

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, JANUARY 9, 2014 (GB)

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 23, 2014 at 10:00 A.M.

Minutes of the Meeting of Thursday, December 5, 2013 (PW)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 23, 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, JANUARY 8, 2014, 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

January 9, 2014

CASES OF SPECIAL INTEREST

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2360798-OSA Binding Poll Statement by Chairman Powelson on Issue #3. Vote 5-0. Motion by Chairman Powelson on Issue #4. Vote 4-1 with Commissioner Cawley Dissenting. Motion by Chairman Powelson on Issue #19. Vote 5-0.	R-2013-2360798	COLUMBIA WATER COMPANY VS - Supplement No. 60 to Tariff-Water Pa. P.U.C. No. 7, filed on 4/25/13, which proposed an increase to annual base rate revenues of approximately \$773,210. Complaints were filed by the Bureau of Investigation and Enforcement, the OCA, the OSBA, and Vincent E. Collier. After an evidentiary proceeding, ALJ Buckley issued a Recommended Decision on 11/22/13. Exceptions and Reply Exceptions were filed by Columbia, I&E and the OCA on 12/6/13 and 12/16/13, respectively. RECOMMENDATION: That the Commission conduct a BINDING POLL of the contested issues in this proceeding.

BUREAU OF AUDITS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2290993-AUD

D-2012-2290993

PECO ENERGY COMPANY

- Transmission Service Charge for the Ten Months
Ended 10/31/11.

Vote 5-0.

RECOMMENDATION:

That the Commission release the Audit Report to the
public.

BUREAU OF CONSUMER SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2366232-BCS

M-2013-2366232

NATIONAL FUEL GAS DISTRIBUTION
- Universal Service and Energy Conservation Plan for
2014-2016, filed on 5/28/13, in accordance with the
Commission's regulations at 52 Pa. Code
§§ 62.1-62.8.
RECOMMENDATION:
That the Commission adopt the proposed Tentative
Order.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1121115-OSA Vote 5-0.	M-00900239	PA RELAY SERVICE ADVISORY BOARD - The Commission's Order of 5/29/90, established a Telecommunications Relay Service (TRS) Advisory Board. The Commission then appoints members to the TRS Advisory Board for two-year terms. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order appointing this nominee to serve on the TRS Advisory Board for a two-year term, terminating on 1/31/16.
2063737-OSA Vote 5-0.	A-2008-2063737	PEOPLES NATURAL GAS - Opinion and Order issued on 11/19/09, which, inter alia, approved an application authorizing Peoples Hope Gas Companies LLC to acquire all the outstanding stock of Peoples Natural Gas Company d/b/a Dominion Peoples (PNGC) from Dominion Resources, Inc., as modified by a Settlement Agreement. The Settlement was an agreement between Peoples Hope, PNGC, OCA, and OSBA. The Settlement contained a number of specific commitments, as well as a 120-day reporting requirement to ensure compliance with these commitments. The Commission stated that a petition could be filed seeking relief from the 120-day reporting requirement, when reporting was no longer indicated. On 10/29/13, Peoples Natural Gas Company and PNG Companies filed a Petition requesting relief from the 120-day reporting requirement. No Answers to the Petition were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants the Petition for Amendment.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2152321-OSA Vote 5-0.	A-2010-2152321	TOWNSHIP OF PENN - Application filed on 1/11/10, in which it proposed to reconstruct the pertinent crossing. A field investigation and conference was held at the site on 3/30/10. By Order entered 11/8/12, the Commission approved the Application. On 11/30/12, CSX filed a Petition for Reconsideration and Clarification of the November 2012 Order. On 12/5/12, we granted reconsideration of the November 2012 Order pending further review of the merits. On 12/2/13, CSX and the Township jointly filed a Stipulation of Settlement. No response to the Settlement has been filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2273645-OSA (PP from 12/19/2013) Vote 5-0.	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.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

**2307244-OSA
(PP from 12/19/2013)**

C-2012-2307244

Vote 5-0.

