

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, FEBRUARY 20, 2014 (JC)**

**10:00 A.M.**

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

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**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:**

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>Pamela A. Witmer</b>	<b>John F. Coleman, Jr.</b>	<b>Robert F. Powelson</b>	<b>James H. Cawley</b>	<b>Gladys M. Brown</b>

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

**The Next Public Meeting is Tentatively Scheduled for Thursday, March 6, 2014 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, January 23, 2014 (JFC)**

**\*\*\*ANNOUNCEMENTS\*\*\***

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MARCH 6, 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, FEBRUARY 19, 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.**

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**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

February 20, 2014

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2290992-AUD Vote 5-0.	D-2012-2290992	PECO ENERGY COMPANY - ELECTRIC - Generation Supply Adjustment for the twelve months ended 12/31/11. RECOMMENDATION: That the Commission release the Audit Report to the public.
2290994-AUD Vote 5-0.	D-2012-2290994	PECO ENERGY COMPANY - ELECTRIC - Alternative Energy Portfolio Standards for the thirteen months ended 1/31/12. RECOMMENDATION: That the Commission release the Audit Report to the public.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2219920-OSA</b>  <b>Vote 5-0.</b>	<b>C-2011-2219920</b>	<p>J3 ENERGY GROUP INC VS WEST PENN POWER CO &amp; UGI DEVELOPMENT CO - Formal Complaint filed on 1/10/11, regarding evaluation of bids for solar photovoltaic alternative energy credits. On 2/2/11, West Penn filed an Answer. A hearing was held on 5/1/12. 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 the OALJ. On 11/15/13, West Penn filed a Petition for Reconsideration, and UGI Development filed a Petition for Reconsideration and Clarification. By Order entered 11/22/13, the Commission granted reconsideration pending review of the merits. On 11/25/13, J3 Energy filed an Answer to the Petitions.</p> <p><b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order.</p>

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2273645-OSA</b>  Vote 5-0.	<b>C-2011-2273645</b>	<b>LARRY MOYER VS PPL ELECTRIC UTILITIES CORP</b> - Interlocutory Opinion and Order issued on 1/9/14, that (1) remanded this proceeding to the OALJ, and (2) directed the Law Bureau to advise the Commission on whether the Commission's Regulations need to be clarified to address the legal issues raised by this proceeding. On 1/17/14, the Complainant filed a Motion for Certification of Interlocutory Order for Immediate Appeal. On 1/30/14, PPL filed an Answer to the Motion. On 2/14/14, the Commission used notational voting to adopt an Opinion and Order granting the Motion, in part, and denying it, in part. The Order was entered the same day. <b>RECOMMENDATION:</b> That the Commission record and enter this action in the minutes of the Public Meeting, consistent with 4 Pa. Code § 1.43(c).
<b>2317187-OSA</b>  <u>Motion</u> by Commissioner Cawley and Commissioner Brown. Vote 5-0.	<b>F-2012-2317187</b>	<b>MICHAEL PRENDERGAST VS PHILADELPHIA GAS WORKS</b> - Formal Complaint filed on 7/16/12, alleging that PGW unjustly and unreasonably back-billed him for four years of prior usage and questioning the accuracy of PGW's equipment. On 8/22/12, PGW filed an Answer. A hearing was held on 12/27/12. In an Initial Decision issued 8/27/13, ALJ Vero dismissed the Complaint. The Complainant filed Exceptions on 8/9/13. PGW filed Replies to Exceptions on 9/9/13. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the Initial Decision, consistent with the Opinion and Order.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2337274-OSA  Vote 5-0.	C-2012-2337274	GARY LINDNER VS DUQUESNE LIGHT COMPANY - Formal Complaint filed on 11/28/12, alleging that Duquesne failed to remove erroneously-reported adverse credit information from his credit report. On 12/20/12, Duquesne filed an Answer and New Matter denying the material allegations of the Complaint. An evidentiary hearing was held on 4/16/13. By Initial Decision issued 8/9/13, ALJ Dunderdale sustained the Complaint and imposed a \$10,000 civil penalty on Duquesne. On 8/29/13, Duquesne filed Exceptions to the Initial Decision. On 9/9/13, the Complainant filed Replies to the Duquesne's Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which (1) grants, in part, and denies, in part, the Exceptions; (2) adopts the Initial Decision as modified; (3) sustains the Complaint; and (4) imposes a civil penalty of \$10,000.00 on Duquesne

