

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, SEPTMEBER 11, 2014 (PW)**

**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, October 2, 2014 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 24, 2014 (GB)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 2, 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, SEPTEMBER 10, 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.

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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

September 11, 2014

BUREAU OF ADMINISTRATION

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2399871-BAS</b>	<b>M-2014-2399871</b>	<b>RFP FOR TELECOMMUNICATIONS RELAY SERVICE PROVIDER</b>
<b>VOTE 5-0</b>		<p>- The Commission posted a Request for Proposal (RFP) for qualified bidders to submit a proposal for contract as the intrastate Telecommunications Relay Service provider. 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-2014-2 Evaluation Committee's choice and enter into final contract negotiations with the successful vendor for these services.</p>
<b>2435621-BAS</b> <b>(PP from 08/21/2014)</b>		<b>OCA GENERAL ASSESSMENT UPON PUBLIC UTILITIES</b>
<b>VOTE 5-0</b>		<p>- Office of Consumer Advocate (Attorney General's Office) General Assessment upon Public Utilities - \$4,407,000 Billing for Fiscal Year 7/1/14 to 6/30/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the Assessments Section computation in accordance with Act 15 of 1977 (Section 904-A.1(b)(2) of the Administrative Code), the amount of the General Assessment for FY 7/1/14 to 6/30/15 on each applicable utility.</p>
<b>2435622-BAS</b> <b>(PP from 08/21/2014)</b>		<b>OSBA GENERAL ASSESSMENT UPON PUBLIC UTILITIES</b>
<b>VOTE 5-0</b>		<p>- Office of the Small Business Advocate (Department of Community and Economic Development) General Assessment upon Public Utilities Billing - \$1,073,000 Billing for Fiscal Year 7/1/14 to 6/30/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the Assessment Section computation, in accordance with 73 P.S. §399-46, in the amount of the General Assessment for the FY 7/1/14 to 6/30/15 on each applicable public utility.</p>

**2435623-BAS**  
**(PP from 08/21/2014)**

**VOTE 5-0**

**GENERAL ASSESSMENT UPON PUBLIC UTILITIES**

- General Assessment Upon Public Utilities - \$63,500,000 and Supplemental Federal Shortfall Assessment on Gas Public Utilities - \$724,739 Billing for Fiscal Year 7/1/14 to 6/30/15.

**RECOMMENDATION:**

That the Commission approve the Assessment Section computation in accordance with Section 510 of the Public Utility Code, the amount of the General Assessment for the FY 7/1/14 to 6/30/15 on each applicable public utility.

**2436461-BAS**  
**(PP from 08/21/2014)**

**VOTE 5-0**

**ASSESSMENT UPON PIPELINE OPERATORS**

- Assessment upon Pipeline Operators applicable under Act 127 of 2011 - Billing for Fiscal Year 7/1/14 to 6/30/15.

**RECOMMENDATION:**

That the Commission approve the Assessments Section computation in accordance with Act 127 of 2011 for the amount of the Assessment for the Fiscal Year 7/1/14 to 6/30/15 on each applicable pipeline operator.

**BUREAU OF CONSUMER SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2367021-BCS</b>	<b>M-2013-2367021</b>	PPL ELECTRIC UTILITIES CORPORATION - Universal Service and Energy Conservation Plan for 2014-2016 filed on 6/3/13, in accordance with the Commission's regulations at 52 Pa. Code §§ 54.71- 54.78. On 6/19/14, by Tentative Order, the Commission approved the Plan in part and called for comments. All comments have been filed. <b>VOTE 5-0</b>  RECOMMENDATION: That the Commission adopt the proposed Final Order.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1090589-OSA</b>  <b>VOTE 5-0</b>	<b>A-00113156</b>	<p><b>CSX TRANSPORTATION INC</b></p> <p>- Application filed on 6/17/96, to remove 18 crossings in Fayette County. A trail group indicated that it was interested in 6 of the crossings, including Crossing Nos. 1 and 2, remaining in place for possible inclusion in a trail. By Order entered 4/9/97, the Commission approved the application and abolished the 18 crossings, upon the completion of the work directed. The 4/9/97 Order also directed that all remaining issues on the 6 crossings be resolved before 8/31/97 or that the proceeding be scheduled for hearing. The pertinent deadline was extended by Secretarial Letters, the most recent issued on 4/14/09 which extended the time for resolution until 12/31/11. On 7/7/14, the County filed the instant Letter-Petition for Time Extension with reference to Crossing Nos. 1 and 2. No response was filed.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order that: (1) declares the County's Petition for Time Extension to be moot; and (2) refers this matter to the OALJ for such action as deemed necessary.</p>
<b>2306076-OSA</b>  <b>VOTE 5-0</b>	<b>M-2014-2306076</b>	<p><b>COLUMBIA GAS OF PA INC</b></p> <p>- On 8/30/12, the Bureau of Investigation and Enforcement (I&amp;E) initiated an informal investigation relating to various gas safety incidents involving Columbia Gas and its third-party contractor. The parties filed a Settlement Agreement on 2/6/14, to resolve the investigation. The Settlement provides that Columbia Gas will pay a \$110,000 civil penalty, engage in corrective actions, and implement revisions to its operating procedures. Each party filed a Statement in Support of the Settlement. By Order entered 6/5/14, the Commission issued the Settlement for comment. At the 6/5/14 Public Meeting, Commissioners Cawley and Witmer issued a Joint Statement, asking the Parties to respond to directed questions. In response, I&amp;E and Columbia Gas filed Supplemental Statements in Support of the Settlement on 6/24/14 and 6/26/14, respectively.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order, which modifies the Settlement Agreement.</p>

