

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**WEDNESDAY, APRIL 23, 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, May 22, 2014 at 9:00 A.M.

Minutes of the Meeting of Thursday March 20, 2014 (JFC)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MAY 22, 2014 AT 9:00 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 WEDNESDAY, APRIL 23, 2014, IMMEDIATELY FOLLOWING PUBLIC MEETING, AT APPROXIMATELY 11:00 A.M. IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH 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  
THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

April 23, 2014

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2273330-AUD Vote 5-0.	D-2011-2273330	UGI UTILITIES, INC. - GAS DIVISION - Low Income Self Help Program for the 22 months ended 9/30/2010. RECOMMENDATION: That the Commission release the Audit Report to the public.
2302453-AUD Vote 5-0.	D-2012-2302453	UGI UTILITIES INC - ELECTRIC DIVISION - Alternative Energy Cost Charge for the 12 months ended 5/31/2012 and the 17 months ended 5/31/2011. RECOMMENDATION: That the Commission release the Audit Report to the public.
2302455-AUD Vote 5-0.	D-2012-2302455	UGI UTILITIES INC - ELECTRIC DIVISION - Customer Assistance Program for the 12 months ended 9/30/2011 and the 22 months ended 9/30/2010. RECOMMENDATION: That the Commission release the Audit Report to the public.
2354811-AUD <u>Joint Statement by Chairman Powelson and Commissioner Cawley.</u> <u>Oral Statement by Vice Chairman Coleman.</u> Vote 5-0.	D-2013-2354811	EQUITABLE GAS COMPANY - The scope of this investigation was confined to an examination of the progress in implementing 18 of the original 72 recommendations from the Focused Management and Operations Audit released in June 2010. Peoples-Equitable Division has effectively or substantially implemented 10 of the 18 prior recommendations and taken some action on 7 of the 8 remaining recommendations. Staff has made 8 follow-up recommendations for improvement. The Company indicated acceptance of all 8 of the follow-up recommendations. RECOMMENDATION: That the Commission make the MEI report and the Company's Implementation Plan 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>2313375-OSA</b>  Vote 5-0.	<b>M-2013-2313375</b>	<b>UGI UTILITIES, INC - GAS DIVISION</b>  - Informal investigation initiated by the BI&E as a result of a gas ignition incident that occurred in Hazleton, PA on 6/5/12, and involved a UGI Utilities, Inc. – Gas Division inspector and crew members of UGI's contractor. The Parties filed a Settlement Agreement on 6/28/13, to resolve the investigation. The Settlement provides that, inter alia, UGI will pay a \$96,000 civil penalty and make revisions to its operating procedures. Each Party also filed a Statement in Support of the Settlement. By Order entered 11/14/13, the Commission provided interested parties with twenty days from the entry date of the Order to file comments to the Settlement. No comments have been received.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order, which approves the Settlement Agreement.
<b>2318472-OSA</b>  Vote 5-0.	<b>C-2012-2318472</b>	<b>MARK MAZZA VS PECO ENERGY COMPANY</b>  - Complaint filed 8/1/12 alleging, inter alia, that PECO sent an improper notice of termination. On 8/14/12, PECO filed Preliminary Objections arguing that the Complaint should be dismissed under the doctrine of lis pendens. In her Initial Decision, issued on 12/31/12, ALJ Barnes recommended that PECO's Preliminary Objections be sustained and that the Complaint be dismissed with prejudice. The Complainant filed Exceptions. Per Opinion and Order entered 4/18/13, the Commission granted the Exceptions, in part, and remanded the proceedings for further findings. In her Initial Decision, issued on 12/30/13, ALJ Barnes concluded that the Complaint should be denied and the Complainant should be barred from filing further complaints until undisputed amounts are paid. The Complainant filed Exceptions on 1/7/14. PECO filed Reply Exceptions.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order.

