

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 4, 2014 (PW)

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, December 18, 2014 at 10:00 A.M.

Minutes of the Meeting of Thursday, October 23, 2014 (GB)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, DECEMBER 18, 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, DECEMBER 3, 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

December 4, 2014

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2380684-AUD Vote 5-0.	D-2013-2380684	PENNSYLVANIA POWER COMPANY - Price to Compare Default Service Rate and Hourly Pricing Default Service Rate for the 12 month periods ended 5/31/13 and 5/31/12. The auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.
2380686-AUD Vote 5-0.	D-2013-2380686	PENNSYLVANIA ELECTRIC COMPANY - Price to Compare Default Service Rate and Hourly Pricing Default Service Rate for the 12 months ended 5/31/13 and the 17 months ended 5/31/12. The auditor's report contained one finding. RECOMMENDATION: That the Commission release the Audit Report to the public.
2380687-AUD Vote 5-0.	D-2013-2380687	METROPOLITAN EDISON COMPANY - Price to Compare Default Service Rate and Hourly Pricing Default Service Rate for the 12 months ended 5/31/13 and the 17 months ended 5/31/12. The auditor's report contained one Finding. RECOMMENDATION: That the Commission release the Audit Report to the public.
2398261-AUD Vote 5-0.	D-2013-2398261	PPL ELECTRIC UTILITIES CORPORATION - Transmission Service Charge for the 12 Months Ended 4/30/13. The auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155661-OSA	A-2010-2155661	TAXI EXPRESS LLC
Vote 5-0.		<p>- On 4/3/13, the Commission's Bureau of Investigation and Enforcement (BI&E) issued a Complaint at Docket No. C 2013-2354787, alleging that Taxi Express failed to maintain evidence of bodily injury and property damage liability insurance on file. No Answer to the Complaint was filed. Per Secretarial Letter of 1/28/14, the Commission sustained the Complaint and cancelled the Petitioner's Certificate. On 10/24/14, the Petitioner filed a Petition for Reinstatement for Purpose of Transfer. 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, conditioned upon the filing and approval of an application for approval of transfer.</p>
2304628-OSA	A-2012-2304628 A-6414673	ALITE LIMOUSINE SERVICE LP
Vote 5-0.		<p>- Application filed on 4/30/12 for the right to begin to transport, as a common carrier, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the counties of Allegheny, Beaver, Butler, Clarion, Washington, and Westmoreland, to points in PA and return.. Public notice of the application was given in the Pa. Bulletin on 8/18/12. No protests were filed. The unopposed application was certified to the Commission for its decision without oral hearing. In response to a request by the Bureau of Technical Utility Services (TUS), Alite filed verified statements in support of the Application on 10/10/12. On 12/5/12, the Commission entered a Tentative Order denying Alite's Application. On December 14, 2012, Alite filed Exceptions to the Tentative Order, as well as a Supplemental Verified Statement in support of the Application.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Exceptions to the limited extent discussed, and remands the Application to TUS for its review and recommendation.</p>

2402558-OSA

C-2014-2402558

WILLIAM MACLUCKIE VS PALMCO ENERGY PA LLC

Vote 5-0.

- Complaint filed on 1/14/14, alleging false advertising and entrapment by Palmco with respect to the marketing of its variable rate. On 2/18/14, Palmco filed an Answer denying the allegations. On 3/24/14, Complainant filed supplemental information supporting his Complaint. On 4/28/14, Palmco filed a document captioned "Amended Answer and Motion to Dismiss" alleging that Complainant failed to set forth a statement of the relief sought and requested that the Complaint be dismissed. On 5/5/14, Complainant filed an Answer opposing Palmco's request for dismissal. By Initial Decision issued on 6/20/14, ALJ Cheskis granted Palmco's request and dismissed the Complaint. On 6/25/14, Complainant filed Exceptions. On 7/10/14, the OCA filed Exceptions and, by separate filing, a Notice of Intervention. On 9/17/14, Palmco filed Replies to Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants in part the Exceptions of the Complaint and the OCA, reverses the Initial Decision, and remands this matter to the Office of Administrative Law Judge.

2409362-OSA

P-2014-2409362

PECO ENERGY COMPANY

Statement by Commissioner Brown.
Vote 5-0.

- On 3/10/14, PECO filed a Petition requesting approval of its Default Service Program for the period of 6/01/15 through 5/31/17. On 8/05/14, Main Briefs were filed on the litigated issues by PECO, the OCA, the OSBA, the Retail Energy Supply Association (RESA), Noble Americas Energy Solutions and the Philadelphia Area Industrial Energy Users Group (PAIEUG). On 8/28/14, the Parties filed a Joint Petition for Partial Settlement. By Recommended Decision, issued on 9/30/14, ALJ Fordham recommended that the Partial Settlement be approved and made recommendations on the litigated issues. On 10/10/14, Exceptions were filed by PECO, RESA, the OSBA and PAIEUG. Replies to Exceptions were filed by PECO, RESA and PAIEUG on 10/17/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2411403-OSA

C-2014-2411403

PUC - INVESTIGATION AND ENFORCEMENT VS PENN EASTERN RAIL LINES INC

Vote 5-0.

