

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY JULY 24, 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, August 21, 2014 at 10:00 A.M.

Minutes of the Meeting of Thursday, June 19, 2014 (PW)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JULY 24, 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, JULY 23, 2014, AT 2:00 P.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.

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

July 24, 2014

BUREAU OF ADMINISTRATION

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2430605-BAS		STRATIFIED MANAGEMENT & OPERATIONS AUDIT – PHILADELPHIA GAS WORKS
Vote 5-0.		<p>- Request for Proposal (RFP) for qualified bidders to submit a proposal for management and operations audit work of Philadelphia Gas Works. An Evaluation Committee reviewed, evaluated and scored the submitted proposals and recommended a successful vendor for approval by the Commission.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the RFP-PUC-2014-1 Evaluation Committee's choice to enter into final contract negotiations with the successful vendor for these services.</p>

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2396473-AUD Vote 5-0.	D-2013-2396473	WALKER GAS - A DIVISION OF ORWELL GAS COMPANY - Gas Cost Rate (Over)/Under Collections (Section 1307(e)) for the 12 months ended 8/31/2013, and 8/31/2012. The auditor's report contained two findings and recommendations. RECOMMENDATION: That the Commission release the Audit Report to the public.
2396474-AUD Vote 5-0.	D-2013-2396474	CLARION RIVER GAS - A DIVISION OF ORWELL GAS COMPANY - Gas Cost Rate (Over)/Under Collections (Section 1307(e)) for the 12 months ended 8/31/2013, and 8/31/2012. The auditor's report contained four findings and recommendations. RECOMMENDATION: That the Commission release the Audit Report to the public.

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2393141-OCM (PP from 06/19/2014)	M-2013-2393141	BONDING REQUIREMENTS - ELECTRIC GENERATION SUPPLIERS - OCMO Recommendation to reduce the amount of the bonding or security that EGSs must post after their initial year of operation. In addition, OCMO recommends expanding the type of security instruments that can be used to satisfy the bonding requirement. RECOMMENDATION: That the Commission adopt the Final Order.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2366873-OSA Vote 5-0.	P-2013-2366873 P-2013-2366873 C-2013-2369886	LITTLE WASHINGTON WASTEWATER COMPANY - Petition filed on 5/31/13 for approval of: (1) a Long-Term Infrastructure Improvement Plan; and (2) a DSIC. By Order entered 9/12/13, the Commission approved LWWC's Petitions and also directed that two issues be assigned to OALJ the issuance of a Recommended Decision. On 4/29/14, ALJ Colwell issued her Recommended Decision, which recommended that: (1) the Commission adopt the OCA's proposed accumulated deferred income taxes associated with DSIC; and (2) the Commission flow through the benefits of state income tax deductions associated with DSIC plant. The OCA and LWWC each filed Exceptions and Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) grants LWWC's Exceptions; (2) grants the OCA's Exceptions; and (3) reverses the Recommended Decision, except for one issue.
2391368-OSA <u>Statement by Commissioner Brown.</u> Vote 5-0 with Commissioner Brown Partially Dissenting.	P-2013-2391368 P-2013-2391372 P-2013-2391375 P-2013-2391378	METROPOLITAN EDISON COMPANY - Joint Petition filed on 11/04/13, requesting approval of their Default Service Programs for the period of 6/01/15 through 5/31/17. On 3/27/14, the Parties filed a Joint Petition for Partial Settlement. Also, on 3/27/14, Main Briefs were filed on the one litigated issue by FirstEnergy, Exelon Generation (Exelon), FirstEnergy Solutions (FES), the Retail Energy Supply Association (RESA) and the Industrial Users Groups (IUG). By Recommended Decision, issued on 5/06/14, ALJ Colwell recommended that the Partial Settlement be approved and that the NITS Proposal be denied. On 5/27/14, Exceptions to the Recommended Decision were filed by FirstEnergy, FES, Exelon, RESA and IUG. Replies to Exceptions were filed by FirstEnergy, IUG, Exelon and FES on 6/06/14. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

2395646-OSA

F-2013-2395646

SCHENEVELYN SAMUEL VS PECO ELECTRIC

Vote 5-0.