**2333992-OSA**

**M-2012-2333992**

**PECO ENERGY COMPANY**

**Vote 5-0.**

- Petition filed 11/1/12 requesting approval of its Phase II EE&C Plan (Phase II Plan) for the period 6/1/13 to 5/31/16. By Opinion and Order entered 2/28/2013, the Commission permitted PECO to implement its Phase II Plan and directed PECO to address specific concerns with the Plan. On 2/28/14, PECO filed a Petition to amend its Phase II Plan to continue its Mass Market Direct Load Control Program through 5/31/16, and to make other revisions to the Plan. Comments were filed by the OCA, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania. Converge, Inc., the Keystone Energy Efficiency Alliance, and the Philadelphia Area Industrial Energy Users Group on 3/19/14. PECO filed Reply Comments and a revised Plan (March 2014 Plan) on 3/31/14.

**RECOMMENDATION:**

That the Commission adopt the proposed Tentative Opinion and Order that, inter alia, grants the Petition, subject to any comments on the March 2014 Plan.

**2350042-OSA**

**A-2013-2350042**

**PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

**Vote 5-0.**

- On 2/20/14, the Commission issued a Secretarial Letter approving an Application filed by the Department of Transportation of the Commonwealth of PA to reconstruct an overhead bridge in Northampton County. The Secretarial Letter also provided for the allocation of costs for the construction of the bridge and related ongoing maintenance among the Commonwealth, Norfolk Southern Railway and the Borough of Bangor. On 3/13/14, Bangor filed a Petition for Reconsideration of Staff Action objecting to the assignment of costs to it of a new culvert. Additionally, on 3/17/14, Norfolk Southern filed a Petition for Reconsideration of Staff Action requesting that the Commission affirmatively allocate costs for a related existing culvert system to Bangor. On 4/3/14, the Department filed an Answer to Bangor's Petition and a Letter in response to Norfolk Southern's Petition.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order which grants the Petitions, in part, and refers the matter to the Office of Administrative Law Judge.

**2354026-OSA**

**C-2013-2354026**

**FRED BOBB VS PECO ENERGY COMPANY-ELECTRIC**

**Vote 5-0.**

- Complaint filed 3/4/13 alleging that PECO provided unreasonable service by attempting to remove trees from his property which were located within PECO's transmission line right of way. PECO filed an Answer and New Matter on 4/11/13. A hearing was held on 11/5/13. In an Initial Decision, issued 12/3/13, ALJ Salapa dismissed the Complaint. The Complainant filed Exceptions on 12/16/13. PECO filed Replies to Exceptions on 12/19/13. A Commission Order was entered on 3/20/14, which denied the Exceptions. On 3/28/14, the Complainant filed a Petition for Reconsideration. On 4/4/14, PECO filed an Answer to the Complainant's Petition for Reconsideration (Petition). Due to the fact that the 30-day period to act on the Petition ended on 4/21/14, the Commission granted the Petition pending review of and consideration on the merits. An Order was adopted by notational vote on 4/10/14 and served on 4/11/14.

**RECOMMENDATION:**

That the Commission, consistent with 4 Pa. Code § 1.43(c), record and enter this action into the minutes of this Public Meeting.

**2356237-OSA**

**C-2013-2356237**

**MARLENE BROMAN VS WEST PENN POWER COMPANY**

**Vote 5-0.**

- Complaint filed 4/2/13 alleging that West Penn provided unreasonable service by attempting to remove trees located on her property, which is within West Penn's transmission line right-of-way. West Penn filed an Answer on 4/18/13. A telephonic hearing was held on 5/22/13. In an Initial Decision, issued 10/8/13, ALJ Dunderdale sustained the Complaint. West Penn filed Exceptions on 10/29/13. No Replies to Exceptions were filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order which grants, in part, and denies, in part, the Exceptions and modifies the Initial Decision.

**2367314-OSA C-2013-2367314**

**Vote 5-0.**

**JERE LEFEVER VS PPL ELECTRIC UTILITIES CORPORATION**

- Complaint filed 5/31/13, alleging that after he resolved a foreign wiring issue on his rental property, PPL placed the electric service back in the tenant's name but failed to remove the tenant's arrearage from the Complainant's bill. PPL filed an Answer on 6/27/13, admitting the allegations and averring that its actions were in accordance with applicable law. On 1/23/14, ALJ Colwell issued an Initial Decision, which denied the Complaint, in part, and granted it, in part. PPL filed Exceptions on 2/12/14. No Replies to Exceptions were filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants the Exceptions and modifies the ALJ's Initial Decision.

