

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 19, 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, January 9, 2014 at 10:00 A.M.

Minutes of the Meeting of Thursday, November 14, 2013 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 9, 2014 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, DECEMBER 18, 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

December 19, 2013

BUREAU OF ADMINISTRATION

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2396471-BAS

Vote 5-0.

REQUEST FOR QUOTE

- The Commission posted a Request for Quote (RFQ) for qualified bidders to submit a quote for outside legal services for Human Resources related activities.

RECOMMENDATION:

That the Commission approve the low bid received for these services and enter into a Purchase Order with this vendor for these services.

BUREAU OF CONSUMER SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2350946-BCS Vote 5-0.	M-2013-2350946	DUQUESNE LIGHT COMPANY - Universal Service and Energy Conservation Plan for 2014-2016 filed on 2/28/13, and a final amended Plan was filed on 6/28/13, in accordance with the Commission's regulations at 52 Pa. Code §§ 54.71-54.78. RECOMMENDATION: That the Commission adopt the proposed Tentative Order, which approves the plan.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1198994-OSA (PP from 12/05/2013)	A-310922F7002	CORE COMMUNICATIONS, INC. - Petition for Arbitration filed on 1/21/06, requesting that the Commission arbitrate the terms and conditions for interconnection with CenturyLink. ALJ Salapa issued a Recommended Decision on 10/19/07. Exceptions were filed by Core on 11/28/07 and Replies to Exceptions were filed by CenturyLink on 12/10/07. On 1/26/09, the Parties filed Supplemental Comments updating their positions based upon the FCC's new legal basis for an intercarrier compensation scheme for ISP-bound traffic. On 2/6/09, the Parties filed Reply Supplemental Comments. On 1/11/13, the Parties filed Supplemental Briefs updating their positions based upon the FCC's USF/ICC Transformation Order. On 2/15/13, the Parties filed Reply Supplemental Briefs. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
Dissenting Statement by Commissioner Brown. Oral Statement by Vice Chairman Coleman. Vote 3-2 with Commissioner Cawley and Commissioner Brown Dissenting.		
2257858-OSA	M-2012-2257858	PUBLIC POWER LLC - Informal Investigation instituted on 4/6/12, pertaining to the alleged erroneous customer enrollments within the PECO Energy service territory. As a result of the investigation, I&E determined that Public Power may have violated certain provisions of Chapter 54 and Chapter 57 of the Commission's Regulations. On 11/19/12, the Parties submitted a 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. On 9/19/13, I&E submitted Reply Comments. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that approves the Settlement Agreement.
Vote 5-0.		

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2273645-OSA (PP from 12/05/2013)	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.
2309903-OSA	F-2012-2309903	BARBARA PEZZUTO VS METROPOLITAN EDISON COMPANY - Formal Complaint filed on 6/11/12, alleging, inter alia, incorrect charges on her bill and receipt of a utility service termination notice. On 7/9/12, Respondent filed an Answer to the Complaint and a New Matter. Complainant filed a Reply to the New Matter on 7/26/12. On 8/20/12, Respondent filed a Motion for Summary Judgment which was granted in part on 11/30/12. An evidentiary hearing was held on 5/2/13. By Initial Decision issued 8/9/13, ALJ Cheskis sustained the Complaint, in part, and denied it in part. On 9/3/13, the Complainant filed Exceptions to the Initial Decision; Respondent filed Replies to Exceptions on 9/9/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the ALJ's Initial Decision.

Postponed until the Public Meeting of
January 9, 2014.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

**2347105-OSA
(PP from 12/05/2013)**

P-2013-2347105

Vote 5-0.