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
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 in part, 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 adopt the proposed Opinion and Order, which grants the Petition in part and remands the matter to TUS for further proceedings.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2360798-OSA</b>  <b>Vote 5-0.</b>	<b>R-2013-2360798</b> <b>C-2013-2363612</b> <b>C-2013-2363728</b> <b>C-2013-2364726</b>	<b>COLUMBIA WATER COMPANY</b> - Supplement No. 60 to Tariff-Water Pa. P.U.C. No. 7, filed on 4/25/13, proposing an increase to annual base rate revenues of approximately \$773,210. Complaints were filed by the Bureau of Investigation and Enforcement, OCA, 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. On 1/23/14, the Commission modified the ALJ's Recommended Decision and authorized the Company to file a revised tariff supplement. On 2/7/14, the OCA filed a Petition for Reconsideration of the 1/23/14 Order. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order, which grants the Petition, pending further review of, and consideration on, the merits.
<b>2397023-OSA</b>  <b>Vote 5-0.</b>	<b>A-2013-2397023</b> <b>A-2013-2381991</b>	<b>UNITED TELEPHONE D/B/A CENTURYLINK AND TCG (DELAWARE VALLEY &amp; PITTSBURGH)</b> - In compliance with the Opinion and Order entered 10/17/13, at Docket No. A-2013-2381991, CenturyLink and TCG filed a Joint Petition on 12/13/13, seeking approval of Amendment No. 1 to an Interconnection Agreement, for the purpose of updating the name of TCG Delaware Valley, Inc. Notice of the Joint Petition was published in the Pennsylvania Bulletin on 1/4/14. No comments or protests were received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.



