

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, OCTOBER 23, 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, November 13, 2014 at 10:00 A.M.

Minutes of the Meeting of Thursday, September 11, 2014 (PW)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, NOVEMBER 13, 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, OCTOBER 22, 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

October 23, 2014

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2370921-AUD Vote 5-0.	D-2013-2370921	PECO ENERGY COMPANY - Focused Management and Operations Audit of PECO Energy Company. PECO has submitted an implementation plan dated 9/29/14, indicating acceptance of all 28 recommendations. RECOMMENDATION: That the Commission make the Audit Report and the Company's Implementation Plan public.
2373031-AUD Vote 5-0.	D-2013-2373031	WEST PENN POWER COMPANY - Transmission Service Charge for the 5-month period ended 5/31/13 and the 12-month periods ended 12/31/12 and 12/31/11. The auditor's report did not disclose any findings. RECOMMENDATION: That the Commission release the Audit Report to the public.
2373032-AUD Vote 5-0.	D-2013-2373032	WEST PENN POWER COMPANY - Default Service Generation for the 5-month period ended 5/31/13 and the 12-month periods ended 12/31/12 and 12/31/11. The auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.
2390514-AUD Vote 5-0.	D-2013-2390514	COLUMBIA GAS OF PENNSYLVANIA INC - Universal Service Program Statement of Over/(Under) Collections for the 12 months ended 12/31/12, 12/31/11, 12/31/10 and 12/31/09. The auditor's report contained one finding. RECOMMENDATION: That the Commission release the Audit Report to the public.

2405415-AUD	D-2014-2405415	COLUMBIA WATER COMPANY
Vote 5-0.		<p>- Management Efficiency Investigation evaluating the implementation of selected recommendations from the 2011 Focused Management and Operations Audit. Columbia Water has implemented 3 of the 7 prior recommendations reviewed and has taken some action on the remaining 4 recommendations. Bureau staff has made 5 follow-up recommendations for improvement.</p> <p>RECOMMENDATION:</p> <p>That the Commission make the Management Efficiency Investigation report and the Company's Implementation Plan public.</p>
2424646-AUD	D-2014-2424646	METROPOLITAN EDISON COMPANY
Vote 5-0.		<p>- Non-Utility Generation Charge for the 12 months ended 4/30/14. The auditor's report did not disclose any adverse findings.</p> <p>RECOMMENDATION:</p> <p>That the Commission release the Audit Report to the public.</p>
2424647-AUD	D-2014-2424647	PENNSYLVANIA ELECTRIC COMPANY
Vote 5-0.		<p>- Non-Utility Generation Charge for the 12 months ended 4/30/14. The auditor's report did not disclose any adverse findings.</p> <p>RECOMMENDATION:</p> <p>That the Commission release the Audit Report to the public.</p>
2445261-AUD	D-2014-2445261	ANNUAL REPORT 66 PA CS 516 AUDITS FOR FY 2013-2014
Vote 5-0.		<p>- Annual Report required by 66 Pa. C.S. § 516(b), addressing the findings of all Management Audits and Management Efficiency Investigations for Fiscal Year 2013-2014.</p> <p>RECOMMENDATION:</p> <p>That the Commission make the Annual Report public.</p>
2445408-AUD	M-2014-2445408	ORWELL NATURAL GAS - WALKER GAS DIVISION
Vote 5-0.		<p>- Gas Cost Rates effective 11/1/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the Gas Cost Rate and associated base cost of gas reflected on Attachment A of this report, to become effective with bills rendered on and after 11/1/14.</p>

2446662-AUD **M-2014-2446662** HERMAN RIEMER GAS COMPANY
- Gas Cost Rates effective 11/1/14.
Vote 5-0.
RECOMMENDATION:
That the Commission approve the Gas Cost Rate reflected on Attachment A of this report, to become effective with bills rendered on and after 11/1/14.

2446667-AUD **M-2014-2446667** HERMAN OIL & GAS COMPANY, INC
- Gas Cost Rates effective 11/1/14.
Vote 5-0.
RECOMMENDATION:
That the Commission approve the Gas Cost Rate and the associated base cost of gas reflected on Attachment A of this report, to become effective with bills rendered on and after 11/1/14.