UGI PENN NATURAL GAS COMPANY
- Petition filed on 2/8/13, for a finding that structures to shelter pipeline facilities in West Wyoming Borough, Luzerne County, to the extent considered to be buildings under local zoning rules, are reasonably necessary for the convenience or welfare of the public. On 2/28/13, the Borough of West Wyoming filed an Answer and New Matter. Several pro se Intervenors, including Nancy Dolan, filed Petitions to Intervene. By Initial Decision issued on 8/30/13, ALJ Barnes granted the Petition. Ms. Dolan filed Exceptions on 9/20/13. PNG filed Replies to Exceptions on 9/30/13.
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>
2355276-OSA	R-2013-2355276	<p>PENNSYLVANIA AMERICAN WATER COMPANY - Tariff Water Pa. P.U.C. No. 4 and Original Tariff Wastewater-Pa. P.U.C. No. 15, filed on 4/30/13, which proposed an increase in water and wastewater rates calculated to produce \$58.6 million in additional annual revenue. On 6/13/13, the Commission instituted a formal investigation and the Supplemental and Original Tariffs were suspended until 1/29/14. Seven public input hearings were held between 7/23/13 and 8/8/13. On 10/18/13, the following Parties filed a Joint Petition for Settlement: PAWC, BIE, OCA, OSBA, the Commission on Economic Opportunity, and the Pennsylvania American Water Large Users Group. On 11/8/13 the Commission issued the Recommended Decision of ALJs Jones and Heep. Intervenor, Pittsburgh Water and Sewer Authority, and William B. Kazimer filed Exceptions on 11/18/13. PAWC filed Replies to Exceptions on 11/26/13.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which denies the Exceptions, in part, and grants them, in part, adopts the ALJs Recommended Decision, as modified, and adopts the Settlement without modification.</p>

Statement by Chairman Powelson.
Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2355458-OSA

F-2013-2355458

KENNETH TREIBER VS PENNSYLVANIA
ELECTRIC COMPANY

Withdrawn by the Office of Special
Assistants.

