

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 5, 2013 (PW)

10:00 A.M.

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

The Commission will act on various matters at today's meeting, which is open to the public. However, since adequate forums have been made available for public participation in cases before the Commission, there will be no opportunity for the public to address the Commission.

The attached agenda is complete at the time of issuance, but other items may be added and some stricken without further notice.

The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, its decision---except on routine, uncontested tariff filings---will be put in writing and served on the interested parties and made public at the time it is entered and served.

All public documents---such as orders, opinions, hearing transcripts, comments, initial and recommended decisions, and the like---relating to items on the agenda, may be examined in the Commission's File Room located in Room N-201, Second Floor, this Building.

The Commissioners seated on the bench are:

COMMISSIONER	VICE CHAIRMAN	CHAIRMAN	COMMISSIONER	COMMISSIONER
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 19, 2013 at 10:00 A.M.

Minutes of the Meeting of Thursday, October 31, 2013 (GB)

*****ANNOUNCEMENTS*****

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

**COPIES OF CHAIRMAN AND COMMISSIONERS'
MOTIONS AND STATEMENTS WILL BE
AVAILABLE FOR PICK-UP
IMMEDIATELY AFTER PUBLIC MEETING
IN JR. EXECUTIVE CHAMBERS
3RD FLOOR KEYSTONE BUILDING**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

December 5, 2013

BUREAU OF AUDITS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2346232-AUD

D-2013-2346232

**SUPERIOR WATER CO
- Focused Management and Operations Audit.
RECOMMENDATION:
That the Commission make the Audit Report and
Superior Water Company's Implementation Plan public.**

Vote 5-0.