**PUC - INVESTIGATION AND ENFORCEMENT VS
WEST PENN POWER COMPANY**

- After conducting an investigation, a formal complaint was filed on 5/30/12. The Complaint concerned a fatal accident that occurred on 6/2/09 in Irwin, PA, when West Penn's electric distribution line fell onto a tree located on a customer's property. On 2/13/13, I&E and West Penn filed a Settlement Agreement, which provided that West Penn would pay an \$86,000 civil penalty and engage in various remedial measures. By Order entered 8/29/13, the Commission granted a Petition to Intervene filed by Michael Goretzka and JoAnn Goretzka and permitted the Intervenor to submit comments on the Settlement Agreement. On 9/16/13, the Intervenor filed Limited Objections to the Settlement. On 9/30/13, West Penn filed a Reply to the Objections.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which approves the Settlement Agreement, as modified.

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	<p>LA MEXICANA EXPRESS SERVICE LLC - Application filed on 9/11/12, for approval 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, 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. No response has been filed to the Petition. Per Order of 11/14/13, the Petition was granted pending further review of the merits.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Applicant's Petition, in part; (2) vacates the October 2013 Order; and (3) refers this matter to TUS for such further proceedings as may be warranted.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2331672-OSA Vote 5-0.	C-2012-2331672	JOAN SMITH VS PECO ENERGY COMPANY - Formal Complaint filed on 10/25/12, alleging, inter alia, that her income had changed and that she could not keep the terms of her payment arrangement. On 11/8/12, PECO filed an Answer and New Matter denying the allegations. A hearing was held on 2/11/13. In an Initial Decision, issued on 5/30/13, ALJ Marta Guhl concluded that the Commission is precluded from issuing a new payment arrangement and dismissed the Complaint. The Complainant filed Exceptions on 9/30/13. PECO filed Reply Exceptions on 10/3/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which: (1) grants the Complainant's Exceptions; (2) vacates the ALJ's Initial Decision; and (3) remands this proceeding to the Office of Administrative Law Judge.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2340872-OSA Vote 5-0.	A-2012-2340872 P-2012-2340871 P-2012-2341105 etc.	PPL ELECTRIC UTILITIES CORP - Application filed on 12/28/12, seeking authority to construct transmission lines as part of its Northeast-Pocono Reliability Project. In conjunction with its Application, PPL also filed two Petitions requesting that the Commission find that the buildings used to shelter control equipment at the proposed North Pocono and West Pocono Substations are reasonably necessary for the convenience or welfare of the public, and therefore, exempt from any local zoning ordinances. In addition, PPL filed 37 Applications requesting that the Commission find that the exercise of the power of eminent domain to acquire rights-of-way across certain portions of land is necessary for the service, accommodation, convenience or safety of the public. Public input and evidentiary hearings were held. On 10/21/13, the Commission issued the Recommended Decision of ALJ Salapa. Exceptions were filed by Donald Januszewski on 11/7/13, and Reply Exceptions were filed by PPL on 11/20/13. 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>
2354509-OSA Vote 5-0.	A-2013-2354509	REGIONAL EMS AND CRITICAL CARE INC T/A REGIONAL COMMUNITY TRANSIT - Application filed on 3/12/13, seeking a certificate of public convenience to provide paratransit service from points in Berks, Carbon, Lehigh, Luzerne, Monroe, Northampton and Schuylkill Counties. Although several protests were filed, all interested parties subsequently filed a Restrictive Amendment and Stipulation and withdrew their protests conditioned upon Commission acceptance of the Restrictive Amendment. On 8/28/13, the Commission sent a request for Verified Statements to Regional. On 12/5/13, the Commission approved the Application enabling Regional to provide paratransit service in Berks, Carbon and Schuylkill counties but denied the Application as to Lehigh, Monroe, and Northampton counties finding that Regional did not submit verified statements for those counties. On 12/20/13, Regional filed a Petition for Reconsideration. An Opinion and Order granting the Petition pending further review of, and consideration on, the merits was adopted by the Commission by notational vote on 12/27/13. RECOMMENDATION: That the Commission, consistent with 4 Pa. Code 1.43(c), record and enter this action in the minutes of this Public Meeting.
2390277-OSA Vote 5-0.	A-2013-2390277	NORTH-EASTERN PA TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking approval of an Interconnection Agreement pursuant to Section 252(i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2390281-OSA Vote 5-0.	A-2013-2390281	PYMATUNING IND TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking 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 which grants the Joint Petition.
2390289-OSA Vote 5-0.	A-2013-2390289	PALMERTON TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking 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.
2390296-OSA Vote 5-0.	A-2013-2390296	YUKON-WALTZ TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking 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.
2390425-OSA Vote 5-0.	A-2013-2390425	SOUTH CANAAN TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking approval of an Interconnection Agreement pursuant to Section 252(i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2390427-OSA Vote 5-0.	A-2013-2390427	LACKAWAXEN TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking 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 which grants the Joint Petition.
2390430-OSA Vote 5-0.	A-2013-2390430	LAUREL HIGHLAND TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking 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.
2390438-OSA Vote 5-0.	A-2013-2390438	HICKORY TEL AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking 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.
2390458-OSA Vote 5-0.	A-2013-2390458	ARMSTRONG TEL-PA AND VERIZON WIRELESS - Joint Petition filed on 10/28/13, seeking approval of an Interconnection Agreement pursuant to Section 252(i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2390460-OSA