OFFICE OF COMPETITIVE MARKET OVERSIGHT

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2183412-OCM

M-2010-2183412

ELIGIBLE CUSTOMER LIST

Vote 5-0.

- Before the Commission are recommendations from OCMO for a company-wide solicitation schedule for the EDCs to update their electricity eligible customer lists (ECLs). OCMO recommends the use of a triennial schedule for soliciting customers regarding the information customers wish to have included on the ECL. OCMO believes it would be beneficial to establish consistencies between the retail electric and retail natural gas markets whenever possible. Additionally, OCMO believes it to be in the best interest of all market participants for customers to be periodically reminded of their ability to include in, or restrict from, the ECL any, or all, of their information.

RECOMMENDATION:

That the Commission adopt the proposed Final Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2306076-OSA	M-2014-2306076	COLUMBIA GAS OF PA INC - On 8/30/12, the Bureau of Investigation and Enforcement (I&E) initiated an informal investigation relating to various gas safety incidents involving Columbia Gas of PA and its third-party contractor. The parties filed a Settlement Agreement on 2/6/14, to resolve the investigation. On 9/11/14, the Commission entered an Opinion and Order, which modified the Settlement. On 9/26/14, I&E and Columbia Gas filed a Joint Petition for Reconsideration of the 9/11/14 Opinion and Order. In order to preserve jurisdiction in this matter, the Commission engaged in a notational voting process on 10/8/14, through which it granted reconsideration pending review of, and consideration on, the merits of the Petition. The resulting Opinion and Order was entered on 10/9/14. RECOMMENDATION: That, consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the Minutes of this public meeting.
2342492-OSA (PP from 10/02/2014)	F-2013-2342492	THERESA BROWN-ALBERT VS PPL ELECTRIC UTILITIES CORPORATION - Formal Complaint filed on 12/31/12, alleging that there were incorrect charges on her bill. The Complainant requested that PPL be directed to remove the alleged incorrect charges from her account, and to assign those amounts to the individuals responsible for them. The Complainant also requested that PPL be required to honor her OnTrack agreement. On 1/30/13, PPL filed an Answer, in which it denied the material allegations of the Complaint. An evidentiary hearing was held on 3/13/13. By Initial Decision issued 4/15/14, ALJ Buckley dismissed the Complaint. On 4/28/14, the Complainant filed Exceptions, and on 5/12/14, PPL 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.

Vote 5-0.

Motion by Commissioner Cawley.
Vote 4-1 with Commissioner Witmer Dissenting.

2347310-OSA

C-2013-2347310

PATRICIA JACKSON VS PECO ENERGY COMPANY

Vote 5-0.

- Formal Complaint filed on 2/4/13, alleging an inability to pay the utility bills from PECO and requesting a payment arrangement. On 3/11/13, PECO filed an Answer and New Matter, in which it denied the material allegations of the Complaint. Evidentiary hearings were held on 5/3/13, 10/28/13, and 3/14/14. By Initial Decision issued 7/11/14, ALJ Vero dismissed the Complaint. On 8/18/14, the Complainant filed Exceptions, and on 8/21/14, PECO filed Replies to Exceptions.

RECOMMENDATION:

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

2368462-OSA

C-2013-2368462

TITUS WRIGHT VS PHILADELPHIA GAS WORKS

Vote 5-0.

- Formal Complaint filed on 6/7/13, alleging unreasonably high bills. On 7/3/13, PGW filed an Answer to the Complaint. On 11/12/13, a hearing was convened, after which PGW filed a Certificate of Satisfaction indicating that the Complaint had been settled. On 11/20/13, the Complainant filed a timely objection to the Certificate of Satisfaction. An evidentiary hearing was convened on 1/29/14. On 4/1/14, PGW filed a Main Brief. By Initial Decision issued 6/17/14, ALJ Melillo dismissed the Complaint with prejudice. On 7/7/14, the Initial Decision became final, pursuant to 66 Pa. C.S. § 332(h). On 7/28/14, the Complainant filed a Petition for Reconsideration of the Commission's final action, and on 8/11/14, PGW filed an Answer to the Petition.

RECOMMENDATION:

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

2375195-OSA

A-2013-2375195
A-6415889

DIAMOND LUXURY TRANSPORTATION INC

Vote 5-0.