- Formal Complaint filed on 3/27/13, alleging that there were incorrect charges on his bill. He stated that the service was provided to tenants who were responsible for the utility bills as required by their leases. The Complainant further stated that tenants left without paying their utility bills and Penelec assigned their bills to him. He asked that the former tenants be accountable to Penelec for the bills. On 4/22/13, Penelec filed an Answer and averred that, at the relevant times, the electric accounts for the rental properties were in the Complainants's name, therefore he was responsible for the services rendered. Penelec also filed New Matter which averred that the Commission is without jurisdiction to determine a dispute between a landlord and a tenant. In an Initial Decision, issued on 9/13/13, ALJ Long sustained the Complaint in part and dismissed it in part. Penelec filed Exceptions on 10/3/13.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Exceptions of Penelec.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2360697-OSA Vote 5-0.	F-2013-2360697	LISA MARTIN VS PECO ENERGY COMPANY - Formal Complaint filed on 4/29/13, alleging incorrect billing and requesting that she not be held responsible for charges to a rear apartment unit at a previous service address. She also disputed the dates for which PECO billed her for the front unit of the same address. On 5/13/13, PECO filed an Answer denying incorrect charges and stating that the Complainant had established an account for the rear unit and was responsible for the associated charges. PECO also averred that the Complainant is responsible for charges transferred to her current account from the front unit as she never requested discontinuance of service. In an Initial Decision, issued on 9/27/13, ALJ Barnes found that the Complainant failed to satisfy her burden of proof and was not eligible for a payment arrangement. She therefore dismissed the Complaint. The Complainant filed the Petition on 10/21/13. PECO filed an Answer to the Petition on 10/29/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Complainant's Petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2367375-OSA (PP from 12/05/2013) Vote 5-0.	C-2013-2367375	<p>FRED WILSON VS COLUMBIA GAS OF PA INC - Complaint filed on 5/31/13, alleging the illegally placement of a gas line in an exclusive right of way held by a water company. The Complainant requested that the Respondent be ordered to abandon the gas line. On 6/26/13, the Respondent filed an Answer and New Matter denying the material allegations of the Complaint. Also on 6/26/13, the Respondent filed Preliminary Objections requesting that the Complaint be dismissed for lack of subject matter jurisdiction. The Complainant filed a response to the Preliminary Objections on 7/15/13. On 8/9/13, the Initial Decision of ALJ Jandebour was issued. The ALJ granted the Preliminary Objections and dismissed the Complaint with prejudice for lack of subject matter jurisdiction. On 8/19/13, the Complainant filed Exceptions. The Exceptions were served on the Respondent by Secretarial Letter dated 8/23/13. The Respondent timely filed Reply Exceptions on 9/3/13.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Complainant's Exceptions, adopts the Initial Decision and dismisses the Complaint with prejudice for lack of subject matter jurisdiction.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2382620-OSA Vote 5-0.	M-2013-2382620	ELIZABETH BOROUGH - By Letter received on 8/29/13, PennDOT requested that the Commission approve a posting of the pertinent Bridge for a maximum load of thirty-two tons for a single vehicle and forty tons for combination vehicles. In connection with its request, PennDOT noted that the superstructure of the Bridge revealed steel deterioration. By Secretarial Letter issued 10/21/13, the Commission directed that PennDOT, at its initial cost and expense, furnish all material and perform all work to erect signs posting the Bridge for the maximum loads it requested. On 10/28/13, Elizabeth Borough filed a Petition for Appeal from Staff Action with reference to the October 2013 Secretarial Letter. On 11/18/13, PennDOT filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Borough's Petition.
2388660-OSA Vote 5-0.	A-2013-2388660	UNITED TELEPHONE D/B/A CENTURYLINK AND LUMOS NETWORKS - Joint Petition filed on 10/17/13, 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.
2389469-OSA Statement by Commissioner Brown. Vote 4-0 with Commissioner Brown Recusing.	A-2013-2389469	FRONTIER COMM & AMERICAN BROADBAND - Joint Petition filed on 10/23/13, requesting approval of an Interconnection Agreement pursuant to Sections 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>
1171186-TUS Vote 5-0.	A-125116	CROWN ENERGY SERVICES INC - Application filed on 7/9/12, for approval to amend its natural gas supplier license to add residential, industrial and governmental customers in the natural gas distribution company service territory of National Fuel Gas. Crown is currently licensed by the Commission to offer, render, furnish or supply natural gas supply services as a supplier to small commercial (less than 6,000 Mcf annually) and large commercial (6,000 Mcf or more annually) customers in the NGDC service territory of NFG, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2079864-TUS Vote 5-0.	A-2008-2079864	THE ROYAL BANK OF SCOTLAND PLC - Petition filed on 11/1/10, for approval to abandon its electric generation supplier license. RECOMMENDATION: That the Commission adopt the proposed Order that approves the abandonment.