A-2013-2390460

Vote 5-0.

ARMSTRONG TEL-NORTH AND VERIZON WIRELESS
- Joint Petition filed on 10/28/13, seeking 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1156623-TUS Vote 5-0.	A-125095	CONSTELLATION NEWENERGY - GAS - Application filed on 10/28/13, for approval to amend its natural gas supplier license to include residential customers in Mixed Meter Scenarios. RECOMMENDATION: That the Commission adopt the proposed Order which approves the amendment to the natural supplier license.
1200282-TUS Vote 5-0.	A-110176	MRDB HOLDINGS, LP - Petition filed on 9/20/12, for approval to abandon its electric generation supplier license. RECOMMENDATION: That the Commission adopt the proposed Order that approves the abandonment.
2123948-TUS Vote 5-0.	M-2009-2123948	DUQUESNE LIGHT COMPANY - Petition filed on 5/6/13, for approval of its Final Smart Meter Procurement and Installation Plan as well as granting and modifying the Joint Petition for Approval of Full Settlement of All Issues filed on 12/7/12, by Duquesne and the OCA. The May 6 Order directed Duquesne to make a compliance filing within 90 days of the date of entry of the May 6 Order. Other interested Parties were directed to file comments on Duquesne's compliance filing within 120 days of the date of entry of the May 6 Order. On 8/2/13, Duquesne filed their compliance filing. No parties filed comments to Duquesne's compliance filing. RECOMMENDATION: That the Commission adopt the Order approving Duquesne Light Company's compliance filing.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2145794-TUS Vote 5-0.	A-2009-2145794	VIRIDIAN ENERGY PA LLC - Application filed on 2/25/10, for approval to offer, render, furnish or supply electric generation services as a supplier of electric power to residential, small commercial (25kW and under demand), large commercial (greater than 25 kW demand) and industrial customers in the electric distribution company service territory of PPL Electric, within PA. On 11/19/10, Viridian's request to amend its license to include the additional EDC service territories of Duquesne Light and PECO Energy was approved. On 10/4/13, Viridian filed a request to amend its license to include the additional EDC territory of Met Ed. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2261307-TUS Vote 5-0.	C-2013-2261307	BUR OF INVESTIGATION & ENFORCEMENT VS NORMAN E & ZACHARY J ZOOK - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2261583-TUS Vote 5-0.	C-2013-2261583	BUR OF INVESTIGATION & ENFORCEMENT VS CENK KAHRAMAN - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2303091-TUS Vote 5-0.	C-2013-2303091	BUR OF INVESTIGATION & ENFORCEMENT VS CHAD M SMELTZ - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2314724-TUS Vote 5-0.	A-2012-2314724	FTR ENERGY SERVICES LLC - Application filed on 7/19/12, for approval to become a licensed electric generation supplier as a supplier and aggregator to residential, small commercial (25 kW and under), large commercial (over 25 kW), industrial and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2318216-TUS Vote 5-0.	A-2012-2318216	FTR ENERGY SERVICES LLC - Application filed on 7/16/12, for approval to offer, render, furnish, or supply natural gas supply services as a supplier and aggregator to residential, small commercial (less than 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial and governmental customers in the service territories of Valley Energy, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, Peoples TWP, PECO Energy, Philadelphia Gas Works, Peoples Natural Gas, National Fuel Gas, Equitable Gas, and Columbia Gas, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2356362-TUS Vote 5-0.	A-2013-2356362	FREEDOM EXCURSIONS BY SCULLY LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Altoona, Blair County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2357525-TUS Vote 5-0.	A-2013-2357525	ACTIVE LIMOUSINE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2360794-TUS Vote 5-0.	A-2013-2360794	NUVO MOVERS INC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2362064-TUS Vote 5-0.	