- Application filed on 7/17/13, for limousine service. Notice of the Application was provided in the Pa. Bulletin on 8/31/13. Protests were due by 9/16/13. No Protests were filed. By Order entered on 2/6/14, the Application was granted, with the condition that the Applicant submit an acceptable Form E, and an acceptable tariff establishing just and reasonable rates, within 60 days. By Secretarial Letter issued on 6/3/14, the Commission notified the Applicant that the Applicant had not complied with the condition outlined in the 2/6/14 Order within 60 days. As such, the Application had been dismissed pursuant to the 2/6/14 Order. On 7/2/14, the Applicant filed the instant Petition for Rescission or Amendment with reference to the 2/6/14 Order. No response to the Petition has been filed.

RECOMMENDATION:

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

2388439-OSA

F-2013-2388439

LEROY SCOTT VS PECO ENERGY COMPANY

Vote 5-0.

- Formal Complaint filed on 9/30/13, alleging that there were incorrect charges on his bill; that he was having a reliability, safety or quality problem; and that PECO accused him of meter tampering. The Complainant averred that, although he requested discontinuance of service at his previous address, PECO continued to bill him for service at that address. The Complainant denied the accusation of meter tampering and requested a payment agreement. PECO filed an Answer on 10/23/13 in which it denied all material allegations of fact and conclusions of law in the Complaint. PECO requested that the Complaint be dismissed. On 5/6/14, ALJ Pell issued an Initial Decision in which he found that the Complainant's bills were correct as rendered. ALJ Pell also issued a payment arrangement for the Complainant. The Complainant filed Exceptions and PECO filed Replies to Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the ALJ's Decision.

2396613-OSA

A-2013-2396613

TRANS-ALLEGHENY INTERSTATE LINE COMPANY

Vote 5-0.

- Letter of Notification filed on 12/6/13, requesting approval to construct a new extension of double-circuit 345 kV HV Transmission Line, known as the "Homer City-Handsome Lake 345 kV HV Transmission Line Loop to Armstrong Substation". By Order entered 2/20/14, the Commission approved the Letter of Notification regarding the siting and necessity for the Line. The Commission also directed TrAILCo, Pennsylvania Electric Co., and West Penn Power Co. to submit an application for approval of an affiliated interest agreement for the project, along with documentation including an economic analysis of the costs and benefits to PA ratepayers for the Line, comparing ownership by TrAILCo with ownership by other FirstEnergy Corp. affiliates. TrAILCo filed a Petition for Reconsideration of the Order on 3/7/14. No Answers to the Petition were filed.

RECOMMENDATION:

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

2399855-OSA

C-2014-2399855

AVRAM YUSHAN VS PPL ELECTRIC UTILITIES CORP

Vote 5-0.

- Formal Complaint filed on 1/6/14, alleging that PPL improperly transferred an outstanding electricity account balance to his name. On 1/28/14, PPL filed an Answer. A hearing was held on 3/13/14. In an Initial Decision issued 4/29/14, ALJ Long dismissed the Complaint. The Complainant filed Exceptions on 5/9/14. PPL filed Replies to Exceptions on 5/16/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the Initial Decision.

2403927-OSA

A-2014-2403927
A-8916315

DE WATERING SERVICES LLC

Vote 5-0.

- Application filed on 2/3/14, for authority to transport property. By Secretarial Letter issued on 3/18/14, the Commission notified the Applicant that the Application would be granted if the Applicant were to submit certain items evidencing insurance within 60 days. By Secretarial Letter issued on 5/27/14, the Commission notified the Applicant that it had not complied with the condition outlined in the March 2014 Secretarial Letter within 60 days. As such, the Application was dismissed pursuant to the May 2014 Secretarial Letter. On 8/7/14, the Applicant filed the instant Letter-Petition for Reconsideration of Staff Action. No response to the Petition has been filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that: (1) grants the Petition; (2) rescinds the 5/27/14 Secretarial Letter; and (3) deems the Application to be withdrawn.

2420283-OSA

R-2014-2420283
C-2014-2422699
C-2014-2423803

PECO ENERGY COMPANY - GAS

Vote 5-0.