- Formal Complaint filed on 11/27/13, requesting a payment arrangement. PECO filed an Answer on 12/12/13 and contended that the Complainant was not entitled to a payment arrangement because her balance was comprised of customer assistance program arrearages and because she had defaulted on a prior Commission-issued payment arrangement. PECO further alleged that she failed to comply with 5 Company-issued payment arrangements. On 6/2/14, the ALJ issued an Initial Decision in which she dismissed the Complaint because she found that the Complainant was ineligible for a payment arrangement. The Complainant filed Exceptions on 6/16/14 and PECO filed Replies to Exceptions on 6/30/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which denies the Exceptions of the Complainant.

2402746-OSA

C-2014-2402746

PUC - INVESTIGATION AND ENFORCEMENT VS SNYDER BROTHERS INC

Vote 5-0.

- Complaint filed on 1/17/14, alleging that SBI failed to identify unconventional gas wells and pay impact fees and administrative charges on those wells in calendar years 2011 and 2012. On 2/5/14, SBI filed an Answer with New Matter. I&E filed a reply to SBI's New Matter on 2/27/14. On 6/4/14, I&E filed a Petition for Interlocutory Review and Answer to Material Question pertaining to the interpretation of Act 13 of 2012, the Unconventional Gas Well Impact Fee Act (Act 13). SBI filed a Response to the Petition on 6/9/14. On 6/13/14, the Pennsylvania Independent Oil and Gas Association, an intervenor, filed a Brief in Opposition to the Petition. I&E filed a Brief in Support of its Petition on 6/17/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2407298-OSA	A-2014-2407298	UGI PENN NATURAL GAS INC
Vote 5-0.		<p>- Application filed on 2/26/14, seeking permission to install a new gas line to be partially located within the public right-of-way of a railroad crossing in the City of Sunbury, Northampton County. In its Application, PNG requested expedited approval so that it could commence the work by 3/24/14. The Commission issued a Secretarial Letter on 5/20/14 approving the Application and setting forth applicable conditions. In relevant part, the Secretarial Letter directed PNG to complete the Crossing on or before 5/31/14. Having not received approval to commence construction until 5/20/14, PNG filed a Petition for Reconsideration of Staff Action requesting a completion date of 7/31/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Petition.</p>
2412255-OSA	P-2014-2412255 A-00118263	AVALON LIMOUSINE
Vote 5-0.		<p>- Per letter of 2/27/14, the Commission's Bureau of TUS stated that it had reviewed the information submitted by the Petitioner relative to the Petitioner's request for a waiver from the requirement that vehicles used in limousine service be no more than 8 model years old. 52 Pa. Code § 29.333(e). The 2/27/14 letter denied the Petitioner's request because the application was untimely filed, incomplete, and the Petitioner was not in compliance with the Commission's Regulations relative to the requirements that assessment payments be current. On 3/10/14, the Petitioner filed a Letter-Petition for Reconsideration of Staff Action with reference to the 2/27/14 letter. No response to the Petition has been received.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which denies the Petition.</p>
2422583-OSA	P-2014-2422583	SUNOCO PIPELINE LP
Vote 5-0.		<p>- Application filed on 7/3/13, requesting approval to abandon a portion of its petroleum products pipeline transportation service in PA. By Order entered 8/29/13, at Docket Nos. A-2013-2371789 and P-2013-2371775, the Commission approved Sunoco's Application. On 5/21/14, Sunoco filed a Petition for Amendment of the August 2013 Order, requesting that the Commission affirm Sunoco's authority to resume transportation service for petroleum products and refined petroleum products in the segment of the pipeline where it abandoned service, subject to the filing of appropriate tariff supplements. No Answers were filed in response to the Petition.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Petition for Amendment.</p>

- 2425237-OSA** **A-2014-2425237** VERIZON PENNSYLVANIA LLC AND BUSINESS AUTOMATION TECHNOLOGIES INC D/B/A DATA NETWORK SOLUTIONS
- Vote 5-0.**
- Joint Petition filed on 6/5/14, requesting approval of an Interconnection Agreement pursuant to Sections 252 (i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/21/14. No comments or protests were received.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
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- 2425241-OSA** **A-2014-2425241** VERIZON NORTH LLC AND BUSINESS AUTOMATION TECHNOLOGIES INC D/B/A DATA NETWORK SOLUTIONS
- Vote 5-0.**
- Joint Petition filed on 6/5/14, Joint Petition requesting approval of an Interconnection Agreement pursuant to Sections 252 (i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/21/14. No comments or protests were received.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
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- 2425250-OSA** **A-2014-2425250** VERIZON NORTH LLC AND MEGAPATH CORPORATION
- Statement by Commissioner Brown.**
Vote 5-0.
- Joint Petition filed on 5/30/14, 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 6/21/14. No comments were received.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
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- 2425872-OSA** **A-2014-2425872** VERIZON NORTH LLC AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS
- Statement by Commissioner Brown.**
Vote 5-0.
- Joint Petition filed on 5/30/14, seeking approval of Amendment Nos. 1, 2, 3 and 4 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 6/21/14. No comments were received.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