2329717-OSA

A-2012-2329717  
A-6415209

LA MEXICANA EXPRESS SERVICE LLC

**VOTE 5-0**

- Application for paratransit service filed on 10/11/12. Public notice of the application was published in the Pa. Bulletin on 2/2/13. One entity filed a Protest, but on 3/25/13, a restrictive amendment was filed by both parties. The unopposed application was referred to TUS, which determined that additional information was needed before the application could be processed. By Order of 10/17/13, the application was dismissed on the basis that the identity of the members of the Applicant remains uncertain. On 10/29/13, the Applicant filed a Petition for Reconsideration. By an Opinion and Order entered on 1/9/14, the Commission vacated the 10/17/13 Order and referred the matter to TUS for further action. By an Opinion and Order entered on 5/22/14, the Commission denied the application. On 6/5/14, the Applicant filed the instant Petition for Reconsideration. By Order entered 6/5/14, reconsideration was granted pending review on the merits.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the petition and approves the application.

2355974-OSA

C-2013-2355974

YOUNG AND HAROS LLC VS METROPOLITAN EDISON COMPANY

**VOTE 5-0**

- Complaint filed on 4/3/13, alleging a reliability, safety or quality problem and that Met Ed would not allow it to switch its electric distribution company (EDC) to another EDC that is also certificated to provide service to the Complainant's address. On 4/23/13, Met Ed filed an Answer denying the service related allegations but admitting to denying the Complainant's request to switch its EDC. On 1/24/14, ALJ Jandebour issued an Initial Decision denying the Complaint. The Complainant filed Exceptions on 2/13/14 and Met Ed filed Replies to Exceptions on 2/24/14. The Commission entered an Order on 5/22/14, which granted the Exceptions, in part, and modified the Initial Decision. Met Ed filed a Petition for Clarification and/or Reconsideration on 6/6/14. The Complainant filed an Answer to the Petition on 6/13/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which denies the Petition.

**2367044-OSA C-2013-2367044**  
**(PP from 08/21/2014)**

[Joint Dissenting Statements by Commissioners Brown and Cawley; Vice Chairman Coleman Comments](#)  
**VOTE 3-2**

**JAN & JOYCE SPIRAT VS METROPOLITAN EDISON COMPANY**

- Formal Complaint filed on 5/22/13, objecting to Met Ed's proposed use of herbicides to clear vegetation along a transmission line right-of-way across the Complainants' property. On 6/25/13, Met Ed filed an Answer and New Matter, as well as a Preliminary Objection asserting that the Commission lacked jurisdiction to entertain the Complaint. By Order issued 7/23/13, ALJ Colwell denied the Preliminary Objection. An evidentiary hearing was held on 11/20/13. The Complainants and Met Ed both filed Main and Reply Briefs. By Initial Decision issued 2/12/14, ALJ Colwell dismissed the Complaint, in part, and sustained it, in part. On 3/4/14, Met Ed filed Exceptions, and on 3/14/14, the Complainants filed Replies to the Exceptions.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which: (1) grants the Exceptions, in part, and denies them, in part; (2) modifies the Initial Decision; and (3) dismisses the Complaint.

