

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, MARCH 6, 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, March 20, 2014 at 11:00 A.M.

Minutes of the Meeting of Thursday, February 6, 2014 (PW)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MARCH 20, 2014 AT 11:00 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 WILL HOLD AN EXECUTIVE SESSION ON THURSDAY, MARCH 6, 2014, IMMEDIATELY FOLLOWING PUBLIC MEETING, AT APPROXIMATELY 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

March 6, 2014

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2342562-AUD Vote 5-0.	D-2013-2342562	PPL ELECTRIC UTILITIES CORP - Universal Service Rider for the twelve month periods ended 11/30/2012 and 11/30/2011. RECOMMENDATION: That the Commission release the Audit Report to the public.

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 filed on 6/28/13, in accordance with the Commission's regulations at 52 Pa. Code §§ 54.71- 54.78. On 12/19/13, by Tentative Order, the Commission approved the USECP in part and called for comments. Comments and reply comments have been filed. RECOMMENDATION: That the Commission adopt the proposed Final Order, which addresses Duquesne Light Company's Plan.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2132946-OSA (PP from 02/20/2014) Postponed until the Public Meeting of March 20, 2014.	A-2009-2132946	PENNDOT - Petition Requesting a Hearing for the Purpose of Allocating Costs Associated for a Rail-Highway Crossing Project filed on 5/8/12. The Commission had previously approved, by Secretarial Letter dated 3/5/10, an Application to replace the superstructure of an existing bridge over a single track. The Commission ordered that, upon completion of the project, a hearing would be scheduled to determine any issues regarding allocation of construction costs. Columbia's Petition requested a hearing to determine the allocation of costs between itself and PennDOT. A Recommended Decision was issued on 10/17/13 in which the ALJ denied Columbia's request for reimbursement of its costs, and allocated all costs incurred by Columbia as a result of the bridge replacement, to Columbia. On 11/6/13, Columbia filed Exceptions to the Recommended Decision and PennDOT filed Replies to Exceptions on 11/18/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants in part, and denies in part, Columbia's Exceptions, and modifies the Recommended Decision.
2297092-OSA (PP from 02/20/2014) Vote 4-1, with Commissioner Cawley Dissenting.	C-2012-2297092	PUC - INVESTIGATION AND ENFORCEMENT VS GLACIAL ENERGY OF PENNSYLVANIA INC - Complaint initiated on 4/5/12, alleging that Glacial provided incomplete information on its EGS application. On 3/1/13, Glacial filed a Motion for Summary Judgment. By Initial Decision issued 4/23/13, ALJ Salapa granted the Motion and dismissed the Complaint. I&E filed Exceptions on 5/13/13 and Glacial filed Reply Exceptions on 5/23/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that, inter alia: grants the Exceptions, in part; modifies the Initial Decision; grants the Motion, in part; and remands the proceeding to the OALJ.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2320112-OSA (PP from 02/20/2014)	M-2013-2320112	RESCOM ENERGY LLC - Informal investigations instituted in 9/2012 and 7/2013 by the Bureau of Investigation and Enforcement (I&E) pertaining to allegations of slamming and related unauthorized electric generation supplier marketing practices within PA. Based on its investigations, I&E determined there was sufficient data to substantiate allegations of violations of the Public Utility Code, the Telemarketer Registration Act and the Commission's Regulations and was prepared to file a formal complaint against ResCom. On 12/2/13, the Parties submitted a Settlement Agreement and Statements in Support of the Settlement Agreement to resolve this matter. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that issues the Settlement Agreement for comments.
2321440-OSA	C-2012-2321440	SPORTY SMITH AND BETTY RICKS VS PECO - Formal Complaint filed 8/15/12, alleging, inter alia, that PECO's billing is incorrect. On 8/31/12, PECO filed an Answer denying the allegations. After several hearings, ALJ Vero issued her Initial Decision on 11/18/13, which: (1) dismissed Mr. Smith as a Complainant for lack of standing, and (2) dismissed the Complaint of Ms. Ricks, with prejudice, for failure to prosecute. Mr. Smith, on behalf of Ms. Ricks, filed Exceptions to the Initial Decision on 12/9/13. PECO filed Reply Exceptions on 1/29/14. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) denies the Complainant's Exceptions; (2) adopts the ALJ's Initial Decision; and (3) dismisses the Complaint with prejudice.