**2373601-OSA C-2013-2373601**

**Withdrawn by the Office of Special Assistants.**

**KUJTIM BALLAJ VS PHILADELPHIA GAS WORKS**

- Formal Complaint filed 6/12/13 alleging that there were incorrect charges on his bill, that PGW would not enroll him in its customer responsibility program, and that the Company had enrolled him in a different program causing him to accrue a balance of \$525.00. He requested that the balance be removed from his bill. On 8/5/13, PGW filed an Answer denying any wrongdoing. The hearing convened on 10/28/13. In her Initial Decision issued 12/19/13, ALJ Colwell dismissed the Complaint, in part, for failure to sustain the burden of proof. The Complainant filed a Petition for Rescission or Amendment on 2/14/14. No Answer to the Petition has been filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order which denies the Petition for Rescission or Amendment.

**2406526-OSA A-2014-2406526**

**Vote 5-0.**

**VERIZON PENNSYLVANIA LLC AND MEGAPATH CORP.**

- Joint Petition filed 2/12/14 seeking approval of Amendment "A" to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 3/8/14. No comments were received.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

**2406562-OSA**      **A-2014-2406562**      VERIZON PENNSYLVANIA LLC AND CELLCO PARTNERSHIP

**Vote 5-0.**

- Joint Petition filed 2/12/14 seeking approval of Amendment Nos. 1, 2 and 3 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 3/8/14. No comments were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

**2406568-OSA**      **A-2014-2406568**      VERIZON PENNSYLVANIA LLC AND CELLCO PARTNERSHIP

**Vote 5-0.**

- Joint Petition filed 2/12/14 seeking approval of Amendment Nos. 1 and 2 to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 3/8/14. No comments were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

**2406604-OSA**      **A-2014-2406604**      VERIZON PENNSYLVANIA LLC AND COOPERATIVE COMMUNICATIONS INC.

**Vote 5-0.**

- Joint Petition filed 2/12/14 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 Pa. Bulletin on 3/8/14. No comments were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.



2408725-OSA

P-2014-2408725

PECO ENERGY COMPANY

Vote 5-0.

- Petition filed 3/5/14 seeking approval to utilize independent, third-party brokers to procure all Tier II AECs necessary to satisfy its anticipated remaining Tier II Alternative Energy Portfolio Standards Act requirements under PECO's second Default Service Program. The Petition also seeks confirmation that PECO is permitted to recover all costs associated with the procurement of such Tier II AECs through its existing Generation Supply Adjustment rate. The Petition further seeks waivers of any requirement to conduct an annual RFP process for AECs, and of certain broker transaction restrictions previously approved by the Commission. No Answers to the Petition were filed, and no party opposed the Petition.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants 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>
<b>1151506-TUS</b>	<b>A-125072</b>	<b>STRATEGIC ENERGY A/K/A DIRECT ENERGY BUSINESS LLC</b>
<b>Postponed until the Public Meeting of May 22, 2014.</b>		<p>- Conditionally licensed on 1/18/00 to operate as a supplier of natural gas to serve large commercial and industrial customers in the natural gas distribution company service territories of Columbia Gas, Equitable Gas, National Fuel Gas, Valley Energy, Peoples Natural Gas, Penn Natural Gas, PECO Energy, UGI Utilities, UGI Central Penn Gas, and Peoples TWP. An amendment was filed on 1/20/14 to limit its license to the single NGDC service territory of Columbia Gas, and to add the small commercial customer class to their license.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>2291824-TUS</b>	<b>M-2012-2291824</b>	<b>IMPLEMENTATION OF FCC ORDER</b>
<b>Vote 5-0.</b>		<p>- Implementation of the FCC's Order of 11/18/11 as Amended or Revised and Coordination with Certain Intrastate Matters. Order implementing FCC-mandated Step 3 Intrastate Access Charge Revisions, establishing timelines for tariff filings and prescribing required supporting information.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>
<b>2304508-TUS</b>	<b>A-2012-2304508</b>	<b>GEORGE B HOLMAN &amp; CO INC D/B/A HOLMAN MOVING SYSTEMS</b>
<b>Vote 5-0.</b>		<p>- Application for the approval of the transfer of household goods in use operating rights,</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>
<b>2355890-TUS</b>	<b>A-2013-2355890</b>	<b>IVAN K KULP</b>
<b>Vote 5-0.</b>		<p>- Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>