- Complaint filed on 3/20/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation and that the Respondent be directed to file assessment reports on a going-forward basis. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate. On 7/25/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411408-OSA

C-2014-2411408

PUC - INVESTIGATION AND ENFORCEMENT VS WORLDNET COMMUNICATIONS INC T/A TMS

Vote 5-0.

- Complaint filed on 3/20/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/29/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411410-OSA

C-2014-2411410

PUC - INVESTIGATION AND ENFORCEMENT VS TALKSPAN INC

Vote 5-0.

- Complaint filed on 3/20/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation and that the Respondent be directed to file assessment reports on a going-forward basis. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/29/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411498-OSA

C-2014-2411498

PUC - INVESTIGATION AND ENFORCEMENT VS SAINI EXPRESS INC

Vote 5-0.

- Complaint filed on 3/21/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation and that the Respondent be directed to file assessment reports on a going-forward basis. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate. On 7/29/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411510-OSA

C-2014-2411510

**PUC - INVESTIGATION AND ENFORCEMENT VS APOLLO
TRADE & TRANSPORT INC**

Vote 5-0.

- Complaint filed on 3/21/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/28/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411513-OSA

C-2014-2411513

**PUC - INVESTIGATION AND ENFORCEMENT VS J C H & S
MARCHESE T/A MARCHESE BROTHERS**

Vote 5-0.

- Complaint filed on 3/21/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/29/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411927-OSA

C-2014-2411927

PUC - INVESTIGATION AND ENFORCEMENT VS DONALD ELWOOD DORR T/A WILKINSBURG MOVING EXCHANGE

Vote 5-0.

- Complaint filed on 3/24/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/30/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411928-OSA

C-2014-2411928

PUC - INVESTIGATION AND ENFORCEMENT VS C-LINE INC

Vote 5-0.

- Complaint filed on 3/24/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation and that the Respondent be directed to file assessment reports on a going-forward basis. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/28/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411930-OSA

C-2014-2411930

PUC - INVESTIGATION AND ENFORCEMENT VS 20TH CENTURY REFUSE REMOVAL CO

Vote 5-0.

- Complaint filed on 3/24/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/30/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2411931-OSA

C-2014-2411931

PUC - INVESTIGATION AND ENFORCEMENT VS FOUR STAR TRANSPORTATION CO

Vote 5-0.

- Complaint filed on 3/24/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/30/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2412461-OSA

C-2014-2412461

PUC - INVESTIGATION AND ENFORCEMENT VS EAGLE
TRANSPORTATION SERVICES INC

Vote 5-0.

- Complaint filed on 3/10/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$2,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/23/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2412474-OSA

C-2014-2412474

PUC-INVESTIGATION AND ENFORCEMENT VS TNT
SERVICES CORP

Vote 5-0.

- Complaint filed on 3/25/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation and that the Respondent be directed to file assessment reports on a going-forward basis. I&E requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/30/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2412523-OSA

C-2014-2412523

PUC-INVESTIGATION AND ENFORCEMENT VS CHARLES S
NOVOSEL

Vote 5-0.

- Complaint filed on 3/26/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation and that the Respondent be directed to file assessment reports on a going-forward basis. I&E requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/30/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2412525-OSA

C-2014-2412525

PUC-INVESTIGATION AND ENFORCEMENT VS JADELL
MINNIEFIELD CONSTRUCTION SERVICES INC

Vote 5-0.

- Complaint filed on 3/26/14, alleging a violation of 66 Pa. C.S. § 510(b) for failure to file an assessment report demonstrating its gross intrastate operating revenues for the 2010, 2011 and 2012 calendar years. I&E recommended a total civil penalty of \$3,000 for this violation. I&E also requested that if the Respondent did not pay the civil penalty, the Commission issue an Order cancelling the Respondent's Certificate of Public Convenience. On 7/30/14, I&E filed a Motion for Default Judgment, stating that the Respondent did not file an Answer to the Complaint and did not pay the civil penalty. The Motion requests that the Respondent be ordered to pay the civil penalty and that the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate if the civil penalty is not timely paid.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.

2417792-OSA F-2014-2417792
(PP from 11/13/2014)

Vote 5-0.

BARRY AND DEBORAH HARSHBARGER VS PECO ENERGY COMPANY

- Formal Complaint filed on 4/17/14, alleging that PECO was threatening to terminate service and that they would like a payment agreement. On 4/30/14, PECO filed an Answer, in which it denied that the Complainants were entitled to another payment agreement. A hearing was held on 6/18/14. By Initial Decision, issued on 7/23/14, Special Agent Johnson denied the Complaint. On 8/13/14, the Complainants filed Exceptions to the Initial Decision. PECO filed Replies to Exceptions on 8/22/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Special Agent's Initial Decision to dismiss the Complaint.

2445537-OSA A-2014-2445537

Vote 5-0.

VERIZON PENNSYLVANIA LLC AND TIME WARNER CABLE INFORMATION SERVICES (PA) LLC

- Joint Petition filed on 9/30/14, seeking approval of Amendment No. 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 10/18/2014. No comments or protests were received.