**2375491-OSA F-2013-2375491**

**VOTE 5-0**

**BILLY WILBURN VS PECO ENERGY COMPANY**

- Complaint filed on 7/24/13, in which the Complainant disputed the amount of his electric bill for service received at an apartment where he formerly resided. The Complainant also alleged that electric service was being stolen at the apartment building. The Complainant requested that the Commission investigate his concerns and establish a payment agreement between him and PECO. On 8/6/13, PECO filed an Answer and New Matter, in which it denied the material allegations of the Complaint. On 8/11/13, the Complainant filed a response to PECO's New Matter. An evidentiary hearing was held on 1/9/14. By Initial Decision issued 3/31/14, ALJ Jones dismissed the Complaint. On 4/5/14, the Complainant filed Exceptions, and on 4/15/14, Columbia filed Replies to Exceptions.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which: (1) denies the Exceptions; (2) adopts the Initial Decision, as modified by the Opinion and Order; and (3) dismisses the Complaint.



2388000-OSA C-2013-2388000

VOTE 5-0

CHERYL ZACK VS VERIZON PENNSYLVANIA LLC

- Formal Complaint filed on 10/11/13, regarding her television service. On 11/4/13, Verizon PA filed an Answer and New Matter, as well as Preliminary Objections. The Initial Decision of ALJ Barnes was issued on 12/03/13, sustaining the Preliminary Objections and dismissing the Complaint for lack of subject matter jurisdiction. The Petitioner filed Exceptions on 12/23/13. Verizon PA filed Replies to Exceptions on 1/9/14. By Order entered 3/20/14, the Commission denied the Exceptions and adopted the Initial Decision. The Petitioner filed a Petition for Rescission on 5/15/14. Verizon PA did not file an Answer to the Petition.

RECOMMENDATION:

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

2389572-OSA P-2013-2389572  
P-2012-2302074  
(PP from 08/21/2014)

VOTE 5-0

PPL ELECTRIC UTILITIES CORPORATION

- Petition filed on 8/23/13, for approval of a new Pilot Time-of-Use Program. An evidentiary hearing was held on 2/26/14. Main Briefs were filed on 3/21/14, and Reply Briefs were filed on 4/11/14. Also on 4/11/14, a Joint Petition for Partial Settlement was filed by PPL, the OSBA, the OCA, the Coalition for Affordable Utility Services and Energy Efficiency in PA, the Sustainable Energy Fund, and Direct Energy Services, LLC. The Partial Settlement was actively opposed by the Dauphin County Industrial Development Authority (DCIDA). In a Recommended Decision issued 5/9/14, ALJs Colwell and Cheskis approved the Partial Settlement and rejected the position of DCIDA. Exceptions were filed by DCIDA on 5/29/14, and Replies to Exceptions were filed by PPL, OSBA, and FirstEnergy Solutions on 6/9/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which approves the Partial Settlement, denies the Exceptions and adopts the Recommended Decision.

2431984-OSA A-2014-2431984

Recusal Statement by  
Commissioner Brown  
VOTE 4-0

FRONTIER COMMUNICATIONS OF LAKEWOOD LLC AND  
IDT AMERICA CORP

- Joint Petition filed on 7/15/14, 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 7/26/2014. No comments or protests were received.

RECOMMENDATION:

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

**2432370-OSA**

**A-2014-2432370**

**VERIZON PENNSYLVANIA LLC AND GUIDANCE TELECOM  
LLC**

**VOTE 5-0**

- Joint Petition filed on 7/11/14, 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 8/2/14. No comments or protests were received.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order which grants the Joint 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>1188795-TUS</b>  <b>VOTE 5-0</b>	<b>A-125135</b>	<b>DIRECT ENERGY SERVICES LLC</b>  - Application filed on 7/18/14, for approval to make an amendment to its license for the additional natural gas distribution company service territories of PECO Energy, UGI Utilities and UGI Penn Natural Gas applicable to residential, small commercial (less than 6,000 Mcf annually), large commercial (6,000 Mcf or more), industrial and governmental customers.  RECOMMENDATION:  That the Commission adopt the proposed Order which approves the application.
<b>2163191-TUS</b>  <b>VOTE 5-0</b>	<b>A-2010-2163191</b>	<b>CENTRAL PENN ELECTRICITY CONSULTANTS LLC</b>  - Application filed on 6/18/13, for approval to abandon its electric generation supplier license.  RECOMMENDATION:  That the Commission adopt the proposed Order which approves the application.
<b>2194989-TUS</b>  <b>VOTE 5-0</b>	<b>A-2010-2194989</b>	<b>INVADO INTERNATIONAL LLC</b>  - Application filed on 10/9/13, for approval to abandon its electric generation supplier license.  RECOMMENDATION:  That the Commission adopt the proposed Order which approves the application.
<b>2209014-TUS</b>  <b>VOTE 5-0</b>	<b>A-2010-2209014</b>	<b>CAPITAL ENERGY INC</b>  - Application to amend electric generation supplier license filed on 7/28/14, for approval to include all electric distribution company service territories within PA.  RECOMMENDATION:  That the Commission adopt the proposed Order which approves the application.