OFFICE OF EXECUTIVE DIRECTOR

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2393141-DIR Vote 5-0.	M-2013-2393141	BONDING REQUIREMENTS - ELECTRIC GENERATION SUPPLIERS - The Commission's Office of Competitive Market Oversight (OCMO) proposes to reduce the amount of the bonding requirement for EGSs after their initial year of operation. In addition, OCMO proposes expanding the type of security instruments that can be used to satisfy the bonding requirement. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2201861-OSA Vote 5-0.	M-2012-2201861	<p>MXENERGY/CONSTELLATION ENERGY PWR CHOICE - Informal investigation instituted on 11/4/10, pertaining to alleged erroneous customer enrollments as well as the Company's marketing of its residential electric generation supplier services and specifically its door-to-door sales practices. As a result of the investigation, Prosecutory Staff determined that MXenergy may have violated certain provisions of Chapter 57 of the Commission's Regulations. On 5/16/13, the Parties submitted a Settlement Agreement and Statement in Support of the Settlement Agreement to resolve this matter. By Order entered 8/29/13, the Commission issued the Settlement Agreement for comments. On 9/18/13, the OCA submitted comments.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that approves the Settlement Agreement.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2219920-OSA Vote 5-0.	C-2011-2219920	<p>J3 ENERGY GROUP INC VS WEST PENN POWER CO & UGI DEVELOPMENT CO - Formal Complaint filed on 1/10/11, contending that West Penn evaluation of bids for solar photovoltaic alternative energy credits was inconsistent with the pertinent Request for Proposal and violated 52 Pa. Code §§ 54.186 and 75.67(b) and (c). By Initial Decision, issued 8/17/12, ALJ Barnes dismissed the Complaint. On 9/4/12, J3 Energy filed Exceptions and a Request for Oral Argument. On 9/17/12, West Penn filed Replies to Exceptions and Opposition to Request for Oral Argument. By Opinion and Order entered 10/31/13, the Commission, inter alia, joined UGI Development Company as an indispensable party and remanded this proceeding to OALJ for further proceedings. On 11/15/13, West Penn and UGI Development filed Petitions for Reconsideration. In order to retain jurisdiction over this matter, the Commission used a notational voting process to adopt an Order granting reconsideration pending review of the merits.</p> <p>RECOMMENDATION: That, the Commission, consistent with 4 Pa. Code § 1.43(c), recorded and entered this action in the minutes of the public meeting.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2230353-OSA Vote 5-0.	C-2011-2230353 A-00119758	<p>BUR OF TRANSPORTATION & SAFETY VS LOU LANE INC T/D/B/A ALL STAR LIMOUSINES</p> <p>- Complaint filed on 7/21/11, for failiure to pay its assessments for fiscal years 2009/10 and 2010/11. I&E requested that the Respondent's Certificate of Public Convenience be cancelled should its delinquency continue. The Respondent filed an Answer on 8/4/11 stating that it had made a partial payment toward its outstanding assessment after I&E filed its Complaint. In an Initial Decision issued 8/21/13, ALJ Long sustained the Complaint. The Respondent filed Exceptions on 9/9/13 and I&E filed Reply Exceptions on 9/11/13.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Respondent's Exceptions and adopts the Initial Decision.</p>
2237486-OSA Vote 5-0.	C-2011-2237486 P-2011-2241780	<p>A EDWARD SCHWARTZ VS CANADIAN PACIFIC RAILROAD & PENNDOT</p> <p>- Complaint filed on 4/15/11, alleging that the Bridge carrying S.R. 4009 over the Railroad's facilities is unsafe. On 5/19/12, PennDOT filed an Answer to the Complaint. On 5/11/12, ALJ Salapa issued a Recommended Decision which directed that PennDOT, at its initial cost and expense, perform the work set forth in the approved plans. On 8/3/12, the Commission issued an Order which adopted the ALJ's Decision but also remanded the matter to OALJ for a determination on the future disposition of the crossing and the allocation of costs. On 8/14/13, ALJ Salapa issued a Recommended Decision Upon Remand. I&E, the Railroad, and PennDOT filed Exceptions. The Railroad and PennDOT filed Reply Exceptions.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) denies PennDOT's Exceptions; (2) denies the Railroad's Exceptions; (3) denies I&E's Exceptions; and (4) adopts the Recommended Decision.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2273645-OSA	C-2011-2273645	LARRY MOYER VS PPL ELECTRIC UTILITIES CORP - Formal Complaint filed on 11/15/11, alleging, inter alia, that the bills, credits and payments for the virtual metering of his solar array and residence were inaccurate. By Initial Decision issued 2/22/13, ALJ Fordham dismissed the Complaint. Mr. Moyer filed Exceptions and a Request for Oral Argument on 3/15/13, and PPL filed Reply Exceptions on 3/29/13. On 5/8/13, Mr. Moyer filed a Petition to Reopen the Record. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that, inter alia, remands the proceeding to the OALJ and directs PPL to submit information necessary to determine the accuracy of Mr. Moyer's bills, credits and payments.