<b>2364487-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2364487</b>	<p><b>GREENLIGHT ENERGY INC</b></p> <p>- Application filed on 5/6/13, for approval to operate as a supplier of natural gas supply services in the natural gas distribution company service territory of PECO Energy, Peoples Natural Gas, and Columbia Gas, within PA. On 12/23/13, Greenlight amended their application to request authority to only serve in the PECO service territory. Greenlight failed to comply with Section 2208(c)(1), 66 Pa. C.S. §2208(c)(1), relating to bonding requirements.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which denies the application.</p>
<b>2375433-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2375433</b>	<p><b>DAVID THOMAS TOURS INC T/A DAVID THOMAS TOURS</b></p> <p>- Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Bucks, Chester, Delaware, Montgomery and Philadelphia counties.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application, as amended.</p>
<b>2379860-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2379860</b>	<p><b>CAPITAL HEALTH INC</b></p> <p>- Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Huntingdon Valley, Montgomery County.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application, as amended.</p>
<b>2387553-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2387553</b>	<p><b>L &amp; J TRANSPORTATION COMPANIES INC</b></p> <p>- Application for the transfer of rights to transport as a common carrier by motor vehicle, household goods in use.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>

<b>2388468-TUS</b>	<b>A-2013-2388468</b>	<b>ARM ENERGY MANAGEMENT LLC</b>
<b>Vote 5-0.</b>		<p>- Application filed on 11/14/13, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to large commercial (6,000 MCF or more annually) and industrial customers in the natural gas distribution company service territories of Peoples Natural Gas, Peoples TWP, Equitable Gas, and Columbia Gas, within PA. On 1/16/14, ARM filed an application to amend their license to include the additional customer class of small commercial (under 6,000 MCF annually) customers to their license.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>2396638-TUS</b>	<b>A-2013-2396638</b>	<b>JOURNEY CARTAGE CO LLC T/A JOURNEY SIGNATURE LIMOUSINE</b>
<b>Vote 5-0.</b>		<p>- Application for the right to begin to transport as a common carrier by motor vehicles in excess of 8 years old, persons in limousine service. Beaver, Allegheny, Butler, Washington and Lawrence counties.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application in part, and denying in part.</p>
<b>2396803-TUS</b>	<b>A-2013-2396803</b>	<b>SEARCH ENERGY LLC</b>
<b>Vote 5-0.</b>		<p>- Application filed on 12/2/13, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer serving small commercial, large commercial, and industrial customers in the electric distribution company service territories of Duquesne Light, PPL Electric, PECO Energy, West Penn, Penelec, UGI Utilities, and Met-Ed in PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>2397012-TUS</b>	<b>A-2013-2397012</b>	<b>DELTA ENERGY SERVICES LLC</b>
<b>Vote 5-0.</b>		<p>-Application filed 12/16/13 seeking to become a licensed electric generation supplier as a broker/marketer to industrial customers in the electric distribution company service territories of West Penn Power, PECO Energy, Duquesne Light, PPL Electric., Met- Ed, Penelec, and Penn Power.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>