2425873-OSA A-2014-2425873

VERIZON NORTH LLC D/B/A CELLCO PARTNERSHIP D/B/A
VERIZON WIRELESS

Statement by Commissioner
Brown.
Vote 5-0.

- Joint Petition filed on 5/30/14, 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 6/21/14. No comments 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>
1184225-TUS Vote 5-0.	M-00031715F0003	PPL ELECTRIC UTILITIES CORP - Letter Petition for approval of 2 appointments to the Board of Directors of the Sustainable Energy Fund of Central Eastern PA. This approval is required under the PP&L restructuring settlement. Application of PP&L for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al, Docket No. R-00973954 (Opinion and Order entered 8/27/98). Commission approval of the proposed directors is also required by SEF's governing bylaws, PP&L Inc. Sustainable Energy Fund By-laws, Docket No. R-00973954 (Order entered 6/2/00) and Request for Approval of Revisions to the Bylaws of the PPL Sustainable Energy Fund of Central Eastern Pennsylvania, Docket No. M-00031715F0003 (Order entered 4/1/11). Pursuant to those Bylaws, the Board is now requesting that the Commission approve the appointment of Linda R. Evers and the appointment of William M. DeFalco. RECOMMENDATION: That the Commission approve the appointments of Linda R. Evers and William M. DeFalco to the Sustainable Energy Fund's Board of Directors.
2290388-TUS Vote 5-0.	A-2012-2290388	PA DEPARTMENT OF TRANSPORTATION -Application of PENNDOT for approval to alter the public crossing (DOT 527 036 S) by replacing the existing roadway and bridge superstructure where SR 0219 (North Broad Street) crosses, at grade, the tracks of the Buffalo & Pittsburgh Railroad, Inc. in the Borough of Ridgway, Elk County. RECOMMENDATION: That the Commission adopt the proposed Order that appropriates the property and approves the right-of-way plans.
2363393-TUS Vote 5-0.	A-2013-2363393 A-6415737	COHESION FAMILY LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

<p>2392573-TUS Vote 5-0.</p>	<p>A-2013-2392573</p>	<p>US ENERGY CONSULTING GROUP LLC</p> <p>- On 1/9/14, US Energy was licensed as an electric generation supplier as a broker/marketer to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the PECO Energy service territory within PA.</p> <p>On 3/5/14, US Energy petitioned to modify its license by adding the additional EDC service territories of PPL Electric Utilities., Metropolitan Edison and UGI Utilities to its license.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the electric generation supplier license application.</p>
<p>2395998-TUS Vote 5-0.</p>	<p>A-2013-2395998</p>	<p>PENNSYLVANIA AMERICAN WATER COMPANY-WASTEWATER</p> <p>- Application filed on 12/09/13 for approval of: (1) the transfer, by sale, of substantially all of Paint-Elk Joint Sewer Authority (PEJSE), properties and rights related to its wastewater system to PAWC, and (2) the rights of PAWC to begin to offer or furnish wastewater service to the public in portions of Paint Township and Elk Township, Clarion County, PA. Proofs of publication and service to the appropriate entities were submitted. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p>2405335-TUS Vote 5-0.</p>	<p>A-2014-2405335</p>	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Letter of Notification filed on 2/10/14, pursuant to 52 Pa. Code Chapter 57 Subchapter G, for approval to construct two new 500-foot 230 kV Transmission Lines in Clinton Township, Lycoming County, PA to interconnect a new independent power producer to the electric grid. Authority for this procedure is provided for at §57.72(d)(1)(vi). No protest was filed and no hearing was held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that approves the application.</p>