A-2013-2362064	WILLIAMSPORT AREA AMBULANCE SERVICE COOPERATIVE T/A SUSQUEHANNA REGIONAL EMS - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. Williamsport, Lycoming County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2364345-TUS Vote 5-0.	A-2013-2364345	SCOTT R RICE T/A S & L LIMOUSINE - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. Pittsburgh, Allegheny County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2365114-TUS Vote 5-0.	A-2013-2365114	EXCELLENT TAXI SERVICE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons upon call or demand. McAdoo, Schuylkill County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2370257-TUS Vote 5-0.	A-2013-2370257	ALLEGHENY LIMOUSINES, INC. - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2374950-TUS Vote 5-0.	A-2013-2374950	GUTTMAN ENERGY INC - Amended Application filed on 11/13/13, for approval to request the addition of Columbia Gas, Equitable Gas, National Gas Fuel and Philadelphia Gas Works to its NGDC service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2377559-TUS Vote 5-0.	A-2013-2377559	JAY HARDY - 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 dismissing the application.
2379679-TUS Vote 5-0.	A-2013-2379679	ARA CONSULTING GROUP LLC D/B/A COMMERCIAL POWER - Application filed on 8/21/13, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the electric distribution company service territory of UGI Utilities in PA. ARA failed to respond to Commission Staff data requests, as well as, failed to respond to 10 day Secretarial Letter sent by certified mail. The Applicant has been given ample opportunity to respond/comply. RECOMMENDATION: That the Commission adopt the proposed Order which denies the application.
2380870-TUS Vote 5-0.	A-2013-2380870	CENTRAL PA TRANSPORT LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. York, York 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>
2380941-TUS Vote 5-0.	A-2013-2380941	JOSEPH AND LINDA BEILER - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service limited to those persons whose personal convictions prevent them from owning or operating motor vehicles. Honey Brook, Chester County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2385016-TUS Vote 5-0.	A-2013-2385016	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 9/24/13, for approval to reconductor and reconstruct the existing Quarry-Seidersville #1 & #2 138/69 kV transmission line and Homer Research 69 kV tap in the City of Bethlehem, Freemansburg Borough, and Lower Saucon Township, Northampton County. Authority for this procedure is provided for at §57.72(d)(1)(v). No protest was filed and no hearing was held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2387060-TUS Vote 5-0.	A-2013-2387060	FRONTIER UTILITIES NORTHEAST LLC - Application filed on 10/8/13, for approval to become a licensed electric generation supplier as a supplier to residential, 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 Duquesne Light, Met Ed, PECO Energy, Penelec, Penn Power, PPL Electric, UGI Utilities, and West Penn Power 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>
2387088-TUS Vote 5-0.	A-2013-2387088	FRONTIER UTILITIES NORTHEAST LLC - Application filed on 10/8/13, for approval to operate as a supplier of natural gas supply services to residential, small commercial (6000 Mcf and under), large commercial (over 6000 Mcf), industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas, National Fuel Gas, PECO Energy, Peoples Natural Gas, Peoples TWP, Philadelphia Gas Works, UGI Utilities, UGI Penn Natural Gas, UGI Central Penn Gas, and Valley Energy within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2392094-TUS Vote 5-0.	A-2013-2392094	TIME WARNER CABLE BUSINESS LLC - Application filed on 11/4/13, for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2392573-TUS Vote 5-0.	A-2013-2392573	US ENERGY CONSULTING GROUP LLC - Application filed on 11/4/13, for approval to become a licensed electric generation supplier as a broker/marketer to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in PECO Energy service territory within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

1205241-LAW

A-311449
A-311449F0002
A-311449F0003

Vote 5-0.