- On 5/30/14, PECO filed its Purchased Gas Cost (PGC) filing, PGC No. 31, Supp. No. 148 to Tariff-Gas Pa. P.U.C. No. 2, to implement annual changes to rates for the reconciliation and recovery of PGC to become effective 12/1/14. Formal Complaints were filed by the OCA and OSBA. Notices of Appearance was filed on behalf of the Commission's Bureau of Investigation and Enforcement (I&E) and a Petition to Intervene was granted for the Philadelphia Area Industrial Energy Users Group (PAIEUG). On 7/25/14, PECO, the OCA, I&E and the OSBA filed a Joint Petition for Complete Settlement. On the same date, PAIEUG filed a letter indicating that it had no opposition to the Joint Petition. On 8/22/14, the Commission issued the Recommended Decision (R.D.) of ALJs Vero and Guhl who recommended approval of the Joint Petition. On 8/29/14, a Joint Exception was filed by PECO, the OCA, the OSBA and I&E to correct a clerical error in the R.D. and Joint Petition. No Reply Exceptions were filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which: (1) grants the Joint Exception; (2) adopts the Recommended Decision to adopt the Joint Petition as modified by the proposed Opinion and Order; and (3) deems the Complaints to be satisfied.

<p>2436324-OSA</p> <p>Vote 5-0.</p>	<p>P-2014-2436324 A-6415166</p>	<p>ATLAS TRANSPORTATION INC</p> <p>- Per Letter of 7/7/14, the Commission's Bureau of Technical Utility Services (TUS) stated that it had reviewed the information submitted by Atlas relative to the Petitioner's request for a waiver from the requirement that a vehicle used in limousine service be no more than 8 model years old. 52 Pa. Code § 29.333(e). The July 2014 Letter denied the Petitioner's request because the application was incomplete. On 7/15/14, the Petitioner filed a Letter-Petition for Reconsideration of Staff Action, with reference to the July 2014 Letter. On 7/29/14, the Petition was returned for lack of signature. On 8/4/14, the signed Petition was filed. No response to the Petition has been received.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Petition, in part, and refers the matter to TUS for such further action as may be warranted.</p>
<p>2441188-OSA</p> <p>Vote 5-0.</p>	<p>A-2014-2441188</p>	<p>VERIZON NORTH LLC AND ONVOY LLC</p> <p>- Joint Petition filed on 8/29/14, 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 9/20/14. No comments or protests were received.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.</p>
<p>2441223-OSA</p> <p>Vote 5-0.</p>	<p>A-2014-2441223</p>	<p>VERIZON PENNSYLVANIA LLC AND ONVOY LLC</p> <p>- Joint Petition filed on 8/29/14, 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 9/20/14. No comments or protests were received.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.</p>

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1150759-TUS	A-125054	SEMPRA ENERGY TRADING - Application filed on 4/3/14, for approval to cancel its natural gas supplier license. RECOMMENDATION: That the Commission adopt the proposed Order that approves the cancellation.
Vote 5-0.		
2199907-TUS	A-2010-2199907	ADL HIGH VOLTAGE INC - Application filed on 8/29/14, for approval to amend its license to include the residential, small commercial (25 kW and under) and governmental customer classes. RECOMMENDATION: That the Commission adopt the proposed Order which approves the electric generation supplier license amendment application.
Vote 5-0.		
2311410-TUS	A-2012-2311410	COMMERCIAL AND INDUSTRIAL ENERGY SOLUTIONS LLC - Application filed on 6/27/12, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in all electric distribution company service territories in PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
Vote 5-0.		
2360403-TUS	A-2013-2360403	ALPHA GAS AND ELECTRIC LLC - Application filed on 6/24/14, for approval for an amendment to its license to add the natural gas distribution company service territory of PECO Energy, and on 8/13/14, Alpha filed a second amendment to add the natural gas distribution company service territory of National Fuel Gas Distribution, within the Commonwealth of PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
Vote 5-0.		