<b>2397052-TUS</b> <b>Vote 5-0.</b>	<b>A-2013-2397052</b>	<p><b>DELTA ENERGY SERVICES LLC</b></p> <p>- Application filed on 12/16/13, for approval to operate as a broker/marketer to industrial customers in the natural gas distribution company service territories of PECO Energy, Valley Energy, National Fuel Gas Distribution, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, Peoples Natural Gas, Peoples TWP LLC, Philadelphia Gas Works, Equitable Gas and Columbia Gas in PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>2398500-TUS</b> <b>Vote 5-0.</b>	<b>R-2013-2398500</b>	<p><b>NOGA AMBULANCE SERVICE INC</b></p> <p>- Rate increase.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission approve Tariff Paratransit Pa. P.U.C. No. 2 to become effective 4/28/14.</p>
<b>2400410-TUS</b> <b>Vote 5-0.</b>	<b>A-2014-2400410</b>	<p><b>YOUTH TRANSIT AUTHORITY LLC</b></p> <p>- Application for the right to begin to transport as a common carrier by motor vehicle, persons in limousine service.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>
<b>2400844-TUS</b> <b>Vote 5-0.</b>	<b>A-2014-2400844</b>	<p><b>ENERGY SOLUTIONS USA INC</b></p> <p>- Application filed on 1/15/14, for approval to operate as a supplier of natural gas supply services as a broker/marketer to 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 Valley Energy, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, PECO Energy, Philadelphia Gas Works, National Fuel Gas Distribution, Peoples Natural Gas, Equitable Gas, Columbia Gas, and Peoples TWP in PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>

<p><b>2403135-TUS</b>  Vote 5-0.</p>	<p><b>R-2014-2403135</b> <b>A-00109724</b></p>	<p>DELBO ASSOCIATES T/D/B/A SHAMOKIN YELLOW CAB INC</p> <p>- Rate increase.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Call or Demand Pa. PUC No. 5 to become effective 4/28/14.</p>
<p><b>2403141-TUS</b>  Vote 5-0.</p>	<p><b>R-2014-2403141</b> <b>A-00122566</b></p>	<p>BLACK DIAMOND CAB COMPANY INC</p> <p>- Rate increase.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Call or Demand Pa. PUC No. 3 to become effective 4/28/14.</p>
<p><b>2406274-TUS</b>  Vote 5-0.</p>	<p><b>R-2014-2406274</b></p>	<p>COLUMBIA GAS OF PENNSYLVANIA INC</p> <p>- Supplement No. 211 to Gas – Pa. P.U.C. No. 9 filed on 3/21/14, to become effective 5/20/14, containing proposed changes in Columbia's base distribution rates, and removes, revises, and adds various tariff provisions. Columbia is seeking an overall revenue increase of \$54.1 million per year, or 11.09 percent over present revenues. Formal complaints were filed by the OCA and the OSBA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that suspends the proposed general rate increase filing until 12/20/14, and institutes an investigation.</p>
<p><b>2406383-TUS</b>  Vote 5-0.</p>	<p><b>M-2014-2406383</b></p>	<p>BUCKS COUNTY 911</p> <p>- System Renewal Plan filed on 2/14/14, from PEMA requesting a formal review of the costs associated with the contribution rate of \$1.00 per access line per month and to make a recommendation to PEMA within 90 days of the receipt date.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves a contribution rate of \$1.00 per access line per month.</p>

<b>2406392-TUS</b>	<b>A-2014-2406392</b>	<p><b>T-NETIX INC</b></p> <p>- Application filed 2/14/14 seeking approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller services within the Commonwealth of PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>
Vote 5-0.		
<b>2407345-TUS</b>	<b>R-2014-2407345</b>	<p><b>COLUMBIA GAS OF PENNSYLVANIA</b></p> <p>- Supplement No. 210 to Tariff Gas PA. P.U.C. No. 9 filed on 2/26/14, for approval for propose a Pilot Rider program to allow any deposits required of new applicants for gas service, to be paid over 20 years instead of upfront. The Supplement is proposed to become effective 4/28/14. A formal complaint was filed by the OCA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order that suspends the proposed tariff supplement filing until 10/28/14, and institutes an investigation.</p>
Vote 5-0.		
<b>2408033-TUS</b>	<b>A-2014-2408033</b>	<p><b>PENNSYLVANIA AMERICAN WATER COMPANY</b></p> <p>- Application for approval of the right to offer, render, furnish or supply water service to the public in a portion of Lancaster Township, Butler County, PA. The Application was filed on 2/27/14. Proofs of publication and service to appropriate entities were submitted by Pennsylvania-American Water Co. No protests were filed and no hearings were held.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order that approves the application.</p>
Vote 5-0.		
<b>2408874-TUS</b>	<b>A-2014-2408874</b>	<p><b>CONNECTADO INC</b></p> <p>- Application filed on 3/4/14 seeking the Commission's approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller services within PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>
Vote 5-0.		