2406391-TUS	A-2014-2406391	<p data-bbox="638 98 1011 136">GABEL ASSOCIATES INC</p> <p data-bbox="638 149 1529 367">- Application filed on 2/20/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial (under 25kW demand), large commercial (over 25kW demand), industrial, and governmental customers in the EDC service territory of PECO Energy in PA.</p> <p data-bbox="638 380 954 417">RECOMMENDATION:</p> <p data-bbox="638 430 1529 499">That the Commission adopt the proposed Order which approves the application.</p>
2409507-TUS	A-2014-2409507	<p data-bbox="638 594 1268 663">ENERGY COOPERATIVE ASSOCIATION OF PENNSYLVANIA</p> <p data-bbox="638 676 1529 863">- Application filed on 3/11/14, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial (under 6,000 MCF annually) and large commercial (6,000 MCF or more annually) customers in the NGDC service territory of PECO Energy, within PA.</p> <p data-bbox="638 875 954 913">RECOMMENDATION:</p> <p data-bbox="638 926 1529 995">That the Commission adopt the proposed Order which approves the application.</p>
2416214-TUS	A-2014-2416214	<p data-bbox="638 1089 1118 1127">SMARTENERGY HOLDINGS LLC</p> <p data-bbox="638 1140 1529 1318">- Application filed on 4/15/14, for approval to become a licensed electric generation supplier to residential, small commercial (25kW and under), large commercial (over 25kW), industrial and governmental customers in the EDC service territories of PPL Electric and PECO Energy in PA</p> <p data-bbox="638 1331 954 1369">RECOMMENDATION:</p> <p data-bbox="638 1381 1529 1451">That the Commission adopt the proposed Order which approves the electric generation supplier license application.</p>
2417784-TUS	A-2014-2417784	<p data-bbox="638 1547 1195 1585">EVERYCALL COMMUNICATIONS INC</p> <p data-bbox="638 1598 1529 1703">- Application filed on 4/21/14, seeking approval of the discontinuance and abandonment of Competitive Local Exchange Carrier and Interexchange Carrier Reseller services within PA.</p> <p data-bbox="638 1715 954 1753">RECOMMENDATION:</p> <p data-bbox="638 1766 1529 1831">That the Commission adopt the proposed Order approving the application.</p>

<p>2419774-TUS Vote 5-0.</p>	<p>R-2014-2419774 R-2014-2419776</p>	<p>WELLSBORO ELECTRIC COMPANY AND CITIZENS ELECTRIC COMPANY OF LEWISBURG</p> <p>- Supplement No. 78 to Tariff Electric PA. P.U.C. No. 8 and Supplement No. 86 to Tariff Electric PA. P.U.C. No. 14 filed on 5/1/14, for approval to assess 1) a Fixed Customer Choice Charge for the implementation of Electronic Data Interchange; and 2) a Volumetric Customer Choice Charge. A formal complaint was filed by the OCA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that suspends the proposed filing and institutes an investigation.</p>
<p>2419883-TUS Vote 5-0.</p>	<p>A-2014-2419883</p>	<p>CBEYOND COMMUNICATIONS LLC</p> <p>- Application filed on 4/30/14, seeking approval of the Company's Discontinuance and Abandonment of Competitive Local Exchange Carrier and Interexchange Carrier services within PA. The case was inadvertently delayed in processing due to a technical error within the Commission. The Company has no assets, customers or services in PA but is active in other states. Because abandonment of its PA certificates of public convenience was necessary prior to 7/18/14, to effect an acquisition in other states, an Order was adopted by notational voting in advance.</p> <p>RECOMMENDATION:</p> <p>That consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the Minutes of this Public Meeting.</p>
<p>2420204-TUS Vote 5-0.</p>	<p>R-2014-2420204 C-2014-2431197</p>	<p>POCONO WATERWORKS COMPANY INC - WATER DIVISION</p> <p>- Supplement No. 1 to Tariff Water - Pa. P.U.C. No. 2 filed on 5/30/14, proposing an annual increase in rates of \$60,456 (52%) to become effective 8/4/14. The filing was a combined rate increase request for both the water and wastewater divisions. On 7/8/14, the OCA filed a Formal Complaint.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.</p>

