer of certain assets and/or the exchange of certain services between EQT and Equitable; (5) certain PNG ownership changes associated with the transaction; (6) the associated gas capacity, storage, interconnects, leases, and supply service agreements among Peoples, Peoples TWP, Equitable, and/or EQT set forth in the Joint Application; and (7) certain changes in Peoples' tariff necessary to carry out the transactions. A Joint Petition for Approval of Settlement was filed. COMMISSION REVIEW: That the Commission adopt ALJ Hoyer's Initial Decision approving the Joint Petition for Approval of Settlement of All Issues filed 10/7/13.

Statement by Commissioner Cawley.
Statement by Commissioner Witmer.
Vote 5-0.