<b>2279255-TUS</b> <b>VOTE 5-0</b>	<b>A-2011-2279255</b>	<p>RMI CONSULTING INC D/B/A RMI ENERGY INC</p> <p>- Application filed on 5/15/13, for approval to abandon its electric generation supplier license.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>2301664-TUS</b> <b>VOTE 5-0</b>	<b>P-2012-2301664</b>	<p>DUQUESNE LIGHT COMPANY</p> <p>- Petition filed on 6/5/14, for expedited approval to exercise its option to extend the final procurements under the currently effective default service procurement plan by an additional 6 months for its residential and small commercial and industrial (C&amp;I) customers. Duquesne is also petitioning to change the approved default supply procurement date from November 2014 to October 2014, for its residential, small C&amp;I and medium C&amp;I customers. The OCA filed an Answer supporting the Petition.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the Petition.</p>
<b>2380818-TUS</b> <b>VOTE 5-0</b>	<b>A-2013-2380818</b>	<p>PENNDOT</p> <p>- Application for approval to alter the public at-grade crossing by: (1) replacing warning devices and (2) installing a new high-type surface where SR 1006 (Venetia Road) crosses the single track of Allegheny Valley Railroad Co. (DOT No. 145 546 N) in Peters Township, Washington County and the allocation of costs incident thereto.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application as amended.</p>
<b>2396385-TUS</b> <b>VOTE 5-0</b>	<b>A-2013-2396385</b>	<p>RAPID RETAIL ENERGY LLC D/B/A ZONESTY</p> <p>- Application filed on 11/18/13, for approval to become a licensed electric generation supplier. Commission staff sent a data request on 1/22/14, for missing and incomplete information. No response was received. On 7/29/14, Rapid Retail was sent, by certified mail, a Secretarial Letter that sought a reply to the original 1/22/14, inquiry. To date, no reply has been received by the Commission.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which denies the application.</p>

<b>2397056-TUS</b>  <b>VOTE 5-0</b>	<b>P-2013-2397056</b> <b>C-2014-2399316</b>	UGI PENN NATURAL GAS INC - Petition for approval of its Long-Term Infrastructure Improvement Plan and Distribution System Improvement Charge. OCA and OSBA filed comments in the case. RECOMMENDATION: That the Commission approve the petition consistent with the proposed Order.
<b>2398835-TUS</b>  <b>VOTE 5-0</b>	<b>P-2013-2398835</b> <b>C-2014-2399319</b>	UGI CENTRAL PENN GAS INC - Petition for approval of its Long-Term Infrastructure Improvement Plan and Distribution System Improvement Charge. OCA and OSBA filed comments in the case. RECOMMENDATION: That the Commission approve the petition consistent with the proposed Order.
<b>2400460-TUS</b>  <b>VOTE 5-0</b>	<b>A-2014-2400460</b> <b>A-6416256</b>	WBS TRANSPORT LLC - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2400657-TUS</b>  <b>VOTE 5-0</b>	<b>A-2014-2400657</b> <b>A-6916262</b>	VETERAN TRANSPORTATION MANAGEMENT LLC - Application for a brokerage license. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

2403388-TUS A-2014-2403388  
A-2014-2403433  
A-2014-2403434  
A-2014-2403435

(PP from 08/21/2014)

**VOTE 5-0**

RCLEC INC

- Application filed on 1/14/14, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA, Verizon North and The United Telephone Co. of PA d/b/a CenturyLink, and Facilities-based Interexchange Carrier (detariffed) throughout the Commonwealth of PA. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission approve the application consistent with the proposed Order.

2406887-TUS A-2014-2406887  
A-2014-2406886

Postponed until Public Meeting  
of 10/2/2014

CONSTRUCTURE TECHNOLOGIES LLC

- Application filed on 1/20/14, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA and a Reseller Interexchange Carrier (detariffed) throughout PA. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission approve the application consistent with the proposed Order.

2412182-TUS A-2014-2412182  
A-00113458

**VOTE 5-0**

THREE RIVERS LIMOUSINE SERVICE INC

- 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 dismissing and denying the application.