**Joint Motion by Chairman Powelson
and Commissioner Witmer.
Vote 5-0.**

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2341990-OSA Vote 5-0.	M-2013-2341990 M-2013-2341991 M-2013-2341993 M-2013-2341994	<p>MET-ED, PENELEC, PENN POWER, WEST PENN - Joint Petition filed on 12/31/12, requesting Commission approval of their Smart Meter Deployment Plan. By Recommended Decision, issued on 11/08/13, ALJ Barnes recommended that the Companies' Joint Petition be adopted as modified and directed that the Companies file an amended Plan within 120 days of the Commission's Order. On 12/02/13, the Companies and the OCA filed Exceptions to the Recommended Decision. Replies to Exceptions were filed by the Companies and the OCA on 12/12/13.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Exceptions of the Companies, in part, denies the Exceptions of the OCA, and modifies the Recommended Decision accordingly.</p>
2353818-OSA Vote 5-0.	C-2013-2353818	<p>ANTHONY L CANNON VS VERIZON PA - Complaint filed 3/15/13, regarding his service and rates. On 4/10/13, Verizon filed an Answer and New Matter, as well as Preliminary Objections. ALJ Buckley issued an Initial Decision on 11/26/13 sustaining the Preliminary Objections and dismissing the Complaint. The Complainant filed Exceptions on 12/23/13. Verizon filed Reply Exceptions on 1/9/14.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Complainant's Exceptions, adopts the ALJ's Initial Decision, and dismisses the Complaint.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2371641-OSA Vote 5-0.	C-2013-2371641	BUR OF INVESTIGATION & ENFORCEMENT VS 903 RENTALS INC - Settlement Agreement filed on 1/13/14, which included a Joint Statement in Support of the Settlement. The Settlement Agreement resolves the issues related to a Complaint instituted by I&E regarding an annual taxi carrier vehicle inspection on 903 Rentals' vehicles. The parties submit that the proposed Settlement is consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which approves the proposed Settlement Agreement.
2374014-OSA Vote 5-0.	C-2013-2374014	JOHN DERAFFELE VS UGI PENN NATURAL GAS - Complaint filed on 7/18/13, alleging that the company improperly required a chimney liner to be installed prior to restoring natural gas service to his property. On 8/5/13, UGI PNG filed an Answer, New Matter, and Motion to Dismiss. The ALJ struck the Complainant's request for monetary damages, but did not dismiss the Complaint. A hearing was held on 10/8/13. In an Initial Decision, issued 12/2/13, ALJ Jandebour dismissed the Complaint. The Complainant filed Exceptions on 12/16/13, and UGI PNG filed Replies to Exceptions on 12/27/13. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2375477-OSA Vote 5-0.	C-2013-2375477	MONICA MORRIS VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 7/22/13, alleging that the Company had falsely accused her of tampering with her meter and had issued a makeup bill based on estimated charges covering a period of five years. As relief, she requested that her meter be examined by a third party, that the estimated charges be removed from her bill, and that she be issued a payment arrangement. On 8/14/13, PGW filed an Answer denying the material allegations of the Complaint. The hearing convened as scheduled on 11/12/13, but the Complainant did not appear. In an Initial Decision issued on 12/3/13, ALJ Vero found that the Complainant's failure to appear was unexcused and dismissed the Complaint with prejudice. The Complainant filed a Petition for Reconsideration on 12/26/13. No Answer to the Petition was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Petition for Reconsideration.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2395673-OSA Vote 5-0.	P-2013-2395673 A-2008-2019757	YORK CAB INC - Per Letter of 10/23/13, the Commission's Bureau of Technical Utility Services stated that it had reviewed the information submitted by the Petitioner relative to the Petitioner's request for a waiver from the requirement that a vehicle used in call and demand service be no more than eight model years old. 52 Pa. Code § 29.314(d). The October 2013 Letter denied the Petitioner's request because the Petitioner had not timely submitted an application for a waiver, the application was incomplete and the Petitioner was not in compliance with the Commission's Regulations relative to the requirements that assessment and fine payments be current. On 11/21/13, the Petitioner filed a Letter-Petition for Appeal from Staff Action, with reference to the October 2013 Letter. No response to the Petition has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Petition.
2398089-OSA Vote 5-0.	A-2013-2398089	UNITED TELEPHONE CO OF PA T/A CENTURYLINK AND ZAYO GROUP - Joint Petition filed on 12/20/13, seeking approval of an Interconnection Agreement. This filing was made in compliance with our Opinion and Order entered 10/17/13, at Docket No. A-2013-2381991, and pursuant to Section 252(i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin on 1/11/14. 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>
2398171-OSA Vote 5-0.	A-2013-2398171	UNITED TELEPHONE CO OF PA T/A CENTURYLINK AND INETWORKS - Joint Petition filed on 12/23/13, seeking approval of an Interconnection Agreement. This filing was made in compliance with our Opinion and Order entered 10/17/13, at Docket No. A-2013-2381991 and pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin on 1/11/14. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