2138283-TUS Vote 5-0.	A-2009-2138283	AMERICA APPROVED COMMERCIAL, LLC - Application filed on 1/14/10, for approval to begin to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the electric distribution company service territories of PPL Electric and Duquesne Light within PA. On 7/29/10, the Commission approved an amendment to the license to include all EDC service territories within PA. Request to amend its EGS license filed on 9/12/13 to also serve residential customers as a broker/marketer throughout all EDC service territories in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application amendment.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2205475-TUS Vote 5-0.	A-2010-2205475	GREAT AMERICAN POWER LLC - Amendment Application filed on 5/9/13, for approval to amend its electric generation supplier license in order to serve residential, small commercial (25kW and under), large commercial (over 25 kW), industrial, and governmental customers as a supplier and aggregator in the additional EDC service territories of West Penn Power, Penelec, Penn Power, and UGI Utilities. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application with conditions.
2205479-TUS Vote 5-0.	A-2010-2205479	OASIS POWER LLC T/A OASIS ENERGY - Application filed on 1/20/11, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier of retail electric power for residential and small commercial (25kw and under demand) customers in the electric distribution company service territory of PPL Electric. On 5/23/13, Oasis was granted an amendment to its electric generation supplier license to also serve in the additional EDC service territories of PECO Energy and Duquesne Light. On 10/17/13, Oasis filed a request to amend its electric generation supplier license to serve in the additional electric distribution company service territories of West Penn Power, Met Ed, and Penelec within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2352782-TUS Vote 5-0.	A-2013-2352782	H & S LIMOUSINE SERVICE, INC. - Application for the approval of the transfer of 100% of the common stock. 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>
2360403-TUS Vote 5-0.	A-2013-2360403	ALPHA GAS AND ELECTRIC LLC - On 8/15/13, was licensed to operate as a supplier of natural gas services to residential, small commercial (less than 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial, and governmental customers in the natural gas distribution company service territory of Columbia Gas. On 10/25/13, Alpha requested an amendment to its license for the additional NGDC service territories of UGI Utilities, UGI Central Penn, UGI Penn Natural, and Peoples Natural Gas, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2370620-TUS Vote 5-0.	A-2013-2370620	SUPREME ENERGY INC - Application filed on 6/4/13, for approval to operate as a broker/marketer engaged in the business of supplying natural gas services to small commercial (less than 6,000 Mcf annually) and large commercial (6,000 Mcf or more annually) customers in the natural gas distribution company service territories of PECO Energy, Peoples Natural Gas, Philadelphia Gas Works, UGI Penn Natural Gas, UGI Utilities, and UGI Central Penn Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2375308-TUS Vote 5-0.	A-2013-2375308	GARY C WALK JR T/A WALK'S MOVING - Application for amendment of the right to transport as a common carrier by motor vehicle, household goods in use. Altoona, Blair County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2377578-TUS Vote 5-0.	A-2013-2377578	ONCALL CARE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Cumberland and Dauphin Counties 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>
2378131-TUS Vote 5-0.	A-2013-2378131	EMISSIONS CONSULT LLC - Application filed on 8/9/13, for approval to become a licensed electric generation supplier as a broker/marketer of retail electric power to residential, small commercial (25kW and under demand), large commercial (over 25kW demand), industrial and governmental customers in the electric distribution company service territories of Met Ed, Penelec, PPL Electric, West Penn Power, Duquesne Light and Penn Power within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2380065-TUS Vote 5-0.	A-2013-2380065	MARK GROUP INC - Application filed on 8/19/13, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial (25 kW and under 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.
2380631-TUS Vote 5-0.	A-2013-2380631	PTM TRANSPORTATION LLC - Application for a brokerage license. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2380731-TUS Vote 5-0.	A-2013-2380731	GOLDSTAR ENERGY GROUP INC - Application filed on 8/27/13, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to residential, small commercial (less than 6,000 Mcf), large commercial (6,000 Mcf or more), industrial and governmental customers in the natural gas distribution service territories of Columbia Gas, National Fuel Gas, PECO Energy, Peoples Natural Gas, Peoples TWP, UGI Central Penn, UGI Penn Natural, UGI Utilities and Valley Energy within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2382543-TUS Vote 5-0.	A-2013-2382543 A-2013-2382548	TRI-VALLEY WATER SUPPLY INC - Application filed on 9/4/13, for approval of: 1) the transfer, by sale, of its Stone Ridge Manor Division water works property and rights to the Bowmanstown Water Authority; and, 2) the abandonment by TVWS of all water service to the public in the Stone Ridge Manor Development of Lower Towamensing Township, Carbon County. Proofs of service and publication were submitted to appropriate municipal and county officials, and their planning commissions. No protests were filed and no hearings were conducted. RECOMMENDATION: The Commission adopt the proposed Order that approves the application.
2387026-TUS Vote 5-0.	A-2013-2387026	BETTER COST ENERGY LLC - Application filed on 9/30/13, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial (under 25kW demand), large commercial (over 25kW demand), industrial, and governmental customers in the electric distribution company service territories of PECO Energy, PPL Electric, Met Ed, and UGI Utilities, in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2388477-TUS Vote 5-0.	A-2013-2388477	BOROUGH OF COLUMBIA - Application filed on 10/11/13, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2388648-TUS Vote 5-0.	M-2013-2388648 M-00920323	WESTMORELAND COUNTY'S 911 - System Renewal Plan filed on 10/15/13, by PEMA requesting a formal review of the costs associated with the contribution rate of \$1.25 per access line per month and to make a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.