2403021-TUS	A-2014-2403021	<p>PA DEPARTMENT OF TRANSPORTATION</p> <p>- Application for approval to replace the existing 2 sets of dual bridges where State Route 0022 crosses over a single track of RJ Corman Railroad Company/Allentown Lines Inc. in Whitehall Township, and 2 tracks of Norfolk Southern Railway in Hanover Township, Lehigh County.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application as amended.</p>
Vote 5-0.		
2411025-TUS	A-2014-2411025	<p>AMERICAN UTILITY MANAGEMENT INC D/B/A AUM</p> <p>- Application filed on 3/11/14, for approval to offer, render, furnish, or supply natural gas supply service as a broker/marketer to residential, small commercial and large commercial 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, PGW, National Fuel Gas Distribution, Peoples Natural Gas, Peoples Natural Gas-Equitable Gas Division, 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.		
2419896-TUS	A-2014-2419896	<p>RUSHMORE ENERGY LLC</p> <p>- Application filed on 8/20/14, for approval to amend its electric generation supplier license in order to serve residential, small commercial, large commercial, industrial and governmental customers as a supplier in all the electric distribution company service territories in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2424567-TUS	A-2014-2424567	<p>PARK POWER LLC D/B/A PARK POWER</p> <p>- Application filed on 5/29/14, for approval to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of National Fuel Gas Distribution and PECO Energy within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		

2424574-TUS	A-2014-2424574	<p>PENNSYLVANIA ELECTRIC COMPANY</p> <p>- Letter of Notification filed on 5/28/14, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(v), for the Cambria Slope-Summit 115 kV HV Transmission Line Reconductor Project, in Cresson Township, Washington Township, Munster Township and Cambria Township, Cambria County, PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2424864-TUS	M-2014-2424864	<p>ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE III</p> <p>- Act 129 directed that by 11/30/13, and every 5 years thereafter, the Commission must evaluate the costs and benefits of the EE&C Program and set new incremental consumption and peak demand reductions, if the benefits of the Program and plans exceed the costs.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Secretarial Letter.</p>
Vote 5-0.		
2429353-TUS	A-2014-2429353	<p>MARONDA FARMS INC</p> <p>- Application filed on 6/30/14, for approval of the abandonment or discontinuance of wastewater service to the public in Washington Township, Westmoreland County, PA. Proofs of publication and service to appropriate entities were submitted by Maronda Farms. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2433775-TUS	A-2014-2433775	<p>MARATHON POWER LLC</p> <p>- Application filed on 7/25/14, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer, aggregator and supplier to residential, small commercial, large commercial, industrial and governmental customers in the electric distribution company service territories of PECO Energy and PPL Electric Utilities.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		

2434627-TUS	A-2014-2434627	<p>SPRINT COMMUNICATIONS COMPANY LP</p> <p>- Application filed on 7/21/14, seeking approval of the Company's partial discontinuance and abandonment of competitive local exchange carrier services to the public within the Commonwealth of PA. The Company is abandoning only the Sprint Integrated Local Service.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application.</p>
Vote 5-0.		
2435427-TUS	A-2014-2435427	<p>PREMIERE MARKETING LLC</p> <p>- Application filed on 7/26/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2437023-TUS	A-2014-2437023	<p>NAVIGATE POWER LLC</p> <p>- Application filed on 8/12/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in the electric distribution company service territories of Duquesne, Met Ed, PECO Energy, Penn Power, PPL and West Penn Power in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2437595-TUS	M-2014-2437595	<p>COUNTY OF FOREST</p> <p>- 911 System Renewal Plan was received on 7/29/14 from the Pennsylvania Emergency Management Agency (PEMA) with the request that the Commission formally review the costs associated with the contribution rate of \$1.50 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 \$1.50 per access line per month.</p>
Vote 5-0.		

2438235-TUS Vote 5-0.	R-2014-2438235 A-00091970	CAMPBELL'S MOVING COMPANY INC T/A BUCKS COUNTY MOVING & STORAGE COMPANY AND LANSDALE MOVING AND STORAGE COMPANY - Increase in rates. RECOMMENDATION: That the Commission approve 1st Revised Page 25 and 1st Revised Page 26 of Tariff Freight Pa. PUC No. 54 to become effective on 10/27/14.
2440135-TUS Vote 5-0.	A-2014-2440135 A-6416839	PHILADELPHIA CARE INC - Application for Emergency Temporary Authority filed 8/29/14, for the right to transport as a contract carrier by motor vehicle in wheelchair vans. RECOMMENDATION: That the Commission deny the application for Emergency Temporary Authority.
2440665-TUS Vote 5-0.	R-2014-2440665	DUQUESNE LIGHT COMPANY - Supplement No. 100 to Tariff Electric – Pa. P.U.C. No. 24 filed on 9/2/14, proposing to revise Rule No. 20.3 to reflect a change in the name of the Optional Budget Payment Plan for Residential Customers and to modify language to clarify the rules and eligibility for the Budget Plan. Duquesne also proposes to revise Rule No. 21.3 to reflect a change in the name of the Returned Check Charge and to add language regarding multiple returned payments. Supplement No. 100 was filed to become effective on 11/1/14. RECOMMENDATION: That the Commission adopt the proposed Order approving the tariff supplement.
2443113-TUS Vote 5-0.	A-2014-2443113	MONDRE ENERGY INC - Application filed on 9/10/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to residential, small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of Peoples Natural Gas-Equitable Division, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, PECO Energy, Peoples Natural Gas, Peoples TWP, PGW, Columbia Gas, Natural Fuel Gas Distribution, and Valley Energy within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