2398177-OSA Vote 5-0.	A-2013-2398177	UNITED TELEPHONE CO OF PA T/A CENTURYLINK AND AT&T - Joint Petition filed on 12/24/13, seeking approval of an Amendment to an Interconnection Agreement. Notice of the Joint Petition was published in the Pennsylvania Bulletin on 1/11/14. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
2398906-OSA Vote 5-0.	A-2013-2398906	VERIZON PA AND MOSAIC NETWORKX - Joint Petition filed on 12/23/13, seeking approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pennsylvania Bulletin on 1/18/14. 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>
2339561-TUS Vote 5-0.	A-2012-2339561 A-00111137	CHARLES E GROFF & SONS INC - Application for the amendment to the Certificate authorizing transport as a common carrier by motor vehicle, household goods in use. Mount Joy, Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2345738-TUS Vote 5-0.	A-2013-2345738	J HINK ENTERPRISES LLC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. Mercer and Lawrence Counties RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2346185-TUS Vote 5-0.	A-2013-2346185	SFE ENERGY PENNSYLVANIA INC T/A SFE ENERGY - Application was filed on 1/9/14, for approval to amend their license to operate as a supplier of natural gas services to include the additional classes of large commercial (6,000 MCF or more annually), industrial and governmental customers to their current classes of residential and small commercial (less than 6,000 MCF annually) customers in their existing NGDC service territories, as well as the additional NGDC service territories of Columbia Gas and National Fuel Gas, within PA. On 9/13/13, a license was issued in accordance with the Tentative Order becoming final. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2351530-TUS Vote 5-0.	A-2013-2351530	B&B LIMOUSINE RENTAL LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2369268-TUS Vote 5-0.	A-2013-2369268	RAPID TRANSIT INC - Application for the right 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>
2379664-TUS Vote 5-0.	A-2013-2379664	PRESTIGIOUS TRANSPORTATION INC - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2380507-TUS Vote 5-0.	A-2013-2380507	TOTAKH T/A SMART CHOICE TRANSPORTATION - 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.
2380813-TUS Vote 5-0.	A-2013-2380813	JASON COHEN - 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. Spring City, Chester County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2388151-TUS Vote 5-0.	A-2013-2388151	TSR TRANSPORTATION SERVICES LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2390657-TUS Vote 5-0.	A-2013-2390657	ENERGY INITIATIVES INC - Application filed on 10/31/13, for approval to operate as a supplier of natural gas services as a broker/marketer to residential, small commercial (under 6,000 Mcf demand), large commercial (6,000 Mcf or more annually), industrial and governmental customers in the natural gas distribution company service territories of PECO Energy, Philadelphia Gas Works, UGI Utilities, UGI Penn Natural, UGI Central Penn, Columbia Gas, National Fuel Gas, Equitable Gas, Peoples TWP and Peoples Natural Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2392585-TUS Vote 5-0.	R-2013-2392585	WESTERN BERKS AMBULANCE ASSOC - Increase in rates. RECOMMENDATION: That the Commission approve Paratransit Pa. PUC No. 4 to become effective 3/10/14.
2394108-TUS Vote 5-0.	A-2013-2394108	D L DEEM - Application for the right to begin to transport as a common carrier by motor vehicle, property, excluding household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2394238-TUS Vote 5-0.	A-2013-2394238	MOSE J TROYER T/A M J T HAULING - Application for the right to begin to transport as a common carrier by motor vehicle, property, excluding household goods in use. RECOMMENDATION: That the Commission approve the proposed Order denying and dismissing the application.
2396854-TUS Vote 5-0.	A-2013-2396854	PPL ELECTRIC UTILITIES CORP T/A PPL UTILITIES - Letter of Notification filed on 12/11/13, pursuant to 52 Pa. Code Chapter 57 Subchapter G, for approval to relocate a section of the existing Monroe-Jackson #2 138 kV transmission line at the North Stroudsburg 138-12 kV substation in Stroud Township, Monroe County, Pennsylvania. Authority for this procedure is provided for at §57.72(d)(1)(vi). No protest was filed and no hearing was held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2397237-TUS Vote 5-0.	R-2013-2397237	PIKE COUNTY LIGHT & POWER CO - ELECTRIC - Supplement No. 61 to Electric – PA. P.U.C. No. 8 filed on 1/17/14 proposing an annual increase in rates of \$1.7 million to become effective 3/18/14. A formal complaint was filed by the OCA. Various protests were also filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the proposed general rate increase filing until 10/18/14, and institutes an investigation.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2397353-TUS Vote 5-0.	R-2013-2397353	PIKE COUNTY LIGHT & POWER CO - GAS - Supplement No. 92 to Gas – Pa. P.U.C. No. 6 filed on 1/17/13, containing proposed changes in rates, rules, and regulations calculated to produce \$151,000 in additional annual revenues, an increase of approximately 10%. Supplement No. 92 bears an effective date of 3/18/14. Formal complaints were filed by OCA. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the proposed general rate increase filing until 10/18/14, and institutes an investigation.