2415133-TUS A-2014-2415133

**VOTE 5-0**

UNITED POWER CONSULTANTS INC

- Application filed on 3/31/14, for approval to become a licensed electric generation supplier as a broker/marketer to residential, small commercial (25 kW and Under), large commercial (Over 25 kW), industrial and governmental customers in the electric distribution company service territories of PECO Energy, PPL Electric Utilities, Met Ed, Penelec, Duquesne Light, West Penn Power, Penn Power, and UGI Utilities.

RECOMMENDATION:

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

<b>2418510-TUS</b>	<b>A-2014-2418510 A-6416506</b>	<p>SIMMONS QUALITY SERVICE INCORPORATED T/A SIMMONS LIMOUSINE SERVICE</p> <p>- Application for the right to transport as a common carrier by motor vehicle, persons in limousine service.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application.</p>
<b>VOTE 5-0</b>		
<b>2420236-TUS</b>	<b>A-2014-2420236 A-00122951</b>	<p>JETWAY TRANSPORT INC T/A MAIN LINE TAXI</p> <p>- Transfer of stock.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application.</p>
<b>VOTE 5-0</b>		
<b>2422519-TUS</b>	<b>A-2014-2422519</b>	<p>BROKER ONLINE EXCHANGE LLC</p> <p>- Application filed on 5/6/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of energy consulting that will serve small commercial (25 kW and under), large commercial (over 25 kW), and Industrial customers in the electric distribution company service territories of Met Ed, Penelec, West Penn Power, and PPL Electric Utilities.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>VOTE 5-0</b>		
<b>2423312-TUS</b>	<b>A-2014-2423312</b>	<p>PREMIER POWER SOLUTIONS LLC</p> <p>- Application filed on 5/16/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to residential, small commercial (under 6,000 MCF annually), 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, Peoples TWP, PECO Energy, Philadelphia Gas Works, National Fuel Gas Distribution Corp., Peoples Natural Gas, Peoples Natural Gas Company, LLC - Equitable Division, and Columbia Gas within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>VOTE 5-0</b>		

2423736-TUS	A-2014-2423736	<p>ELITE ENERGY GROUP INC</p> <p>- Application filed on 5/19/14, for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the electric generation distribution company service territories of Citizens' Electric, PECO Energy, PPL Electric Utilities, Met Ed, Penelec, UGI Utilities, Duquesne Light, Penn Power, Wellsboro Electric, Pike County Light &amp; Power, and West Penn Power in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>VOTE 5-0</b>		
2426085-TUS	A-2014-2426085 A-8916623	<p>JOHN ZELEZNIK T/A JOHNS TRUCKING</p> <p>- Application for the right to transport as a common carrier, property, excluding household goods in use.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order dismissing the application.</p>
<b>VOTE 5-0</b>		
2426165-TUS	R-2014-2426165	<p>HANDY DELIVERY INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving Tariff Call or Demand Pa. PUC No. 8 to become effective 9/15/14.</p>
<b>VOTE 5-0</b>		
2427175-TUS	A-2014-2427175	<p>RESULTS ENERGY CONSULTING INC</p> <p>- Application filed on 6/9/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial (under 6,000 Mcf annually), large commercial (6,000 Mcf or more annually), industrial, and governmental customers in the service territories of UGI Utilities and UGI Penn Natural Gas within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>VOTE 5-0</b>		



<b>2429637-TUS</b>	<b>A-2014-2429637</b>	<b>BROADVIEW NP ACQUISITION CORP</b>
<b>VOTE 5-0</b>		<p>- Application filed on 7/27/14, seeking approval of the company's discontinuance and abandonment of interexchange carrier and competitive access provider services within the PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>
<b>2429816-TUS</b>	<b>S-2014-2429816</b> <b>S-2014-2429828</b> <b>S-2014-2429829</b> <b>G-2014-2429851</b>	<p><b>CITIZENS ELECTRIC COMPANY OF LEWISBURG PA</b></p> <p>- Securities certificate filed on 7/2/14 in respect to the assumption of primary liability for indebtedness in an aggregate principal amount not to exceed \$12 million and affiliated interest transaction between Citizens', Wellsboro, and Valley Energy with C&amp;T Enterprises for the approval of cost allocation methodologies associated with this transaction. The consideration period was voluntarily extended to 8/22/14 and subsequently, to 9/12/14.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission register the securities certificates and approve the affiliated interest transaction.</p>
<b>VOTE 5-0</b>		
<b>2431015-TUS</b>	<b>A-2014-2431015</b> <b>A-2014-2431016</b> <b>A-2014-2431017</b> <b>A-2014-2431019</b> <b>A-2014-2431020</b> <b>A-2014-2431041</b>	<p><b>AMERICAN BROADBAND AND TELECOMMUNICATIONS COMPANY</b></p> <p>- Application filed on 6/23/14 for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Frontier Commonwealth Telephone Co., Frontier Communications of Breezwood, Frontier Communications of Canton, Frontier Communications of Lakewood, Frontier Communications of Oswayo River, and Citizens Telecommunications of New York. No protests were filed and no hearings were held.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission approve the application consistent with the proposed Order.</p>
<b>VOTE 5-0</b>		