2420205-TUS	A-2014-2420205	STAND ENERGY CORPORATION
Vote 5-0.		<p>- Application filed on 5/8/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small commercial (25 kW and under), large commercial (over 25 kW), industrial, and governmental customers in all the EDC service territories within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
2420211-TUS	R-2014-2420211 C-2014-2431218	POCONO WATERWORKS COMPANY INC - WASTEWATER DIVISION
Vote 5-0.		<p>- Supplement No. 1 to Tariff Water - Pa. P.U.C. No. 1, filed on 5/30/14 proposing an annual increase in rates of \$14,466 (49%) to become effective 8/4/14. The filing was a combined rate increase request for both the water and wastewater divisions. On 7/9/14 the OCA filed a Formal Complaint.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.</p>
2420357-TUS	A-2014-2420357	ELECTRIC CHOICE INC
Vote 5-0.		<p>- Application filed on 4/29/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small commercial (25 kW and under), large commercial (over 25 kW), and industrial customers in the EDC service territories of Duquesne Light, Penn Power, West Penn Power, and UGI Utilities.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>

2420366-TUS	A-2014-2420366	<p>ELECTRIC CHOICE INC</p> <p>- Application filed on 4/29/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial (less than 6,000 Mcf annually), large commercial (6,000 Mcf or more annually), and industrial customers in the NGDC service territories of Peoples Natural Gas Co. - Equitable Division, UGI Penn Natural Gas, Peoples Natural Gas Company , Peoples TWP, and Columbia Gas within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2421109-TUS	R-2014-2421109	<p>SIGEL GAS LLC</p> <p>- Supplement No. 15 to Tariff Gas – Pa. P.U.C. No. 3 filed on 4/30/14, proposing an annual increase in rates of \$22,400 to become effective 7/1/14. The Tariff Supplement was voluntarily postponed to 8/1/14 via Supplement No. 16.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the tariff supplement.</p>
Vote 5-0.		
2421252-TUS	M-2014-2421252	<p>NORTHUMBERLAND COUNTY</p> <p>- 911 System Renewal Plan was received on 5/13/14 from the Pennsylvania Emergency Management Agency (PEMA) with the request that the Commission formally review the costs associated with the contribution rate of \$1.25 per access line per month and 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>
Vote 5-0.		
2421695-TUS	A-2014-2421695	<p>WEST PENN POWER COMPANY</p> <p>- Letter of Notification filed on 5/7/14, for approval of the proposed Lake Lynn-West Run 138 kV Transmission Line Reconductor Project in Springhill Township, Fayette County, PA. Authority for this procedure is provided for at §57.72(d)(1)(v). No protest was filed and no hearing was held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that approves the application.</p>
Vote 5-0.		

<p>2424576-TUS</p> <p>Vote 5-0.</p>	<p>R-2014-2424576 A-00091652</p>	<p>MCKEAN & BURT INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving 10th Revised Page 14, 10th Revised Page 14-A and 5th Revised Page 14-C to Tariff Freight Pa. PUC No. 54 to become effective 7/28/14.</p>
<p>2424577-TUS</p> <p>Vote 5-0.</p>	<p>R-2014-2424577 A-899617</p>	<p>CONNOLLY OPTIONS LLC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving 2nd Revised Page 30-G and 2nd Revised Page 30-H to Tariff Freight Pa. PUC No. 54 to become effective 7/28/14.</p>
<p>2424582-TUS</p> <p>Vote 5-0.</p>	<p>R-2014-2424582 A-00113305</p>	<p>ALL WAYS WORLD WIDE MOVING INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving 8th Revised Page 14-D, 2nd Revised Page 14-E, and Original Page 14-F to Tariff Freight Pa. PUC No. 54 to become effective 7/28/14.</p>
<p>2427054-TUS</p> <p>Vote 5-0.</p>	<p>R-2014-2427054 A-2009-2106643 A-00108945</p>	<p>GARDNER MOVING COMPANY</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving Supplement No. 19 to Tariff Freight Pa. PUC No. 2 to become effective 7/28/14.</p>
<p>2431029-TUS</p> <p>Vote 4-1 with Commissioner Cawley Dissenting.</p>	<p>M-2014-2431029</p>	<p>Q1 2014 QUARTERLY EARNINGS REPORT SUMMARY</p> <p>- TUS report on the quarterly earnings of PA utilities for the quarter ended 3/31/14, representing the earned and adjusted returns on rate base and common equity capital for PA non-telephone fixed utilities with jurisdictional operating revenues of over \$10,000,000. Staff has included detailed, market-based analysis of the current cost of equity across industry-wide groups.</p> <p>RECOMMENDATION:</p> <p>That the Commission make the earnings report public.</p>