2397394-TUS Vote 5-0.	A-2013-2397394	ENERGY AUCTION HOUSE INC - Application filed on 12/3/13, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer serving small commercial, large commercial, industrial and governmental customers in the electric distribution company service territories of Duquesne Light, PPL Electric Utilities, PECO Energy, West Penn Power, Penelec, Penn Power, UGI Utilities, Citizens' Electric, Pike County Light and Power, Wellsboro Electric, and Met Ed in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2399835-TUS Vote 5-0.	A-2014-2399835	UTILITIES MARKETING GROUP LLC - Application filed on 1/2/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer serving residential, small commercial, large commercial, and industrial customers in the electric distribution company service territories of Duquesne Light, PPL Electric Utilities, PECO Energy, West Penn Power, Penelec, Penn Power, UGI Utilities, and Met Ed in 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>
2400418-TUS Vote 5-0.	A-2014-2400418 A-2014-2400419 A-2014-2400422 A-2014-2400422 A-2014-2400424 A-2014-2400425 A-2014-2400426 A-2014-2400427	LUMOS NETWORKS OF WEST VIRGINIA - Application filed on 12/23/13, for approval to offer, render, furnish or supply telecommunication services as a CLEC in the service areas of Armstrong Telephone–North, Bentleyville Telephone, Citizens Telephone of Kecksburg, Hickory Telephone, Laurel Highland Telephone, Pymatuning Independent Telephone, and Yukon Waltz Telephone. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2400443-TUS Vote 5-0.	S-2014-2400443	SUPERIOR WATER CO INC - Securities Certificate filed on 1/3/14, with respect to the issuance of debt in principal amount not to exceed \$4,714,729. No protests were filed and no hearings were held. Superior Water Company voluntarily extended the consideration period to 3/7/14. RECOMMENDATION: That the Commission register the securities certificate consistent with the proposed Order.
2400669-TUS Vote 5-0.	A-2014-2400669 A-2014-2400718 A-2014-2400719	TELEPORT COMMUNICATIONS AMERICA LLC - Application filed on 1/3/14, for approval to offer, render, furnish or supply telecommunication services as a CLEC in the service areas of Consolidated Communications of Pennsylvania, Frontier Communications Commonwealth Telephone, and Windstream Pennsylvania. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2401266-TUS <u>Statement</u> by Commissioner Brown. Vote 4-0 with Commissioner Brown Rescusing.	R-2014-2401266	COMMONWEALTH TEL D/B/A FRONTIER - 2014 Price Stability Index/Service Price Index Report Filing and accompanying tariff supplement requesting a rate increase of \$1,166,949, filed on 2/1/14. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the Report and proposed rate increases.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2403904-TUS Vote 5-0.	A-2014-2403904	ENTRIX TELECOM INC - Application filed on 1/17/14, seeking the approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller Services within PA. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2405193-TUS Vote 5-0.	I-2014-2405193	INVESTIGATION OF AN EXISTING RAILROAD BRIDGE - Investigation upon the Commission's own motion to determine the condition, disposition and responsibility for maintenance of the existing railroad bridge structure at the public grade-separated crossing (DOT 148 962 B) where SR 4035 (Yellow Dog Road) crosses below grade, the abandoned rail line of the Buffalo and Pittsburgh Railroad, in West Franklin Township, Armstrong County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2354659-LAW (PP from 02/20/2014)	P-2013-2354659	SKYTOP LODGE INC - Petition for a Declaratory Order filed on 3/26/13, seeking a determination from the Commission that it is not a public utility subject to the Commission's jurisdiction regarding its provision of water and sewer services to 75 private properties situated on its resort grounds. RECOMMENDATION: That the Commission adopt the proposed Order.
2369557-LAW	P-2013-2369557	AMERIMEX COMMUNICATIONS CORPORATION - Petition filed on 6/19/13, seeking approval to be an ETC throughout the Commonwealth for the limited purposed of providing Lifeline service to qualified low income individual consumers. The petition was published in the Pennsylvania Bulletin on 8/10/13. The OCA filed comments and AmeriMex filed Reply Comments as well as supplements to its petition. The OCA supports AmeriMex' petition subject to the same reporting and verification requirements imposed upon all ETCs to ensure consistent treatment and protection of PA consumers, as well as protecting the USF from fraud and abuse. RECOMMENDATION: That the Commission adopt the proposed Order.
2382943-LAW	M-2013-2382943	POLICY STATEMENT-UTILITY SVC OUTAGE, RECOVERY & NOTIFICATION GUIDELINES - Over the prior three years, the Bureau of Technical Utility Services has reviewed significant service outages including the Sandy Report prepared in May of 2013. Following this review, TUS recommended that the Commission consider revising the Utility Service Outage Public Notification Guidelines with additional storm preparation and response measures for Pennsylvania EDCs so that the efforts that were undertaken to improve the EDCs storm response performance following Hurricanes Irene and Sandy can be memorialized. RECOMMENDATION: That the Commission adopt the final policy statement.