- 2432327-TUS**      **A-2014-2432327**      **OXFORD ENERGY SERVICES LLC**  
**VOTE 5-0**  
- Application filed on 7/17/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier that will serve large commercial (over 25kW) customers in the electric distribution company service territories of Met-Ed, Penelec, West Penn Power, PECO Energy, Duquesne Light, and PPL Electric.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order which approves the application.
- 2432356-TUS**      **A-2014-2432356**      **PENNSYLVANIA ELECTRIC COMPANY AND WEST PENN POWER COMPANY**  
**VOTE 5-0**  
- Joint Letter of Notification filed on 7/2/14, pursuant to 52 Pa. Code Chapter 57.72(d), for approval of the final configuration of transmission line connections to the Moshannon Substation Project in Girard Township, Clearfield County, PA. Authority for this procedure is provided for at Pa. Code §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.
- 2433205-TUS**      **A-2014-2433205**      **PENNSYLVANIA AMERICAN WATER COMPANY**  
**M-2014-2433454**  
Combined Statement by  
Commissioner Witmer  
**VOTE 5-0**  
- Application filed on 7/15/14 for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Lancaster Township, Butler County, PA and related Off-Site Marketing Agreement with R.E. Gas Development. Proofs of publication and service to appropriate entities were submitted by PAWC. No protests were filed and no hearings were held. The Off-Site Marketing Agreement was filed on 7/11/14.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order.

**2433207-TUS**      **A-2014-2433207**  
**M-2014-2433457**

Combined Statement by  
Commissioner Witmer  
**VOTE 5-0**

**PENNSYLVANIA AMERICAN WATER COMPANY**

- Application filed on 7/16/14, for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Franklin Township and Connoquenessing Township, Butler County, PA and related Off-Site Marketing Agreement with XTO Energy. Proofs of publication and service to appropriate entities were submitted by PAWC. No protests were filed and no hearings were held. The Off-Site Marketing Agreement was filed on 7/18/14.

**RECOMMENDATION:**

That the Commission adopt the proposed Order.

**2433209-TUS**      **A-2014-2433209**  
**M-2014-2433452**

Combined Statement by  
Commissioner Witmer  
**VOTE 5-0**

**PENNSYLVANIA AMERICAN WATER COMPANY**

- Application filed on 7/17/14, for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Lancaster Township and Connoquenessing Township, Butler County, PA and related Off-site Marketing Agreement with R.E. Gas Development. Proofs of publication and service to appropriate entities were submitted by PAWC. No protests were filed and no hearings were held. The Off-site Marketing Agreement was filed on 7/11/14.

**RECOMMENDATION:**

That the Commission adopt the proposed Order.

**2433232-TUS**      **A-2014-2433232**

**VOTE 5-0**

**WORLD ENERGY SOLUTIONS INC**

- Application filed on 6/25/14, for approval to operate as a broker/marketer engaged in the business of supplying natural gas services to 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, Philadelphia Gas Works, Peoples Natural Gas, Peoples TWP, Peoples Natural Gas LLC-Equitable Division, Columbia Gas, National Fuel Gas Distribution Corp. and PECO Energy within PA.

**RECOMMENDATION:**

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

<p><b>2433412-TUS</b></p> <p><b>VOTE 5-0</b></p>	<p><b>M-2014-2433412</b></p>	<p><b>BLAIR COUNTY 911 SYSTEM RENEWAL PLAN</b></p> <p>- 911 System Renewal Plan from the Pennsylvania Emergency Management Agency (PEMA) was received on 7/22/14 with the request that the Commission formally review the costs associated with the County's 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><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves a County contribution rate of \$1.25 per access line per month.</p>
<p><b>2434546-TUS</b></p> <p><b>VOTE 5-0</b></p>	<p><b>A-2014-2434546</b></p>	<p><b>CENTURYLINK PUBLIC COMMUNICATIONS INC</b></p> <p>- Application filed on 7/11/14, for approval to offer, render, furnish or supply telecommunication services as a detariffed Interexchange Toll Reseller throughout PA. No protests were filed and no hearings were held.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission approve the Application consistent with the proposed Order.</p>
<p><b>2436270-TUS</b></p> <p><b>VOTE 5-0</b></p>	<p><b>A-2014-2436270</b></p>	<p><b>GUIDANCE TELECOM LLC</b></p> <p>- Application filed on 7/24/14, seeking approval of the Company's discontinuance and abandonment of Competitive Access Provider services within PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the application.</p>
<p><b>2436477-TUS</b></p> <p><b>VOTE 5-0</b></p>	<p><b>S-2014-2436477</b></p>	<p><b>PPL ELECTRIC UTILITIES CORPORATION</b></p> <p>- Securities Certificate for an amendment to extend the maturity date of a credit facility approved by Commission Order entered 8/18/10 at Docket No. S-2010-2183912, and modified by Commission Order entered 9/22/11 at Docket No. S-2011-2263370.</p> <p>On 8/5/14, the subject securities certificate was filed. On 8/14/14, PPL voluntarily extended the consideration period until 9/12/14.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order that registers the Securities Certificate.</p>