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1096157-LAW	A-310749 A-310749F0002	ERNEST COMMUNICATIONS INC - The telecommunications interexchange reseller and competitive local service carrier is out of business. Attempts by staff to reach the company have been unsuccessful. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
Vote 5-0.		
2181481-LAW	I-2010-2181481 P-2008-2014444 R-2010-2176403 R-2010-2179527	INVESTIGATION OF PRACTICE OF PAPER INVOICE CHARGES - The Commission issued an Order on 3/20/14, concluding that imposing a separate line item charge for the recovery of costs for the provision of monthly paper bills is not consistent with the Public Utility Code, Commission regulations, the Commission's long standing precedent, and well-established practices of all public utilities operating in PA. More specifically, the Commission concluded that recovering costs regarding monthly bills allows for an excessive recovery of the costs and failure to provide customers with an itemized monthly bill free of charge, constitutes unreasonable and inadequate service. On 4/4/14, Verizon filed a Petition for Reconsideration of the Commission's 3/20/14 Order, arguing that the Order contravenes the plain language of the Public Utility Code and exceeds the Commission's legal authority. The OCA filed an Answer in Opposition on 4/14/14. RECOMMENDATION: That the Commission adopts the proposed Order.
<u>Statement by Chairman Powelson.</u>		
<u>Statement by Vice Chairman Coleman.</u>		
Vote 5-0.		
2354659-LAW	P-2013-2354659 (PP from 04/23/2014)	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.
<u>Statement by Commissioner Cawley.</u>		
<u>Statement by Commissioner Brown.</u>		
Vote 4-1 with Commissioner Cawley Dissenting.		

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2354805-ALJ Vote 5-0.	C-2013-2354805	BUR OF INVESTIGATION & ENFORCEMENT VS GHOLSTON PARATRANSIT SERVICE LLC - Formal Complaint filed on 4/3/13, alleging that Gholston had failed to maintain evidence of insurance. The Complaint demanded that Gholston pay a civil penalty of \$500 and file evidence of insurance within 20 days of service of the Complaint or face cancellation of its authority and any other remedies the Commission might think appropriate. Gholston filed its Answer 4/22/14 denying the allegation and claiming that it did have insurance. However, no evidence of such coverage was filed with the Answer. A hearing was held on 3/26/14. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision cancelling the certificate of public convenience held by Gholston at A-2012-2301439 and imposing a \$500 civil penalty.
2386293-ALJ Vote 5-0.	R-2013-2386293 C-2014-2407095 C-2014-2407105	VEOLIA ENERGY PHILADELPHIA INC - Supplement No. 14 to Tariff Heating and Cooling – Pa. P.U.C. No. 4 filed on 12/18/13, to become effective 3/1/14, for a proposed rate increase in the Company's steam service revenues. By Order entered 2/6/14, the Commission suspended the filing by operation of law until 10/1/14. Petitions to Intervene and Complaints were filed with the Commission. Veolia agreed to enter mediation and voluntarily suspended the filing to 12/1/14. On 6/9/14, all of the parties were accounted for in the Joint Petition for Settlement received by the Commission. COMMISSION REVIEW: That the Commission adopt ALJ Jones' Recommended Decision granting the settlement without modification.

2404355-ALJ

R-2014-2404355

PHILADELPHIA GAS WORKS

Vote 5-0.

C-2014-2405641

C-2014-2405366

C-2014-2416903

- Petition for Special Permission to Depart from the Requirements of 52 Pa.Code §§ 53.45(b), 53.64(c), 53.64(i)(5)(i) and 53.68(a) filed on 1/31/14, requesting permission to notify individual customers by bill insert during a 1-month billing cycle beginning on 3/1/14, and concluding not later than 3/31/14. PGW also requested permission to provide, in company offices that accept payments, public notice of the tariff addendum and tariff supplement concerning PGW's 2014-2015 gas cost rate on 3/1/14. Furthermore, PGW requested to provide estimated data for 1/14 and 2/14 in the 3/1/14 quarterly 1307(f) filing instead of actual data for 1/14. The Settling Parties filed a Joint Petition for Settlement on 5/29/14.