**Postponed until the Public Meeting
of December 19, 2013.**

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2281959-OSA Vote 5-0	C-2012-2281959	<p>BUREAU OF INVESTIGATION & ENFORCEMENT VS JODIE L BINNER T/A JRSB HAULING - Complaint instituted on 1/25/12, alleging that she failed to maintain evidence of insurance on file with the Commission. The Respondent was notified that, unless her insurer filed evidence of insurance with the Commission and she paid the proposed civil penalty, she was required to file an Answer to the Complaint within 20 days of the date of service of the Complaint. The Respondent did not file an Answer to the Complaint. By Secretarial Letter of 6/19/12, it was noted that the Respondent had failed to pay the fine and/or to have her insurer file evidence of insurance with the Commission. Accordingly, the Respondent was directed, inter alia, to pay a civil penalty of \$500 within 20 days. On 10/15/13, the Respondent filed the instant Petition to Rescind Order with reference to the June 2012 Secretarial Letter. No response to the Petition has been received.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Petition; and (2) rescinds the June 2012 Secretarial Letter.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2287023-OSA (PP from 11/14/2013) Joint Motion by Vice Chairman Coleman and Commissioner Brown. Vote 5-0.	C-2012-2287023	<p>KEN EERNISSE VS VERIZON PENNSYLVANIA, INC.</p> <p>- Complaint filed on 2/2/12, alleging a reliability, safety or quality problem with his telephone service provided by Verizon PA. By way of relief the Complainant requests the Commission to direct Verizon PA to replace all defective components and order Verizon PA to respond to service outages within the time frame required by the Code. On 10/17/12, the Commission issued ALJ Long's Initial Decision sustaining the Complaint, in part and denied it part. The ALJ ordered Verizon to pay a penalty of \$23,400 for various violations. On 11/13/12 Verizon PA filed Exceptions and on 11/21/12, the Complainant filed Reply Exceptions.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.</p>
2318302-OSA Vote 5-0.	C-2012-2318302	<p>PUC - INVESTIGATION AND ENFORCEMENT VS JODIE L BINNER T/A JR SB HAULING</p> <p>- Complaint instituted on 8/8/12, alleging failure to pay its assessment for the 2011-2012 Fiscal Year. The Respondent failed to timely answer the Complaint or to pay the assessment amount. On 9/6/12, I&E filed a Motion for Default Judgment. No Answer to the Motion was filed. By Order entered 12/20/12, the Commission granted I&E's Motion, sustained the Complaint and directed the Respondent to pay the past due assessment plus a civil penalty. The Respondent did not pay the pertinent amount. Per Secretarial Letter of 5/1/13, the Respondent's Certificate was cancelled. On 10/15/13, the Respondent filed the instant Letter-Petition to Rescind Order with reference to the December 2012 Order. No response to the Petition has been received.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which: (1) grants the Petition; (2) rescinds the December 2012 Order; and (3) rescinds the May 2013 Secretarial Letter.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2333019-OSA Vote 5-0.	C-2012-2333019	JEREMEY KASHUBA VS PECO ENERGY COMPANY - Formal Complaint filed on 10/24/12, alleging that the power line to his house was hanging dangerously low, and requesting that PECO be directed to repair it. On 11/19/12, PECO filed an Answer to the Formal Complaint, stating that it was not responsible for the power line because it was located on the Complainant's property. An evidentiary hearing was held on 2/13/13. By Initial Decision issued 6/6/13, ALJ Heep dismissed the Complaint. On 6/25/13, the Complainant filed Exceptions to the Initial Decision. On 7/8/13, PECO filed Replies to the Complainant's Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which (1) grants, in part, and denies, in part, the Exceptions; (2) modifies the Initial Decision; (3) dismisses the Complaint; and (4) refers certain operational and safety matters to I&E.
2334504-OSA Vote 5-0.	F-2012-2334504	WILLIAM J FEMEA SR VS UGI PENN NATURAL GAS COMPANY - Formal Complaint filed on 11/13/12, alleging that he did not default on a payment agreement. On 12/6/12, UGI PNG filed an Answer denying the allegations. A telephonic hearing was held on 4/4/13, and a second telephonic hearing held on 5/31/13. In an Initial Decision issued on 7/17/13, ALJ Jandebeur denied the Complaint. The Complainant filed Exceptions on 8/7/13. UGI PNG filed Replies to Exceptions on 8/7/13. 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>