<p>2438289-TUS <b>VOTE 5-0</b></p>	<p><b>S-2014-2438289</b></p>	<p>SUNESYS LLC</p> <p>- Registration of a Securities Certificate was filed on 8/14/14, for the provision of a guarantee and other security in connection with a credit agreement of its ultimate parent Quanta Services, Inc.</p> <p>RECOMMENDATION:</p> <p>That the Commission register the Securities Certificate consistent with the proposed Order.</p>
<p>2438682-TUS <b>VOTE 5-0</b></p>	<p><b>S-2014-2438682</b> <b>S-2014-2439687</b></p>	<p>CONSOLIDATED COMMUNICATIONS OF PENNSYLVANIA COMPANY LLC AND CONSOLIDATED COMMUNICATIONS ENTERPRISE SERVICES INC</p> <p>- Securities Certificate registration filed on 8/19/14 for the guaranty of long term senior notes to be issued in a principal amount of up to \$200 million.</p> <p>RECOMMENDATION:</p> <p>That the Commission register the Securities Certificate consistent with the proposed Order.</p>
<p>2439912-TUS <b>VOTE 5-0</b></p>	<p><b>A-2014-2439912</b> <b>M-2014-2433446</b></p>	<p>PENNSYLVANIA AMERICAN WATER COMPANY</p> <p>- Request filed on 8/1/14 for approval to install main extension without the payment of the customer contribution in areas of North Limerick Road and Saylor Road in Limerick Township, Montgomery County, PA and Off-Site Marketing Agreement Between PAWC Limerick Township dated 7/8/14. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2313373-LAW</b>	<b>M-2012-2313373 M-00051865</b>	<b>IMPLEMENTATION OF THE ALTERNATIVE ENERGY PORTFOLIO STANDARDS ACT OF 2004: STANDARDS FOR THE PARTICIPATION OF DEMAND SIDE MANAGEMENT RESOURCES – TECHNICAL REFERENCE MANUAL 2015 UPDATE</b>
<b>VOTE 5-0</b>		<p>- On 5/28/09, the Commission adopted the 2009 update to the Technical Reference Manual (TRM). In that Order, the Commission directed the Bureau of Technical Utility Services to revise the TRM annually. In August 2009, the Commission contracted with GDS Associates, Inc. to be the Act 129 Statewide Evaluator (SWE), which, among other duties, is to assist in reviewing and providing suggested changes to the TRM. The SWE, in conjunction with a Technical Working Group, has reviewed the 2014 version of the TRM and proposes several changes and additions for the 2015 TRM update. The Commission seeks comments on the proposed 2015 TRM update.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>

<b>2354659-LAW</b>	<b>P-2013-2354659</b>	<b>SKYTOP LODGE INC</b>
<b><u>Joint Dissenting Statements by Commissioners Brown and Cawley</u></b>		<p>- Petition for Supersedeas filed on 8/8/14, of the Commission's Order in this docket dated 7/24/14, pursuant to Pa. R.A.P. 1781 and 52 Pa. Code § 5.572. The 7/24/14 Order determined that Skytop is a public utility and therefore must seek Certificates of Public Convenience for the provision of water and sewer services within 60 days of the Order. Skytop filed a Petition for Review of the Order with the Commonwealth Court on 8/8/14. Skytop seeks a stay of the 7/24/14 Order pending appellate review.</p>
<b>VOTE 3-2</b>		<p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order denying the stay.</p>