2389159-TUS Vote 5-0.	M-2013-2389159 M-00910310	ADAMS COUNTY'S 911 - System Renewal Plan filed on 10/21/13, 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.
2389331-TUS Vote 5-0.	P-2013-2389331	UNITED WATER PENNSYLVANIA INC - Petition filed on 10/23/13, for approval of a Tariff Supplement to Revise its Maximum Distribution System Improvement Charge to 7.5% of Billed Revenues. By letter of 11/18/13, the OCA filed an answer to UWPA's Petition expressing concern about acceleration of the main replacement program. OSBA initially filed a Notice of Intervention but withdrew its request to assign the proceeding to the OALJ. RECOMMENDATION: That the Commission adopt the proposed Order that grants this petition.
2390238-TUS Vote 5-0.	M-2013-2390238 M-00920353	TIOGA COUNTY'S 911 - System Renewal Plan filed on 10/28/13 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2390263-TUS Vote 5-0.	A-2013-2390263 A-2013-2390265	BROADVOX-CLEC LLC - Application filed on 10/24/13, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of CenturyLink and Windstream Pennsylvania. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2391045-TUS Vote 5-0.	A-2013-2391045	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 10/31/13, for approval of the right to offer, render, furnish, or supply water service to the public in an additional portion of Donegal 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.
2391488-TUS Vote 5-0.	A-2013-2391488	TRANS NATIONAL COMM INTERNATIONAL INC - Application filed on 10/31/13, for approval of the Company's Discontinuance and Abandonment of Competitive Local Exchange and Interexchange Reseller Services to the Public within PA. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2391528-TUS Statement by Commissioner Cawley. Statement by Commissioner Brown. Vote 5-0 with Commissioner Cawley Concurring in Result Only.	R-2013-2391528	VERIZON PENNSYLVANIA LLC - 2014 Annual Price Change Opportunity Filing and Tariff Changes to Telephone Tariff Pa. P.U.C. Nos. 180A, 182, 182A, 185B, 185C and 304. The Company requests a \$3,702,200 increase in rates from the implementation of its Price Change Opportunity. On 11/1/13, the subject Report was filed. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the proposed rate increases.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2391544-TUS Statement by Commissioner Cawley. Vote 5-0 with Commissioner Cawley Concurring in Result Only.	R-2013-2391544	VERIZON NORTH LLC - 2014 Annual Price Change Opportunity Filing and Tariff Changes to Telephone Tariff Pa. P.U.C. Nos. 1, 3, 5 and 6. The Company requests a \$646,200 increase in rates from the implementation of its Price Change Opportunity. On 11/1/13, the subject Report was filed. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the proposed rate increases.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1150196-LAW Vote 5-0.	A-310879	AFFORDABLE VOICE COMM INC - Telecommunications interexchange reseller certificated at A-310879, is an inactive business entity. The FCC Form 499 website has reported that this company is no longer active as of 3/25/11. Attempts by staff to reach the company have been unsuccessful. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
2313373-LAW Vote 5-0.	M-2012-2313373 M-00051865	ACT 129 EE&C PROGRAM - TECHNICAL REFERENCE MANUAL - Update to the Technical Reference Manual (TRM) adopted on 5/28/09. In that Order, the Commission directed the Bureau of Technical Utility Services to revise the TRM annually. In August 2009, the Commission contracted with GDS Associates, Inc., to be the Act 129 Statewide Evaluator (SWE), which, among other duties, is to assist in reviewing and providing suggested changes to the TRM. The SWE, in conjunction with a Program Evaluation and Technical Working Group, has reviewed the 2013 version of the TRM and proposes several changes and additions for the 2014 TRM update that the Commission released for Comment on 8/29/13. The Commission issues the 2014 TRM update as modified based on the comments provided. RECOMMENDATION: That the Commission adopt the proposed Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2356645-ALJ Oral Statement by Commissioner Cawley. Vote 5-0	F-2013-2356645	VINCENT WAGNER VS UGI UTILITIES GAS INC GAS DIVISION - Complaint filed 4/3/13 alleging that Complainant's monthly payment agreement was too much for him to pay and requested a lower payment. On 4/25/13, UGI filed an Answer stating that the Complainant's account is a commercial one and therefore he is not entitled to a payment agreement. A hearing was held 8/19/13. COMMISSION REVIEW: That the Commission adopt ALJ Jandebour's Initial Decision dismissing the Complaint.
2367030-ALJ (PP from 12/05/2013) Joint Dissenting Statement by Commissioner Cawley and Commissioner Brown. Vote 3-2 with Commissioner Cawley and Commissioner Brown Dissenting.	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.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2373941-ALJ	F-2013-2373941	STEPHEN MERRIGAN VS PECO ENERGY COMPANY - Complaint filed 7/12/13 alleging "the utility is threatening to shut off my service or has already shut off my service" and "I would like a payment agreement." Under the "requested relief" section, the Complainant wrote in "I would like to be put on a payment plan that I can afford. The payment of \$777.00 per month that was offered by PUC is too much for me to pay." PECO filed an Answer and New Matter 7/19/13 denying the allegations and stating that the Complainant does not pay his bills on time and misses payments. Complainant had already received a Commission-ordered payment agreement and therefore was not entitled to another agreement. A hearing was held on 10/10/13. COMMISSION REVIEW: That the Commission adopt ALJ Pell's Initial Decision dismissing the Complaint with prejudice.