2346890-OSA Vote 5-0.	M-2013-2346890 M-2013-2346889	UNIQUE LIMOUSINE SERVICE, INC. - Consolidation of two proceedings presenting common questions of law. Unique Limousine Service filed Objections to its annual assessments for Fiscal Years 2010-2011 and 2011-2012. The Commission's Bureau of Investigation and Enforcement filed Motions for Judgment on the Pleadings to each Objection. In their Initial Decisions, ALJ Melillo and ALJ Colwell granted I&E's Motions and dismissed the Objections. Objector filed Exceptions to the Initial Decisions and I&E filed Replies to Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJs' Initial Decisions, as modified.
2375552-OSA Vote 5-0.	M-2013-2375552	HANDY DELIVERY, INC. - Settlement Agreement and a Joint Statement in Support of the Settlement filed on 10/1/13. The Settlement agreement resolves the issues related to an informal investigation by I&E regarding the Company's alleged underreporting of revenue in its assessment report for the 2011 calendar year. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which issues the proposed Settlement Agreement for comment.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2390672-OSA Vote 5-0.	P-2013-2390672	COMFORT LIMOUSINE SERVICE, INC. - Per Letter of 10/10/13, TUS stated that it had reviewed the information submitted by Comfort Limousine Service relative to its request for a waiver from the requirement that vehicles used in limousine service be no more than eight model years old. 52 Pa. Code Section 29.333(e). The October 2013 Letter denied the Petitioner's request because the Petitioner had not timely submitted an application for waiver, and also had not provided financial records. On 10/30/13, the Petitioner filed a Petition for Appeal from Staff Action with reference to the October 2013 Letter. No response to the Petition has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Petition.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1153190-TUS Motion by Commissioner Brown. Vote 5-0.	A-125081	TIGER NATURAL GAS INC - Application filed on 10/4/13, to amend a prior filing, to include residential, small commercial (less than 6000 Mcf annual demand), large commercial (6000 Mcf or more annual demand), industrial and governmental customers only in the NGDC service territory of Columbia. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
1184225-TUS Vote 5-0.	M-00031715F0003	SUSTAINABLE ENERGY FUND CENTRAL EASTERN PA - Letter Petition for Approval of one appointment of Jean C. Black to the Board of Directors of the Sustainable Energy Fund of Central Eastern Pennsylvania. RECOMMENDATION: That the Commission approve the appointment to the Sustainable Energy Fund's Board of Directors.
1184239-TUS Vote 5-0.	M-00031715F0004	MET-ED/PENELEC SUSTAINABLE ENERGY FUND - Sustainable Energy Fund appointment of Mr. Brian J. Hill as an Advisory Board Member. RECOMMENDATION: That the Commission approve the appointment to the Advisory Board.
1185942-TUS Vote 5-0.	A-125130	COMPASS ENERGY SERVICES, INC - Application filed on 10/4/13, for approval to amend its natural gas supplier license to add the additional customer classes of residential and small commercial (less than 6,000 MCF annually) customers under the "Mixed Meter Scenario," to their existing service territories of Columbia Gas, Equitable Gas, National Fuel Gas, PECO Energy, Peoples Natural Gas, UGI Central Penn Gas, and UGI Utilities, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2079002-TUS Vote 5-0.	A-2008-2079002	EXELON ENERGY COMPANY - ELECTRIC - Petition filed on 12/18/12, for approval to abandon its electric generation supplier license. RECOMMENDATION: That the Commission adopt the proposed Order that approves the abandonment.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2290574-TUS Vote 5-0.	A-2012-2290574 P-2012-2290433	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 2/27/12, pursuant to 52 Pa. Code Chapter 57.72 with respect to the Fountain Hill #1 & #2 138/69 kV Tap Line in Salisbury Township, Lehigh County. Authority for this procedure is provided for at §57.72(d)(1)(vi). No protests were filed and no hearings were held. Also, a Petition was filed on 4/16/12, pursuant to Pa. Code §5.41 and 53 P.S. §10619 for a finding that a building to shelter control equipment at the Fountain Hill 69 – 12 kV Substation to be constructed in Salisbury Township, Lehigh County, is reasonably necessary for the convenience or welfare of the public. No protests were filed and one pre-hearing conference was held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application and grants the petition.