RNK, INC T/A RNK PENNSYLVANIA, INC
- A facilities-based interexchange reseller, a competitive local exchange carrier, and a competitive access provider, filed Chapter 7 bankruptcy in September 2012 and is out of business.
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>
2327610-ALJ Vote 5-0.	M-2012-2327610	ANDREASSI GAS COMPANY - 1307(e) Gas Cost Rate Reconciliation Statement for the Twelve Month Period Ended 8/31/12, filed 9/28/12. A hearing was held 11/29/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2327961-ALJ Vote 5-0.	M-2012-2327961	CHARTIERS NATURAL GAS CO., INC. - 1307(e) Gas Cost Rate Reconciliation Statement for the Twelve Month Period Ended 8/31/12, filed 10/1/12. A hearing was held 11/29/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2328765-ALJ Vote 5-0.	M-2012-2328765	WALLY GAS CO. - 1307(e) Gas Cost Rate Reconciliation Statement for the Twelve Month Period Ended 8/31/12, filed 10/9/12. A hearing was held 11/29/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2329299-ALJ Vote 5-0.	M-2012-2329299	PECO ENERGY COMPANY-ELECTRIC - 1307(e) Electric Universal Service Fund Charge Reconciliation Statement for the Twelve Month Period Ended 12/31/12, filed 10/12/12. A hearing was held 11/29/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2329937-ALJ Vote 5-0.	M-2012-2329937	SIGEL GAS COMPANY - 1307(e) Gas Cost Rate Reconciliation Statement for the Twelve Month Period Ended 8/31/12, filed 10/17/12. A hearing was held 11/29/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2331792-ALJ Vote 5-0.	M-2012-2331792	PINE ROE NATURAL GAS CO., INC. - 1307(e) Gas Cost Rate Reconciliation Statement for the Twelve Month Period Ended 8/31/12, filed 10/26/12. A hearing was held 11/29/12. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2334271-ALJ Vote 5-0.	I-2012-2334271	INVESTIGATION - CSX CROSSING RT 0281 SOMERSET COUNTY - Order issued on 12/2/12, initiating an investigation into the safety concerns relating to the crossing where State Route 0281 crosses at grade, one track of CSX Transportation in Somerset Township, Somerset County. The parties were able to negotiate an amicable settlement which addresses the concerns raised by the Commission's investigation. A written Stipulation of Settlement was filed on 11/14/13, which provides for the alteration of the crossing by modifying the signaling and adding a gate to the southbound approach to the crossing. COMMISSION REVIEW: That the Commission adopt ALJ Long's Recommended Decision approving the Settlement without modification.
2336379-ALJ Oral Statement by Chairman Powelson. Vote 5-0.	R-2012-2336379 C-2013-2367038 C-2013-2375700 C-2013-2370416 C-2013-2374421	YORK WATER CO. - Tariff Supplements filed on 5/29/13, seeking an additional \$7,144,352 (16.8%) in water and wastewater annual revenues. By Order entered 7/16/13, the Commission suspended the tariffs by operation of law until 3/1/14 and assigned the case to OALJ. On 10/22/13, a hearing was held. On 11/7/13, a Settlement Petition was submitted. COMMISSION REVIEW: That the Commission adopt ALJs Melillo and Cheskis' Recommended Decision approving the Settlement Petition in its entirety without modification.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2345431-ALJ Vote 5-0.	M-2013-2345431	WEST PENN POWER CO. - 1307(e) Energy Cost Adjustment Surcharge and Hourly-Priced Default Service Rider Reconciliation Statement for the Twelve Month Period Ended 12/31/12, filed 1/29/13. A hearing was held 3/21/13. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2345732-ALJ Vote 5-0.	M-2013-2345732	CITIZENS ELEC CO. OF LEWISBURG - 1307(e) Generation Supply Service Rate Reconciliation Statement setting forth the over/under collections for the Twelve Month Period Ending 12/31/12, filed 1/30/13. A hearing was held 3/21/13. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2345733-ALJ Vote 5-0.	M-2013-2345733	WELLSBORO ELECTRIC CO. - 1307(e) Generation Supply Service Rate Reconciliation Statement setting forth the over/under collections for the Twelve Month Period Ending 12/31/12, filed on 1/30/13. A hearing was held 3/21/13. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2345827-ALJ Vote 5-0.	M-2013-2345827	PECO ENERGY COMPANY-ELECTRIC - 1307(e) Generation Supply Adjustment Reconciliation Statement setting forth the over/under collections for the Reconciliation Period 1/1/12 through 12/31/12, filed 1/21/13. A hearing was held 3/21/13. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2345861-ALJ Vote 5-0.	M-2013-2345861	PECO ENERGY COMPANY-ELECTRIC - 1307(e) Consumer Education Charge Reconciliation Statement setting forth the over/under collections for the Reconciliation Period 1/1/12 through 12/31/12, filed 1/31/13. A hearing was held 3/21/13. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2345882-ALJ Vote 5-0.	M-2013-2345882	UGI UTILITIES, INC-ELECTRIC DIV - 1307(e) Education Charge Reconciliation Statement setting forth the over/under collections for Calendar Year 2012, filed 1/30/13. A hearing was held 3/21/13. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision accepting the Statement insofar as it is undisputed.
2385249-ALJ Joint Statement by Commissioner Cawley and Commissioner Brown. Vote 5-0.	C-2013-2385249	FRANK MELFI III VS PHILADELPHIA GAS WORKS - Complaint filed 9/16/13 alleging Complainant joined PGW's Landlord Cooperation Program and that PGW improperly applied a lien against his rental property. PGW filed an Answer and Preliminary Objections and Motion to Strike Impertinent Matter on 10/17/13 averring Complainant was never enrolled in the LCP. PGW further avers that the Commission does not have jurisdiction over municipal liens. COMMISSION REVIEW: That the Commission adopt ALJ Jandebour's Initial Decision granting the Preliminary Objections for lack of jurisdiction, and dismissing the complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