Motion by Commissioner Brown.
Vote 5-0.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

December 19, 2013

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2313679-OSA

F-2012-2313679

KISHA DORSEY VS PHILADELPHIA GAS WORKS
- Formal Complaint filed on 7/29/12, alleged, inter alia, an inability to pay her gas utility bills and that she had received a notice her utility service was being terminated. As relief, she requested a payment arrangement. On 8/2/12, PGW filed an Answer in which it denied the material allegations of the Complaint and provided additional allegations of fact regarding the Complainant's payment history and prior payment arrangements. In an Initial Decision issued 7/17/13, Special Agent Hunt denied the Complainant's request for a payment arrangement on the portion of her account balance that is subject to CAP rates but granted the Complainant's request for a payment arrangement on the portion of her account balance that is not subject to CAP rates. On 12/10/13, the Complainant filed a Petition for Reconsideration.
RECOMMENDATION:
That the Commission adopt the proposed Opinion and Order which grants reconsideration pending review of, and consideration on, the merits of the Petition.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2355886-OSA Vote 5-0.	R-2013-2355886	PEOPLES TWP LLC - Original Tariff Gas – Pa. P.U.C. No. 8, filed on 4/30/13, which proposed an increase in rates calculated to produce \$18.66 million in additional annual revenue. By Order entered 6/13/13, a formal investigation was instituted to determine the lawfulness, justness and reasonableness of Peoples TWP's existing and proposed rates, rules and regulations, and Tariff No. 8 was suspended until 1/29/14. A public input hearing was held in Butler County on 7/23/13. An evidentiary hearing was conducted on 9/18/13. On 10/7/13, Peoples TWP, the OCA, the OSBA, and I&E filed a Joint Petition for Settlement. On 11/6/13, the Commission issued the Recommended Decision of ALJ Dunderdale, approving the Settlement. Dawn Spielvogel filed Exceptions on 11/18/13. Peoples TWP filed Replies to Exceptions on 11/18/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2072850-LAW Statement by Commissioner Witmer. Vote 5-0.	M-2008-2072850 D-2008-2063177	GAS BEYOND THE MAINS - Commission Staff prepared an internal report for the Commission which set forth certain findings and made recommendations on GBM programs and propane distribution systems. On 7/16/13, the Commission addressed the internal Staff report and issued a Tentative Order regarding its disposition of the active GBM programs of UGI. Comments were filed in response to the Tentative Order. RECOMMENDATION: That the Commission issue the Final Order regarding its conclusions and disposition of the Gas Beyond the Mains programs of jurisdictional Natural Gas Distribution Companies.