2309939-TUS Vote 5-0.	A-2012-2309939	LEGENDS PA 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.
2333018-TUS Vote 5-0.	A-2012-2333018	SUBURBAN EMERGENCY MEDICAL SERVICES - Application for the right to amend its authority as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2343039-TUS Vote 5-0.	A-2013-2343039	HEALTHFLEET AMBULANCE INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2348819-TUS Vote 5-0.	A-2013-2348819	GREENS TAXI INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2352182-TUS Vote 5-0.	A-2013-2352182	PENNSYLVANIA AMERICAN WATER CO - WASTEWATER - Application filed on 3/6/13, for approval of: 1) the transfer by sale, of substantially all of Hamiltonban Township Municipal Authority (HTMA) properties and rights related to its wastewater system to PAWC; and 2) the rights of PAWC to begin to offer or furnish wastewater service to the public in portions of Hamiltonban Township, Adams County. Proofs of publication and service to the appropriate entities were submitted. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2353691-TUS Vote 5-0.	A-2013-2353691 A-2011-2268700	VISIT VANS LLC - Application for amendment to its authority to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
2354509-TUS Vote 5-0.	A-2013-2354509	REGIONAL EMS AND CRITICAL CARE INC T/A REGIONAL COMMUNITY TRANSIT - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2362048-TUS Vote 5-0.	A-2013-2362048	RAYMOND SHIRK - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2365859-TUS Vote 5-0.	A-2013-2365859	AMEREX BROKERS LLC - Application filed on 5/29/13, for approval to operate as a broker/marketer engaged in the business of supplying natural gas services 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. The application proposes to provide natural gas supply services to large commercial (6,000 MCF or more annually), industrial, and governmental customers. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2367521-TUS Vote 5-0.	A-2013-2367521	PPL ELECTRIC UTILITIES CORP - Application filed on 6/7/13, pursuant to 52 Pa. Chapter 57, Subchapter G of the Commission's transmission line siting regulation, for approval of the siting and reconstruction of the Double Circuit 138/69 kV Lake Harmony-Lake Naomi 138/69 kV Transmission Line in portions of Coolbaugh, Pocono, and Tobyhanna Townships, Monroe County and Kidder Township, Carbon County, 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>
2367959-TUS Vote 5-0.	A-2013-2367959	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 6/7/13, for approval of the right to offer, render, furnish, or supply water service to the public in an additional portion of Jackson Township, Butler 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.
2370875-TUS Vote 5-0.	A-2013-2370875	SANTANNA NATURAL GAS CORPORATION - Application filed on 6/7/13, for approval to become a licensed electric generation supplier as a supplier, broker/marketer and aggregator to residential, small commercial (25kw and under), large commercial, industrial and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2375524-TUS Vote 5-0.	A-2013-2375524	AMERICAN LIFE AMBULANCE 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 approving the application.
2377142-TUS Vote 5-0.	A-2013-2377142	COLUMBIA GAS OF PA INC - Application filed on 8/2/13, for approval of an Indirect Transfer of Control for Resulting from a Stock Transfer. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the Asset Purchase Agreement.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2379436-TUS Vote 5-0.	A-2013-2379436 A-2013-2379437 A-2013-2379439 A-2013-2379441 A-2013-2379442 A-2013-2379444 A-2013-2379445 A-2013-2379446 A-2013-2379447 A-2013-2379448 A-2013-2379450	ONVOY INC D/B/A ONVOY VOICE SERVICES - Application filed on 8/8/13, for approval to offer, render, furnish or supply telecommunication services as a Reseller Interexchange Carrier (detariffed) throughout PA; a Facilities-Based Interexchange Carrier (detariffed) throughout PA; and a Competitive Local Exchange Carrier in the service areas of VZ PA, VZ North, Frontier Commonwealth Telephone, Frontier Communication of: Breezewood, Canton, Lakewood, Oswayo River, and Pennsylvania, CenturyLink, Citizens Telephone Company of Kecksburg, and Citizens Telecommunications Company of New York, within PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the Application consistent with the proposed Order.