**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2397578-OSA</b>  <b>Vote 5-0.</b>	<b>A-2013-2397578</b>	<b>WINDSTREAM PA AND ARMSTRONG</b> - Joint Petition filed on 12/19/13, requesting approval of an Amendment to the Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin. No comments or protests were received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
<b>2400725-OSA</b>  <b>Vote 5-0.</b>	<b>P-2014-2400725</b>	<b>TJT INC T/D/B/A A&amp;A LIMOUSINE SERVICE</b> - Per Letter-Petition filed on 1/6/14, request for a waiver from the requirement that a vehicle used in limousine service be no more than eight model years old. 52 Pa. Code § 29.333(e). The application was made in reference to ten vehicles in the Petitioner's fleet. No response to the Petition has been received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the petition.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2119279-TUS Vote 5-0.	A-2009-2119279	IDT ENERGY INC - Requests filed on 12/10/13 and 1/10/14, to amend its natural gas supplier license to add the additional natural gas distribution company service territories of PECO Energy, Peoples Natural Gas, Peoples TWP, Valley Energy, Philadelphia Gas Works, and Equitable Gas, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2355682-TUS Vote 5-0.	R-2013-2355682	ERNEST S LANTZ - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 2, to become effective on 2/24/14.
2367364-TUS Vote 5-0.	A-2013-2367364	PENNDOT - Application for approval of the reconstruction of the bridge carrying Buttonwood Street over the track of Norfolk Southern Railway Company (DOT 530 147 M), located in the Borough of West Reading and the City of Reading, Berks County and for the approval of exemption from the minimum overhead clearances as required by 52 Pa. Code Section 33.121; and the allocation of certain costs and expenses incident thereto. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2375198-TUS Vote 5-0.	A-2013-2375198	UPTOWN LIMOUSINE AND CAR SERVICE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in limousine service. Reading, Berks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2378623-TUS Vote 5-0.	R-2013-2378623	CORRY CAB COMPANY - Increase in rates. RECOMMENDATION: That the Commission approve Call or Demand PA PUC No. 6, to become effective 2/24/14.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2378802-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2378802</b>	FIRST CLASS TRANSPORTATION INC - 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.
<b>2379460-TUS</b> <b>Vote 5-0.</b>	<b>R-2013-2379460</b>	CRANBERRY TAXI, INC D/B/A VETERANS TAXI - Increase in rates. RECOMMENDATION: That the Commission deny Call or Demand PA PUC No. 6.
<b>2382896-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2382896</b>	APEX LIMOUSINE INC - Application for the for the approval of the transfer of all issued and outstanding stock (500 Shares). RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2387334-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2387334</b>	JAMIE & CHRISTIE HOCKENBERRY - Application for the right to begin to transport persons by motor vehicle as a contract carrier. RECOMMENDATION: That the Commission adopt the proposed Order denying the application.
<b>2388565-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2388565</b>	MEGATRANS INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Southampton, Bucks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2389513-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2389513</b>	SHAMROCK INVESTMENT ASSOCIATES LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order denying the application.
<b>2390412-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2390412</b>	AMBULANCE EXPRESS INC - 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**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2391484-TUS</b>  Vote 5-0.	<b>A-2013-2391484</b> <b>A-2013-2383665</b>	<b>MK CAR SERVICE LLC</b> - Applications for the right to transport as a common carrier by motor vehicle, persons in limousine service, as well as group and party service in vehicles seating 11 to 15 passengers, including the driver. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order approving the applications.
<b>2391748-TUS</b>  Vote 5-0.	<b>A-2013-2391748</b>	<b>COMMERCIAL UTILITY CONSULTANTS INC</b> - Application filed on 10/30/13, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial, large commercial, industrial, and governmental customers in the natural gas distribution company service territories of UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, Peoples TWP, PECO Energy, Philadelphia Gas Works, Peoples Natural Gas, Equitable Gas, and Columbia Gas within PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2395802-TUS</b>  Vote 5-0.	<b>M-2013-2395802</b>	<b>SULLIVAN COUNTY'S 911</b> - System Renewal Plan filed on 12/6/13, from 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. <b>RECOMMENDATION:</b> 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**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2396660-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2396660</b>	<b>AVION ENERGY GROUP LLC</b> - Application filed on 12/6/13, seeking to become a licensed electric generation supplier as a broker/marketer of small commercial, large commercial, industrial and governmental customers in all of the electric distribution company service territories within PA. Avion Energy Group LLC requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c). <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2397570-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2397570</b>	<b>WEST PENN POWER CO</b> - Letter of Notification filed on 12/5/13, for approval of the 138 kV tap to Spectra Energy Corporation from the existing 138 kV North Oakford Tap Project in Salem Township, Westmoreland County. No protest was filed and no hearing was held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that approves the application.
<b>2397685-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2397685</b>	<b>UGI CENTRAL PENN GAS, INC.</b> - Application filed on 12/20/13, for approval to offer, render, furnish, or supply natural gas supply services as a natural gas distribution company to the additional territory of Wyoming Borough, Luzerne County, in PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2398501-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2398501</b>	<b>PENNSYLVANIA ELECTRIC CO.</b> - Letter of Notification filed on 12/19/13, for approval of the Lenox-North Meshoppen 115 kV Transmission Line Structure Replacement Project in Lathrop Township, Susquehanna County. No protest was filed and no hearing was held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that approves the application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2398863-TUS</b>  <b>Vote 5-0.</b>	<b>M-2013-2398863</b>	<b>CITY OF BETHLEHEM'S 911</b> - System Renewal Plan filed on 12/26/13, from 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 within 90 days of the receipt date. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.
<b>2399590-TUS</b>  <b>Vote 5-0.</b>	<b>A-2014-2399590</b>	<b>CONSOLIDATED EDISON ENERGY INC</b> - Application filed on 12/31/13, for approval to offer, render, furnish, or supply natural gas supply services to large commercial customers in the service territory of Columbia Gas, within PA, as a supplier of natural gas services. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2400630-TUS</b>  <b>Vote 5-0.</b>	<b>A-2014-2400630</b> <b>A-2014-2400712</b> <b>A-2014-2400713</b> <b>A-2014-2400714</b> <b>A-2014-2400715</b> <b>A-2014-2400716</b> <b>A-2014-2400717</b>	<b>QWEST COMMUNICATIONS CORP.</b> - Application filed on 12/14/13, 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, Commonwealth Telephone d/b/a Frontier Communications Commonwealth Telephone, Ironton Telephone, Marianna and Scenery Hill Telephone, North Eastern Pennsylvania Telephone, United Telephone d/b/a CenturyLink and Windstream Pennsylvania. No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> That the Commission approve the application consistent with the proposed Order.
<b>2401264-TUS</b>  <b>Vote 5-0.</b>	<b>A-2014-2401264</b>	<b>MASTER CALL CONNECTIONS LLC</b> - Application filed on 12/13/13 and updated on 1/8/14, for approval to offer, render, furnish or supply telecommunication services as a Reseller Interexchange Carrier (detariffed) throughout PA. <b>RECOMMENDATION:</b> That the Commission approve the application consistent with the proposed Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2401272-TUS</b>  <b><u>Statement</u> by Commissioner Brown.</b> <b>Vote 4-0 with Commissioner Brown Recusing.</b>	<b>R-2014-2401272</b>	FRONTIER COMM OF BREEZEWOOD INC - 2014 Joint Price Stability Index/Service Price Index Report filing of Frontier Communications of Breezewood, LLC; Canton, LLC; Lakewood, LLC; Oswayo River, LLC; and Pennsylvania, LLC and accompanying tariff supplements requesting an aggregate rate increase of \$139,409.00. On 2/1/14, the subject report and tariff supplements were filed. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the report and proposed rate increases.