2444515-TUS A-2014-2444515

Postponed until the Public Meeting of December 4, 2014.

AMERICAN BROADBAND INC

- Application filed on 9/23/14, seeking approval of the discontinuance and abandonment of competitive access provider services within the Commonwealth of PA.

RECOMMENDATION:

That the Commission adopt the proposed Order approving the application.

2446721-TUS M-2014-2446721

Vote 4-1 with Commissioner Cawley Dissenting.

QUARTERLY EARNINGS SUMMARY REPORT

- Bureau of Technical Utility Services report to the Commission regarding quarterly earnings of Pennsylvania utilities for the quarter ended 6/30/14, representing the earned and adjusted returns on rate base and common equity capital for Pennsylvania 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.

RECOMMENDATION:

That the Commission make the earnings report public.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2179527-LAW	R-2010-2179527 R-2010-2176403 I-2010-2181481	CAVALIER TELEPHONE MID-ATLANTIC, LLC - Cavalier filed Supp. 35, issued 5/14/10, to become effective 7/1/10, to its Tariff-Tele. Pa. P.U.C. No. 1 and Supp. 3 issued 5/26/10, to become effective 7/1/10, to its Tariff-Tele. Pa. P.U.C. No. 2 proposing to increase the rate for New Install and to establish the Paper Bill Invoice Fee (PBIF). By Order entered 6/7/10 at P-2008-2014444, the PUC initiated an Investigation at I-2010-2181481 for the purpose of reviewing the practice of paper invoice charges. By Order entered 7/29/10, the PUC, inter alia, permitted Cavalier's proposed tariff supplements to go into effect, subject to the results of a final Order at I-2010-2181481. On 3/20/14, the PUC issued an Order, inter alia, stating that the PUC will deny any proposed tariff provisions authorizing telecommunications carriers to charge residential or business customers a fee to receive a paper bill and that the Law Bureau prepare an order disposing of Cavalier's outstanding tariff filings consistent with our resolution of this matter herein. RECOMMENDATION: That the Commission adopt the proposed Order.
2349042-LAW (PP from 09/11/2014)	L-2013-2349042	RULEMAKING - MOTOR CARRIER VEHICLE LIST, AGE AND MILEAGE REQUIREMENTS FOR TAXIS AND LIMOUSINES - On 4/4/13, Commission proposed to amend its motor carrier passenger regulations to: (1) eliminate the vehicle list requirements for taxis and limousines in Sections 29.314(c) and 29.333(d) in our regulations; (2) eliminate the waiver exception for vehicle age limitation for taxis in Section 29.314(d); and (3) replace the vehicle age limitation for limousines in Section 29.333(e) with a vehicle mileage limitation. The Tentative Order was published on 10/19/13 in the Pa. Bulletin, with comments by interested parties due 30 days thereafter. Comments were filed by various parties. RECOMMENDATION: That the Commission adopt the Final Rulemaking Order.

**Statement by Chairman
Powelson.
Vote 5-0.**

**Postponed until the Public
Meeting of November 13, 2014.**

2404374-LAW P-2014-2404374

LIMITLESS MOBILE LLC

Vote 5-0.