2382745-TUS Vote 5-0.	A-2013-2382745	LITTLE WASHINGTON WASTEWATER CO - Application filed on 9/9/13, for approval of: 1) the acquisition by LWWC of the wastewater system assets of Penn Township (PT) situated in a portion of Penn Township, Chester County; and 2) the right of LWWC to begin to offer, render, furnish and supply wastewater service to the public in a portion of Penn Township, Chester County. Proofs of publication and service to the appropriate entities were submitted. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2384046-TUS Vote 5-0.	A-2013-2384046	PLYMOUTH ROCK ENERGY LLC - Application filed on 9/16/13, for approval to offer, render, furnish, or supply natural gas supply services as a supplier and broker/marketer to residential, small commercial (less than 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial and governmental customers in the natural gas distribution company service territories of UGI Utilities, UGI Central Penn Gas, UGI Penn Natural, PECO Energy, Philadelphia Gas Works, Peoples Natural Gas, and Peoples TWP, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2385873-TUS Vote 5-0.	M-2013-2385873 M-00930438	WAYNE COUNTY'S 911 - System Renewal Plan filed on 11/7/13, by PEMA requesting a formal review of the costs associated with the contribution rate of \$1.50 per access line per month and to make a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.50 per access line per month.
2387044-TUS Vote 5-0.	A-2013-2387044	AQUA PENNSYLVANIA, INC. - Application filed on 9/30/13, for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Charlestown Township, Chester County. Proofs of publication and service to appropriate entities were submitted by Aqua. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2387335-TUS Vote 5-0.	A-2013-2387335	NEW RIVER GROUP LLC T/A SCIOTO ENERGY - Application filed on 10/2/13, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of energy consulting that will serve small commercial, large commercial, industrial and governmental customers in electric distribution company service territories of Duquesne Light, PPL Electric Utilities, PECO Energy, West Penn Power, Penn Power, Penelec and Met Ed in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2389730-TUS Vote 5-0.	S-2013-2389730 G-2013-2389746	PEOPLES NATURAL GAS - Securities Certificate and Affiliated Interest Agreement filed on 10/24/13, concerning the issuance of promissory notes between Peoples Natural Gas Company LLC and PNG Companies LLC in an aggregate principal amount not to exceed \$414 million. On 10/31/13, Peoples Natural Gas Company LLC voluntarily extended the consideration period to 12/6/13. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the affiliated interest agreement and registering the securities certificate.
2389736-TUS Vote 5-0.	A-2013-2389736	CONEXION MUNDIAL, INC T/A WORLD CONNECT - Application filed on 10/17/13, for approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller Services to the public within PA. 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>
2390457-TUS Vote 5-0.	A-2013-2390457 A-2013-2390459 A-2013-2390463 A-2013-2390464 A-2013-2390465 A-2013-2390468 A-2013-2390469	BIRCH COMMUNICATIONS INC - Application filed on 10/23/13, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Consolidated Communications of Pennsylvania, Frontier Communications Commonwealth Telephone, Frontier Communications of Pennsylvania, CenturyLink, Windstream Conestoga, Windstream D&E, and Windstream Pennsylvania. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2390558-TUS Vote 5-0.	A-2013-2390558	ABS-CBN TELECOM NORTH AMERICA INC - Application filed on 10/4/13, for approval of the Company's Discontinuance and Abandonment of Long Distance Direct (LDD) Dial-Around Service to the public within PA. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2362025-LAW Vote 5-0.	P-2013-2362025	PEOPLES TWP LLC - Petition filed on 5/7/13, requesting the approval for the extension, by two years, of a firm transportation service agreement with Columbia Gas. No Answers were filed to the Petition. RECOMMENDATION: That the Commission adopts the Order approving the petition.