COMMISSION REVIEW:

That the Commission adopt ALJs Pell and Heep's Recommended Decision granting the settlement.

2413775-ALJ

C-2014-2413775

HABANA HOLDING CORPORATION VS PHILADELPHIA GAS WORKS

**Joint Statement by
Commissioner Cawley and
Commissioner Brown.
Vote 3-2 with Commissioner
Cawley and Commissioner
Brown Dissenting.**

- Complaint filed on 3/24/14, alleging that the accounts for natural gas service at 2101 North 59th St., Philadelphia, have been paid in full, and requests that municipal liens placed against the property by the City of Philadelphia as the owner of PGW be removed. PGW filed its Answer as well as Preliminary Objections, the latter of which contained the requisite Notice to Plead.

COMMISSION REVIEW:

That the Commission adopt ALJ Buckley's Initial Decision dismissing the case for lack of jurisdiction.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

July 24, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2426846-OSA	P-2014-2426846	<p>PUC - INVESTIGATION & ENFORCEMENT</p> <p>- Complaint filed on 6/5/14, alleging that Uber provides internet and mobile application software connecting passengers with individuals who have registered with Uber as drivers. On 6/16/14, I&E filed a Petition for Emergency Order. A hearing on the Petition was held on 6/26/14. On 7/1/14, ALJs Long and Watson issued an Order Granting Interim Emergency Relief and Certifying the Material Question to the Commission as to whether I&E has met the requirements for obtaining interim emergency relief set forth at 52 Pa. Code § 3.6(b). Both parties filed a Brief on Material Question on 7/8/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>
2426847-OSA	P-2014-2426847	<p>PUC - INVESTIGATION & ENFORCEMENT</p> <p>- Complaint filed on 6/5/14, alleging that Lyft is acting as a broker of transportation services for compensation through digital software by connecting passengers with individuals who have registered with Lyft as drivers. On 6/16/14, I&E filed a Petition for Emergency Order. A hearing on the Petition was held on 6/26/14. On 7/1/14, ALJs Long and Watson issued an Order on Interim Emergency Relief, granting the Petition and certifying the material question to the Commission as to whether I&E has met the requirements for obtaining interim emergency relief set forth at 52 Pa. Code § 3.6(b). Both Parties filed a Brief on Material Question on 7/8/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>

Statement by Vice Chairman Coleman.
Statement by Commissioner Cawley.
Vote 5-0 with Commissioner Witmer Concurring in Result Only.

Statement by Vice Chairman Coleman.
Statement by Commissioner Cawley.
Vote 5-0 with Commissioner Witmer Concurring in Result Only.

2431743-OSA

P-2014-2431743

RASIER PA LLC

Vote 5-0.

- Application filed on 4/24/14, for a Certificate of Public Convenience to Operate an Experimental Ride-Sharing Network Between Points in Allegheny County. On 5/12/14, Concord Limousine and Executive Transportation t/a Luxury Sedan filed Protests to the Application. Rasier filed Preliminary Objections to the Protests alleging, in part, lack of standing. On 7/1/14, ALJs Long and Watson issued Interim Orders dismissing the Preliminary Objections. Rasier filed a Petition for Interlocutory Review and Answer to Material Question pertaining to the standing of a limousine provider or a taxicab company to protest experimental ridesharing network services authority. The Parties filed Briefs on the Material Question on 7/18/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2429993-TUS

A-2014-2429993

RASIER-PA LLC

- Application filed on 7/2/14, for Emergency Temporary Authority to operate an experimental transportation network service between points in Allegheny County.

RECOMMENDATION:

That the Commission approve the Order.

Joint Statement by Chairman Powelson and Commissioner Witmer. Statement by Vice Chairman Coleman. Statement by Commissioner Cawley. Statement by Commissioner Brown. Vote 5-0.

2432304-TUS

A-2014-2432304

LYFT INC

- Application filed on 7/16/14, for Emergency Temporary Authority to operate an experimental transportation network service between points in Allegheny County.

RECOMMENDATION:

That the Commission approve the Order.

Joint Statement by Chairman Powelson and Commissioner Witmer. Statement by Vice Chairman Coleman. Statement by Commissioner Cawley. Statement by Commissioner Brown. Vote 5-0.