<b>2408881-TUS</b> <b>Vote 5-0.</b>	<b>A-2014-2408881</b>	<p>TOTAL ACCESS TELECOM INC</p> <p>- Application filed 3/4/14 seeking the Commission's approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller services within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application.</p>
<b>2410152-TUS</b> <b>Vote 5-0.</b>	<b>M-2014-2410152</b>	<p>BEAVER COUNTY 911</p> <p>- System Renewal Plan filed on 3/13/14, 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 to PEMA within 90 days of the receipt date.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.</p>
<b>2410571-TUS</b> <b>Vote 5-0.</b>	<b>A-2014-2410571</b>	<p>INCONTACT INC</p> <p>- Application filed on 3/13/14, seeking the Commission's approval of the Company's Discontinuance and Abandonment of Competitive Local Exchange Carrier service within the Commonwealth of PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application.</p>



**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2376600-LAW</b> (PP from 04/03/2014)  Vote 5-0.	<b>P-2013-2376600</b>	<b>CITY OF TITUSVILLE</b>  - Petition for a declaratory order filed 7/29/13. In accordance with 52 Pa. Code § 5.42, the City served a copy of its Petition on the OCA, the OTS, the OSBA, and each of the 101 customers located outside of the City's corporate limits. A copy of the Petition was also served on the Boards of Supervisors of the two townships in which the 101 affected customers reside, namely, Oil Creek and Cherrytree Townships. No answers were filed to the Petition.  RECOMMENDATION:  That the Commission adopt the proposed Tentative Order.
<b>2407033-LAW</b>  Vote 5-0.	<b>P-2014-2407033</b> <b>R-2014-2401257</b> <b>P-00971182F1000</b>	<b>IRONTON TELEPHONE COMPANY</b>  - PSI/SPI filing with a proposed alteration in its STAS accounting methodology. Rather than decrease rates to account for declining STAS, Ironton proposed to use banked revenues to offset the decrease such that rates will not decline. The proposal is an administrative change to previous Ironton STAS accounting. While staff recommends approval of the change, Staff determined that the Public Utility Code required a Petition seeking Commission agreement with the change because of due process considerations and because the change involves rates for non-competitive protected services. Ironton filed the Petition. OCA responded with a letter stating that it did not object to the filing.  RECOMMENDATION:  That the Commission adopt the Order approving the Petition.
<b>2407041-LAW</b>  Vote 5-0.	<b>P-2014-2407041</b> <b>R-2014-2401254</b> <b>P-00971229F1000</b>	<b>CITIZENS TELEPHONE COMPANY OF KECKSBURG</b>  - PSI/SPI filing with a proposed alteration in its STAS accounting methodology. Rather than decrease rates to account for declining STAS, Kecksburg proposed to use banked revenues to offset the decrease such that rates will not decline. The proposal is an administrative change to previous Kecksburg STAS accounting. While staff recommends approval of the change, Staff determined that the Public Utility Code required a Petition seeking Commission agreement with the change because of due process considerations and because the change involves rates for non-competitive protected services. Kecksburg filed the Petition. OCA responded with a letter stating that it did not object to the change  RECOMMENDATION:  That the Commission approve the Order.

**2416181-LAW I-2014-2416181**

Postponed until the Public Meeting of May 22, 2014.

**FIRSTENERGY SOLUTIONS CORP PASS-THROUGH CHARGE**

- The Commission has become aware through FirstEnergy Solutions Corp. (FES) and the filing of a Petition for Declaratory Order by the Petitioners, Utility Workers Union of America, et al., that an issue has developed concerning the meaning of a provision contained in the terms and conditions of service of residential "fixed price" contracts for the supply of electricity by FES. In particular, FES has issued a "Notice of RTO Expense Surcharge" to its fixed rate generation supply customers which states that, pursuant to the customer's fixed rate contract, these additional ancillary service charges are a "pass through event" which allows FES to impose a "one-time charge – called the RTO Expense Surcharge."