**LAW BUREAU**

<u><b>AGENDA NO.</b></u>	<u><b>DOCKET NO.</b></u>	<u><b>NAME AND SUBJECT</b></u>
<b>2289411-LAW</b>  <u>Statement by Commissioner Cawley.</u> Vote 5-0.	<b>M-2012-2289411</b> <b>M-2008-2069887</b>	<b>ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE 2</b> - The Commission is charged with the responsibility of comparing the total costs of EE&C plans to the total savings in energy and capacity costs to retail customers in this Commonwealth. 66 Pa. C.S. § 2806.1(d)(2). If the Commission determines that the benefits exceed the costs, the Commission must set additional incremental requirements for reduction in peak demand for the 100 hours of greatest demand or an alternative approved by the Commission. With this Final Order, the Commission directs the Act 129 Statewide Evaluator (SWE) to perform a Demand Response Potential Study using the proposed residential direct load control and commercial and industrial load curtailment models included herein. The SWE should perform this study using the 2013 Total Resource Cost (TRC) Test, as well as the 2013 TRC Test as modified by this order, and provide the results showing the cost-benefit analysis for both mechanisms. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Final Order.
<b>2400191-LAW</b>  Vote 5-0.	<b>L-2014-2400191</b> <b>C-2012-2307244</b>	<b>RULEMAKING - REVISIONS RELATING TO INSPECTION REQUIREMENTS FOR AUTOMATIC SPLICES</b> - Existing regulations require all PA distribution companies to conduct visual overhead line inspections every year or two. Inspections using infrared technology of automatic splices, however, are not currently required. This advance notice seeks comments regarding how our regulations should be updated to address this issue. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Advance Notice of Proposed Rulemaking.