Postponed until the Public Meeting of March 20, 2014.

Vote 5-0.

Statement by Commissioner Witmer.
Vote 5-0.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2391525-ALJ Postponed until the Public Meeting of March 20, 2014.	C-2013-2391525	SHYMAR MCBRIDE VS UGI UTILITIES INC - GAS DIVISION - Complaint filed on 10/17/13, alleging that UGI was improperly refusing to connect his gas service by requiring him to pay for unauthorized gas service at his address and pay an unpaid balance from another address. UGI filed an Answer with New Matter and Preliminary Objections on 11/25/13. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision sustaining the Preliminary Objections and dismissing the complaint.
2393163-ALJ Postponed until the Public Meeting of April 3, 2014.	C-2013-2393163	JOSEPH ORACH VS PPL ELECTRIC UTILITIES CORP - Complaint filed on 11/7/13, alleging that PPL was acting unreasonably by attempting to remove vegetation located in its right of way on the Complainant's property. PPL filed an Answer with New Matter and Preliminary Objections on 12/9/13. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision sustaining the Preliminary Objections and dismissing the complaint with prejudice for lack of jurisdiction.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

March 6, 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.

[Joint Motion of Chairman Powelson and Commissioner Witmer.](#)
[Joint Statement of Chairman Powelson and Commissioner Witmer.](#)
[Statement of Commissioner Brown.](#)
[Vote 5-0 with the Partial Dissent of Commissioner Brown.](#)

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2334388-OSA	M-2012-2334388 M-2009-2093216 M-2012-2289411	PPL ELECTRIC UTILITIES CORP - Petition filed on 11/15/12 requesting approval of its Act 129 Phase II EE&C Plan (Phase II Plan). On 3/14/13, the Commission entered an Opinion and Order in the above-captioned proceeding that, inter alia, approved, in part, and rejected, in part, PPL's Phase II Plan, and directed PPL to file a revised Phase II Plan that incorporated certain modifications within sixty days. On 5/13/13, PPL filed its Revised Phase II Plan in compliance with the Commission's 3/14/13 Opinion and Order. On 7/11/13, the Commission entered an Opinion and Order approving the Revised Phase II Plan. On 11/22/13, PPL filed the instant Petition proposing changes in the Revised Phase II Plan. On 12/23/13, Comments were filed by the PP&L Industrial Customer Alliance and the Sustainable Energy Fund of Central Eastern PA. On 1/13/14, Reply Comments were filed by PPL and the OSBA. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which, inter alia, grants, in part, and denies, in part, PPL's Petition; and approves, in part, and rejects, in part, PPL's proposed modifications to its Phase II Plan.

[Statement by Commissioner Witmer.](#)
[Statement by Commissioner Cawley.](#)
Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2360798-OSA	R-2013-2360798	COLUMBIA WATER CO - 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. After an evidentiary proceeding, ALJ Buckley issued an Recommended Decision on 11/22/13. Exceptions and Reply Exceptions to the Recommended Decision. were filed on 12/6/13 and 12/16/13, respectively, by Columbia, I&E and the OCA. By Order entered 1/23/14, the Commission, inter alia, authorized the Company to file a revised tariff supplement designed to produce a \$534,970 increase in annual revenue. Columbia submitted its Compliance Filing on 2/6/14. The OCA filed a Petition for Reconsideration of the 1/23/14 Order on 2/7/14, and Exceptions to the Compliance Filing on 2/18/14. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies the Petition and the Exceptions.
Vote 5-0.	C-2013-2363612	
	C-2013-2363728	
	C-2013-2364726	