2358461-LAW

A-2013-2358461

PENNDOT

**VOTE 5-0**

- On 6/5/14, the Commission approved Application of PennDoT to replace existing twelve-span overhead bridge structure with new approaches on new alignment where State Route 0217, Sec E10 (Leo Street) crosses over the tracks of Norfolk Southern Railway Company (DOT 57 650K) in Derry Borough, Westmoreland County pursuant to Sec 2702 of the Public Utility Code, 66 Pa.C.S. § 2702. In the 6/5/14 Order, the Commission approved the appropriation by PennDoT of property belonging to Norfolk Southern pursuant to Sec 2702 of the Public Utility Code. On 8/5/14, PennDoT filed a Petition with the Commission requesting that the Commission refer this matter to the Court of Common Pleas of Westmoreland Co pursuant to Section 2704(b) of the Public Utility Code, so that the Court could determine amount of compensation that PennDoT owes Norfolk Southern for condemned property.

**RECOMMENDATION:**

That the Commission adopt the Order approving the Petition.

**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>2258876-ALJ</b>	<b>A-2011-2258876 A-00106748</b>	<b>UNION TOWNSHIP</b> - Application filed on 8/17/11, asserting that Hamill Road Bridge was in a deteriorating condition and therefore requested Commission approval for the removal of the bridge and the construction of an at-grade crossing at a new location. On 2/24/12, Norfolk Southern filed a Protest asserting the railroad company was not responsible for maintenance of the bridge, the Township should be ordered to make any necessary repairs, and the Commission should deny the application. A Stipulation of Settlement was filed on 4/24/14.  <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Johnson's Recommended Decision approving the settlement without modification.
<b>VOTE 5-0</b>		
<b>2403939-ALJ</b>	<b>R-2014-2403939 C-2014-2407227 C-2014-2410707 C-2014-2415138 C-2014-2431804</b>	<b>PEOPLES NATURAL GAS CO. LLC</b> - Purchased Gas Cost filing which included a Pro Forma Tariff Supplement reflecting actual and projected changes in natural gas costs and other tariff changes filed on 4/1/14. A hearing was held on 5/29/14. A Joint Petition For Settlement was filed on 6/16/14. Individual Complainants, Daniel Killmeyer and Robert Redinger, Jr. were not a party to the Settlement. The PA Independent Oil & Gas Association was permitted to intervene and indicated that it did not oppose the settlement.  <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Watson's Recommended Decision approving the settlement without modification.
<b>VOTE 5-0</b>		



PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

September 11, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2397237-OSA	R-2013-2397237 C-2014-2405317 C-2014-2408729 C-2014-2408736 C-2014-2438396	PIKE COUNTY LIGHT & POWER CO - ELECTRIC - Supplement No. 61 to Electric - PA. P.U.C. No. 8 filed on 1/17/14 to become effective 3/18/14, containing proposed changes in rates, rules, and regulations calculated to produce \$1.7 million in additional annual revenues. The filing is a general rate increase filing under 66 Pa. C.S. § 1308(d). The Supplement was suspended and assigned to the OALJ for such proceedings as necessary and the issuance of a Recommended Decision. On 8/11/14, the Recommended Decision of ALJ Pell was issued recommending approval of a settlement. On 8/20/14, a Secretarial Letter was issued extending consideration of the Recommended Decision due to the existence of a Formal Complaint of Charles Gillinder. Mr. Gillinder was provided until 8/29/14, to file Exceptions, and Replies to Exceptions were due on or before 9/5/14.  RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
VOTE 5-0		
2408268-OSA	R-2014-2408268 C-2014-2410176 C-2014-2417487	COLUMBIA GAS OF PENNSYLVANIA INC - Tariff supplement filed on 4/1/14, to implement annual changes to its rates for the reconciliation and recovery of purchased gas costs to become effective for service on and after 10/1/14. Formal Complaints, Notices of Appearance and/or Petitions to Intervene were filed by the OCA; I&E; the OSBA; Dominion Retail, Shipley Energy, Interstate Gas Supply (collectively NGS Parties); and Columbia Industrial Intervenors (CII). On 6/20/14, Columbia, OCA, I&E, OSBA, and the NGS Parties filed a Joint Petition for Partial Settlement. On 7/10/14, the Commission issued the Recommended Decision of ALJ Cheskis which recommended the approval of the Joint Petition and addressed 2 outstanding issues not addressed by the Joint Petition. On 7/21/14, Exceptions were filed by the NGS Parties and CII. Reply Exceptions were filed by the OCA, I&E and Columbia on 7/28/14.  RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which: (1) adopts the Recommended Decision; (2) denies the Exceptions; and (3) deems the Complaints to be satisfied.
Joint Motion by Commissioners Cawley and Witmer VOTE 5-0		