January 9, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1198994-OSA Vote 5-0.	A-310922F7002	CORE COMMUNICATIONS, INC. - Petition filed on 1/2/14, requesting a 30-day extension for the Parties to file a conforming interconnection agreement in compliance with the Commission's 12/19/13 Opinion and Order. On 1/3/14, Core filed a Petition for Reconsideration/Clarification of the 12/19/13 Opinion and Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) grants CenturyLink's Petition for an extension of time; and (2) grants Core's Petition for Reconsideration/Clarification pending review of and consideration on the merits.
2123948-OSA Vote 5-0.	M-2009-2123948	DUQUESNE LIGHT COMPANY - Commission Order issued on 5/6/13, approved Duquesne's Final Smart Meter Procurement and Installation Plan. On 8/2/13, Duquesne filed a Petition to Amend Order Approving Settlement of its Final Smart Meter Procurement and Installation Plan. No Answers were filed to Duquesne's Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2283641-OSA Motion by Commissioner Witmer. Statement by Commissioner Cawley. Statement by Commissioner Brown. Vote 5-0 with a Partial Dissent by Commissioner Brown.	P-2012-2283641	PECO ENERGY COMPANY - ELECTRIC - Opinion and Order entered 10/12/12, addressed PECO's Default Service Plan for the period from 6/1/13 to 5/30/15, and directed PECO to develop a shopping plan that would allow its CAP customers to purchase generation supply from electric generation suppliers. On 5/1/13, PECO filed a Petition requesting that the Commission approve a shopping plan that would enable CAP customers to shop beginning on 4/15/14. Following a formal proceeding, ALJ Fordham certified the record to the Commission. 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>
2355458-OSA	F-2013-2355458	KENNETH TREIBER VS PENELEC - 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' 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.

Vote 5-0.