2386121-LAW Vote 5-0.	P-2013-2386121	BUDGET PREPAY INC D/B/A BUDGET PHONE - Petition filed on 9/27/13, for waiver of the re-certification requirements set forth in the Commission's June 12, 2012 Order designating Budget Prepay as an ETC. RECOMMENDATION: That the Commission adopts the Order approving the petition.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2274074-ALJ Vote 5-0.	C-2011-2274074	PITTSTON TOWNSHIP VS READING BLUE MOUNTAIN & NORTHERN RAILROAD - Complaint filed on 11/14/11, alleging that the railroad crossing at Oak Street in the Township is in a state of disrepair and presents a safety hazard. Several hearings were held, but the Railroad failed to appear. On 4/26/13, a Recommended Decision was served. Exceptions were filed and by Commission Order entered 8/15/13, the case was remanded to OALJ. On 10/8/13, a Joint Stipulation of Settlement was filed with the Commission prior to the scheduled 10/29/13 Hearing on Remand. COMMISSION REVIEW: That the Commission adopt ALJ Jandebour's Recommended Decision accepting the Statement.
2329983-ALJ Vote 5-0.	F-2012-2329983	THANH NGUYEN VS PHILADELPHIA GAS WORKS - Complaint filed on 10/11/12, alleging that there were incorrect charges on his gas bills. In particular, Complainant alleged that he is not responsible for a makeup bill issued by PGW upon replacing his old meter. On 11/8/12, PGW filed an Answer denying the material allegations of the complaint. A hearing was held on 2/22/13. COMMISSION REVIEW: That the Commission adopt ALJ Vero's Initial Decision sustaining in part and denying in part the complaint. The ALJ also ordered payment of the makeup bill, in addition to the budget amount monthly.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2350265-ALJ Vote 5-0.	R-2013-2350265 C-2013-2366273 C-2013-2367232	NRG ENERGY CENTER HARRISBURG LLC - Supplement No. 48 to Tariff Steam-PA PUC No. 4, filed on 4/12/13, proposing to increase the Company's base rate for its steam service by \$875,000, an increase of 11.46% on a total bill basis for NRG's 142 Rate 1 customers. NRG's one Rate 2 customer would see a proportionate increase in rates. On 6/13/13, the Commission suspended the proposed tariff Supplement by operation of law until 1/14/14, and assigned this case to the OALJ. On 6/25/13, NRG voluntarily extended the effective date to 3/15/14. On 8/2/13, a Joint Petition for Approval of Unanimous Settlement of All Issues was filed with the Commission. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision approving the Settlement without modification.
2350509-ALJ Vote 5-0.	R-2013-2350509 C-2013-2353990 C-2013-2361614 C-2013-2359148 C-2013-2359145 C-2013-2363714	CITY OF DUBOIS - BUREAU OF WATER - Supplement No. 18 to Tariff Water – Pa. P.U.C. No. 4, filed on 3/1/13, containing proposed changes in rates, rules, and regulations calculated to produce \$490,734 in additional annual revenues for customers residing outside of the City. On 4/18/13, the Commission issued an Order whereby it initiated an investigation of the City's proposed general rate increase. Numerous hearings were held. On 10/11/13, a Joint Petition for Settlement of Rate Investigation was filed. COMMISSION REVIEW: That the Commission adopt ALJs Watson and Hoyer's Recommended Decision approving the Settlement.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2352676-ALJ Motion by Commissioner Brown. Vote 5-0.	C-2013-2352676	MICHAEL JOHN SOTTILE VS PHILADELPHIA GAS WORKS - Complaint filed 2/27/13 alleging inadequate service and incorrect charges on his bill. Answer filed 3/27/13 denying the allegations. Hearing held 6/14/13. COMMISSION REVIEW: That the Commission adopt ALJ Heep's Initial Decision sustaining in part and dismissing in part the Complaint and fining Respondent \$200 for violation of 52 Pa. Code § 56.11.
2357426-ALJ Motion By Commissioner Witmer. Vote 5-0.	C-2013-2357426	FRED LAVNER VS PECO ENERGY COMPANY - Complaint filed on 3/12/13 alleging that there were incorrect charges on his electric bill. Complainant also alleged that he has not received monthly bills and has received poor customer service. PECO filed an Answer 4/24/13 denying that it was over charging Complainant and averring that he is not entitled to a payment agreement because he has previously defaulted on a payment agreement. Hearings were held. COMMISSION REVIEW: That the Commission adopt ALJ Cheskis' Initial Decision sustaining in part and denying in part the complaint. Complainant was entitled to a payment agreement of no longer than six months and to receive his monthly bills in paper form.
2367030-ALJ (PP from 11/14/2013) Postponed until the Public Meeting of December 19, 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.