**RECOMMENDATION:**

That the Commission adopt the 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>2370455-ALJ</b>	<b>R-2013-2370455</b>	<b>PENN ESTATES UTILITIES, INC</b> - Supplement No. 7 to Tariff Water-Pa. P.U.C. No. 3 filed 6/28/13 proposing an annual increase in revenues to become effective 8/27/13. By Order entered 8/15/13, the Commission instituted an investigation and suspended the filing until 3/27/14. Penn Estates filed Supplement No. 9 suspending the application of rates proposed in No. 7 until 5/28/14. On 2/21/14, a Joint Petition for Settlement of Rate Investigation was filed. <b>COMMISSION REVIEW:</b> That the Commission adopts ALJ Barnes' Recommended Decision approving the Settlement.

Oral Statement by Chairman  
Powelson.  
Vote 5-0.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

April 23, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2290597-OSA  Vote 5-0.	R-2012-2290597	PPL ELECTRIC UTILITIES CORP  - Supplement No. 130 to Tariff Electric-Pa. P.U.C. No. 201 filed 3/28/13 proposing a Storm Damage Expense Rider (SDER) in compliance with the Commission's Opinion and Order entered 12/28/12. The filing was suspended by operation of law on 10/31/13, until 2/28/14. On 2/18/14, PPL voluntarily further suspended Supplement No. 130 until 4/30/14. By an Opinion and Order entered on 4/3/14, the Commission approved the SDER, subject to modifications. On 4/18/14, PPL filed a Petition for Reconsideration and Clarification.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order granting reconsideration, pending review of and consideration on the merits.
2372129-OSA  Vote 5-0.	R-2013-2372129	DUQUESNE LIGHT COMPANY  - Supplement No. 81 to Tariff Electric - Pa. P.U.C. No. 24 filed 8/2/13, proposing to increase rates to produce additional annual operating revenues of approximately \$76.3 million. On 1/16/14, a Joint Petition for Approval of non-Unanimous Settlement was filed. The Settlement was opposed by the NRG Companies. By Recommended Decision issued on 3/28/14, ALJ Johnson recommended that the Settlement be approved and that the Rider No. 18 issues be held in abeyance. On 4/04/14, the NRG Companies filed Exceptions. Replies to Exceptions were filed by Duquesne and the Beaver Falls Municipal Authority on 4/11/14.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

**AGENDA NO.**  
**2396449-TUS**

**DOCKET NO.**  
**A-2013-2396449**

**NAME AND SUBJECT**

INDEPENDENCE ENERGY GROUP LLC

Vote 5-0.

- Application filed on 10/23/13, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial (less than 6,000 MCF annually), and large commercial (6,000 MCF or more annually) customers in the natural gas distribution company service territories of Peoples Natural Gas , Equitable Gas, and Columbia Gas, within PA.

RECOMMENDATION:

That the Commission adopt the proposed Order which approves the application.

**LAW BUREAU**

**AGENDA NO.**

**2181481-LAW**

**Vote 5-0.**

**DOCKET NO.**

**I-2010-2181481**

**P-2008-2014444**

**R-2010-2176403**

**R-2010-2179527**

**NAME AND SUBJECT**

**INVESTIGATION OF PRACTICE OF PAPER INVOICE CHARGES**

- Petition for Reconsideration filed 4/4/14 of the Commission's 3/20/14 order that denied any proposed tariff provisions authorizing telecommunication carriers to charge residential or business customers a fee to receive a paper bill. The OCA filed an Answer in Opposition on 4/14/14. Due to the fact that the 30-day period to act on the Petition for Reconsideration closes on 4/21/14, we granted the Petition pending review of, and consideration on, the merits. A final order was adopted by notational vote on 4/16/14 and served on 4/17/14. A corrected Order was served on 4/18/14.

**RECOMMENDATION:**

That the Commission, consistent with 4 Pa. Code § 1.43(c), record and enter this action into the minutes of this Public Meeting.