**LAW BUREAU**

<u><b>AGENDA NO.</b></u>	<u><b>DOCKET NO.</b></u>	<u><b>NAME AND SUBJECT</b></u>
<b>2400828-LAW</b>  Vote 5-0.	<b>P-2014-2400828</b>	<b>PENNSYLVANIA ELECTRIC CO.</b> - Petitions for approval of a Termination of a Power Purchase Agreement (PPA) with Scrubgrass Generating Company, a cogeneration facility located in Venango County. The Petition also seeks approval of the payment of a Termination Fee of \$3,000,000 subject to a retention schedule proposed by Penelec to ensure the performance of Scrubgrass in future delivery years through 2017. Penelec states that termination of the PPA will allow Scrubgrass to participate directly in the PJM capacity auctions as a merchant generator. Scrubgrass has filed a Statement in Support of the Petition and states that, as a merchant generator, it will benefit economically. The OCA and OSBA filed Statements in Support of the Petition. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order.
<b>2404361-LAW</b>  Vote 5-0.	<b>L-2014-2404361</b>	<b>RULEMAKING-ALTERNATIVE ENERGY PORTFOLIO STANDARDS</b> - Under its statutory duty to implement and enforce the Alternative Energy Portfolio Standards Act (AEPS Act) of 2004, the PA PUC seeks to revise its regulations pertaining to the net metering, interconnection, and compliance provisions of the AEPS Act. The Commission finds that it is necessary to revise these regulations to comply with Act 129 of 2008, Act 35 of 2007, and to clarify certain issues of law, administrative procedure and policy. These proposed revisions are being issued for public comment. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Rulemaking Order.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2073938-ALJ</b>  Vote 5-0.	<b>R-2008-2073938</b> <b>R-2009-2139884</b>	<b>PHILADELPHIA GAS WORKS</b> - Natural Gas Supplier Parties filed a Motion to Hold Matter in Abeyance on 1/13/12 of the Joint Petition of Settlement dated 12/13/11 requesting resolution of the ongoing Purchase of Receivable collaborative that involves the same parties and many of the same issues as the Alternative Default Service Supplier Collaborative. Numerous Orders were issued by the ALJ Granting Request for Additional Time to Provide Procedural Update. A Joint Petition for Settlement was filed 8/30/13. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Pell's Recommended Decision approving the Settlement as submitted without modification.
<b>2356232-ALJ</b>  <u>Statement by Commissioner Witmer.</u> Vote 5-0.	<b>P-2013-2356232</b>	<b>UGI UTILITIES, INC - GAS DIVISION</b> - Joint Petition filed on 4/4/13, for Approval to Implement Growth Extension Tariff Pilot Programs to Facilitate the Extension of Gas Service to Unserved and Underserved Areas within the Companies' Service Territories. Answers were filed. A hearing was held on 10/1/13. A Joint Petition for Settlement of All Issues was filed on 11/6/13. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement without modification.
<b>2367239-ALJ</b>  <u>Joint Motion by Commissioner Cawley and Commissioner Brown.</u> Vote 5-0.	<b>C-2013-2367239</b>	<b>PATRICK MCKAY VS WEST PENN POWER COMPANY</b> - Complaint was filed on 5/28/13, alleging a reliability, safety or quality problem with his electric service because West Penn conducted a "bait and switch." The complaint also alleged West Penn charged him for a smart meter which they did not install. An answer was filed on 6/26/13. On 9/9/13, a hearing was held. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Dunderdale's Initial Decision denying in part, and sustaining in part to the extent that a civil penalty was issued in the amount of \$500 against West Penn.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

February 20, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2283641-OSA	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. On 1/24/14, the Commission entered an Order granting the Petition, in part, and denying it, in part. Several Parties have requested reconsideration, clarification, and/or a stay of the January 2014 Order. Several Parties have filed Answers to these requests. RECOMMENDATION: That the Commission approve the proposed Opinion and Order.

Statement by Commissioner Brown.  
Vote 5-0 with the Partial Dissent of Commissioner Brown.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2371143-TUS	A-2013-2371143	PROVIDENCE TRANSPORTATION INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission rescind the Order entered 2/6/14, and return the application to the Bureau of Technical Utility Services.

Vote 5-0.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2396613-TUS</b>  Vote 5-0.	<b>A-2013-2396613</b>	TRANS-ALLEGHENY INTERSTATE LINE T/A TRAILCO - Letter of Notification filed on 12/6/13, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(vi), with respect to the Homer City-Handsome Lake 345 kV HV Transmission Line to Armstrong Substation Project in Washington Township, Armstrong County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

**COMMISSIONERS OFFICE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2406134-CMR</b>  <u>Joint Motion</u> by Vice Chairman Coleman and Commissioner Cawley. Verbal Statement by Chairman Powelson. Vote 5-0.	<b>M-2014-2406134</b>	VARIABLE RATE RETAIL ELECTRIC PRODUCTS - JOINT MOTION OF VICE CHAIRMAN COLEMAN AND COMMISSIONER CAWLEY - Review of Rules, Policies and Consumer Education Measures Regarding Variable Rate Retail Electric Products