- By Order entered on 5/24/12, Limitless Mobile, LLC (f/k/a Keystone Wireless, LLC d/b/a/ Immix Wireless) at Docket No. P-2012-2287379, the Commission designated Limitless as a facilities-based Eligible Telecommunications Carrier (ETC) in the Commonwealth of PA, pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended, for the purpose of receiving monies from the high cost component of the federal Universal Service Fund (USF) in order to speed the delivery of advanced wireless services to Pennsylvania citizens. On 2/4/14, Limitless filed a Petition to Change its Lifeline service offerings. Specifically, Limitless seeks to replace its proposed two free Lifeline plans with a new fee-based, pay-as-you-go Lifeline service plan, Lifeline30 Plan.

RECOMMENDATION:

That the Commission grant Limitless' Petition to Modify its proposed Lifeline service offerings subject to certain conditions.

2439191-LAW P-2014-2439191

UNITED TELEPHONE COMPANY OF PA LLC D/B/A CENTURYLINK

Vote 5-0.

- On 8/20/14, United Telephone d/b/a CenturyLink petitioned for a waiver of various provisions of our IntraLATA Presubscription Implementation Order, Docket No. I 00940034 (Order entered May 9, 1997), and for a waiver of our regulation at 52 Pa. Code § 64.191(e). That order and the regulation require local exchange carriers to give unbiased and objective interLATA and intraLATA toll presubscription options to customers. The PA-specific requirement is a companion to the Federal requirement governing equal access scripting pursuant to section 251(g) of the Telecommunications Act of 1996 , 47 U.S.C. § 251(g), which requirement has been eliminated relative to the Bell Operating Companies.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2441002-LAW P-2014-2441002

UNITED TELEPHONE COMPANY OF PA LLC D/B/A CENTURYLINK

Vote 5-0.

- Petition for protection order filed on 9/2/14, regarding its annual 2014 Price Stability Index/Service Index Filing and associated revenue increases. No Answers were filed to the Petition.

RECOMMENDATION:

That the Commission adopt the Order approving the Petition.

2444571-LAW P-2014-2444571

Postponed until the Public Meeting of November 13, 2014.

BUDGET PREPAY INC

- Petition for waiver of the re-certification requirements set forth in the Commission's 6/12/12 Order designating Budget Prepay as an Eligible Telecommunications Carrier was filed on 9/8/14.

RECOMMENDATION:

That the Commission adopt the Order approving the Petition

2445072-LAW P-2014-2445072

Vote 5-0.

PPL ELECTRIC UTILITIES CORPORATION

- On 9/25/14, PPL filed a Petition seeking a temporary waiver of certain technical requirements of 52 Pa. Code §§ 57.174 and 57.179 from 12/15/14 through 7/31/15. During the interim period, PPL proposes to implement an interim switching measure that will allow every metered shopping customer to: (i) make a single off-cycle three-business day switch within a single billing period to either a new electric generation supplier or default service; (ii) after one off-cycle switch has been made for a single billing cycle, make an on-cycle switch to either a new electric generation supplier or default service with service to become effective for the next billing period; and (iii) upon verbal request from the customer, make one additional manual off-cycle switch within a single billing period to be returned to default service within 3 business days.

RECOMMENDATION:

The Commission adopts the proposed Secretarial Letter.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2388558-ALJ	C-2013-2388558	NATHANIEL HAYNESWORTH VS PHILADELPHIA GAS WORKS
<u>Joint Motion by Chairman Powelson and Commissioner Witmer.</u>		
Vote 5-0.		
		- Complaint filed on 10/3/13, alleging that the first bill he ever received from PGW was for \$4,000.00 and that he is unable to determine whether this amount is correct. As relief, the Complainant requests that he be provided with a complete service history and a breakdown of the bills for the period of time PGW is billing him. On 11/6/13, PGW filed an answer denying the material allegations of the Complaint. A hearing was held on 3/24/14.
		COMMISSION REVIEW:
		That the Commission adopt ALJ Vero's Initial Decision denying in part, with regard to Complainant's claim that PGW provided him with inadequate and unreasonable service when it failed to notify him of his responsibility to place gas service in his name.
2420273-ALJ	R-2014-2420273	UGI PENN NATURAL GAS INC.
Vote 5-0.	C-2014-2421510	
	C-2014-2427283	
		- Purchase Gas Cost filed on 5/30/14, pursuant to 52 Pa.Code §§ 53.64 and 53.65 proposing modifications to Tariff Gas - Pa. PUC No. 8. OCA and OSBA filed complaints. A hearing was held on 8/4/14. On 9/11/14, Stipulation In Settlement of Section 1307(f) Rate Investigation was filed.
		COMMISSION REVIEW:
		That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement.
2420276-ALJ	R-2014-2420276	UGI UTILITIES INC - GAS DIVISION
Vote 5-0.	C-2014-2421520	
	C-2014-2427287	
		- Purchase Gas Cost filed on 5/30/14, pursuant to 52 Pa.Code §§ 53.64 and 53.65 proposing modifications to UGI's Tariff Gas - Pa. PUC No. 5. OCA and OSBA filed complaints. A hearing was held on 8/4/14. On 9/11/14, Stipulation In Settlement Of Section 1307(f) Rate Investigation was filed.
		COMMISSION REVIEW:
		That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement.

2420279-ALJ

R-2014-2420279

UGI CENTRAL PENN GAS INC.

Vote 5-0.

- Purchase Gas Cost filed on 5/30/14, pursuant to 52 Pa.Code §§ 53.64 and 53.65 proposing modifications to Tariff Gas - Pa. PUC No. 8. OCA and OSBA filed complaints. A hearing was held on 8/4/14. On 9/11/14, Stipulation In Settlement Of Section 1307(f) Rate Investigation was filed.

COMMISSION REVIEW:

That the Commission adopt ALJ Barnes' Recommended Decision approving the Settlement.

2426416-ALJ

C-2014-2426416

READING BLUE MOUNTAIN & NORTHERN RAILROAD COMPANY VS PA DEPARTMENT OF TRANSPORTATION

Vote 5-0.

- Complaint filed on 6/13/14, alleging that overweight trucks were using one of its crossings. PennDOT filed an Answer with New Matter and Preliminary Objections on 7/3/14. On 8/13/14, the Railroad filed a Petition for Leave to Withdraw its complaint.

COMMISSION REVIEW:

That the Commission adopt ALJ Salapa's Recommended Decision granting the Petition.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

October 23, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2407345-OSA	R-2014-2407345	COLUMBIA GAS OF PENNSYLVANIA - Supp. No. 210 to Tariff-Gas Pa. P.U.C. No. 9 filed on 2/26/14, containing a proposed Pilot Rider New Area Service to become effective 4/28/14. By Order entered 4/23/14, the Commission noted the suspension of the effective date of Supp. No. 210 for 6 months, or until 10/28/14. A hearing was held on 7/9/14. In a Recommended Decision issued 8/27/14, ALJ Hoyer recommended that Columbia's proposed Pilot Rider NAS be approved as modified. Columbia and the OCA filed Exceptions on 9/11/14. Replies to Exceptions were filed by Columbia, the OCA on 9/22/14, and by the Commission's Bureau of Investigation and Enforcement on 9/23/14. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

Statement by Commissioner Cawley.
Statement by Commissioner Witmer.
Vote 5-0.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2415045-LAW	A-2014-2415045 P-2014-2442001 A-2014-2415047	LYFT INC - Petition for Interim Emergency Order and Petition for Interlocutory Review and Answer to a Material Question. The two Petitions concern whether certain information, provided during the course of a hearing before the ALJ, should be treated as proprietary and protected from disclosure. Lyft filed a Petition for Protective Order on 8/29/14. RECOMMENDATION: That the Commission adopt the proposed Order.

Dissenting Statement by Commissioner Witmer.
Vote 4-1 with Commissioner Witmer Dissenting.

2429993-LAW	A-2014-2429993	RASIER-PA LLC - Petition to extend Emergency Temporary Authority (ETA) and to Amend the Commission's 7/24/14 ETA Order. On 10/17/14 the Commission adopted and served an Order responding to Rasier-PA's Petition, via notational voting. RECOMMENDATION: That, consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the Minutes of this public meeting.
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Verbal Statement by Vice Chairman Coleman.
Vote 5-0.

2432304-LAW

A-2014-2432304

LYFT INC

**Verbal Statement by Vice
Chairman Coleman.
Vote 5-0.**

- Petition For Extension of Emergency Temporary Authority (ETA) and to Amend the Commission's 7/24/14 ETA Order. On 10/10/14 the Commission adopted and served an Order responding to Lyft's Petition, via notational voting.

RECOMMENDATION:

That, consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the Minutes of this public meeting.