RECOMMENDATION:

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

2445539-OSA A-2014-2445539

Vote 5-0.

VERIZON NORTH LLC AND TIME WARNER CABLE INFORMATION SERVICES (PA) LLC

- Joint Petition filed on 9/30/14, seeking approval of Amendment No. 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 10/18/2014. No comments or protests were received.

RECOMMENDATION:

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

2445866-OSA

A-2014-2445866

**VERIZON NORTH LLC AND FINGERLAKES
TECHNOLOGIES GROUP INC**

Vote 5-0.

- Joint Petition filed on 9/25/14, seeking approval of an Interconnection Agreement and Amendment No. 1. Notice of the Joint Petition was published in the Pa. Bulletin. No comments were received.

RECOMMENDATION:

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

2445868-OSA

A-2014-2445868

**VERIZON PENNSYLVANIA LLC AND FINGERLAKES
TECHNOLOGIES GROUP INC**

Vote 5-0.

- Joint Petition filed on 9/25/14, seeking approval of an Interconnection Agreement and Amendment No. 1. Notice of the Joint Petition was published in the Pa. Bulletin. No comments were received.

RECOMMENDATION:

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

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2424396-TUS Vote 5-0.	A-2014-2424396	COMVERGE INC - Application filed on 4/1/14, for approval to offer, render, furnish or supply electric generation supplier services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in the electric distribution company service territories of Citizens' Electric, PECO, PPL Electric Utilities, Met Ed, Penelec, UGI Utilities, Duquesne Light, Penn Power, Wellsboro Electric, Pike County Light and Power, and West Penn Power, within the Commonwealth of PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2431005-TUS Vote 5-0.	P-2014-2431005 C-2014-2433700	PENNSYLVANIA AMERICAN WATER COMPANY - WASTEWATER - Petition filed on 7/3/14 for approval of a Long-Term Infrastructure Improvement Plan (LTIP) & Distribution System Improvement Charge (DSIC). The OCA and OSBA filed comments in the case. RECOMMENDATION: That the Commission approve the petition consistent with the proposed Order.
2435424-TUS Vote 5-0.	A-2014-2435424	BIDURENERGY INC - Application filed on 8/11/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial, large commercial, industrial and governmental customers in the service territories of Valley Energy, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, Peoples TWP, PECO, PGW, National Fuel Gas Distribution Corp., Peoples Natural Gas, Peoples Natural Gas Company, LLC - Equitable Division, and Columbia Gas of PA, within the Commonwealth of PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

2440425-TUS	A-2014-2440425	PREMIER ENERGY GROUP LLC
Vote 5-0.		<p>- Application filed on 9/2/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial, large commercial, and industrial 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, PGW, National Fuel Gas Distribution Corp., Peoples Natural Gas, Peoples Natural Gas, LLC – Equitable Division, and Columbia Gas of PA, within the Commonwealth of PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
2441822-TUS	M-2014-2441822	WASHINGTON COUNTY
Vote 5-0.		<p>- 911 System Renewal Plan was filed on 9/9/14 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>
2443255-TUS	A-2014-2443255	BLUEROCK ENERGY INC
Vote 5-0.		<p>- Application filed on 9/5/14, 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 Valley Energy, Peoples TWP, PECO, PGW, National Fuel Gas Distribution Corp., Columbia Gas, UGI Utilities, UGI Penn Natural Gas, UGI Central Penn Gas, Peoples Natural Gas Company, LLC– Equitable Division, and Peoples Natural Gas, within the Commonwealth of PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application</p>

2444515-TUS A-2014-2444515
(PP from 10/23/2014)

Vote 5-0.

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.

2444517-TUS A-2014-2444517

Statement by
Commissioner Witmer.
Vote 5-0.

PENNSYLVANIA AMERICAN WATER COMPANY

- Application filed on 9/25/14, for approval of the right to offer, render, furnish, or supply water service to the public in additional portions of Buffalo Township, Washington County, PA.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2444649-TUS A-2014-2444649

Vote 5-0.

BLUEROCK ENERGY INC

- Application filed on 9/26/14, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial, industrial and governmental customers in the electric distribution company service territories of West Penn Power, Duquesne Light, Met Ed, Penelec, Penn Power, Citizens' Electric, Wellsboro Electric, PECO, PPL Electric Utilities, UGI Utilities and Pike County Light & Power, in the Commonwealth of PA.

RECOMMENDATION:

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

2445660-TUS R-2014-2445660
C-2014-2451639
C-2014-2452858
C-2014-2452991

Vote 5-0.

COLUMBIA WATER COMPANY

- Supplement No. 68 to Tariff Water-Pa. P.U.C. No. 7 filed on 9/30/14, for approval to propose to add a surcharge mechanism effective 1/1/15, to provide funds for the repayment of a PENNVEST loan secured to construct a water treatment facility in the Borough of Columbia, Lancaster County. Formal complaints were filed by consumers as well as the OCA.

RECOMMENDATION:

That the Commission adopt the proposed Order.

<p>2446234-TUS Vote 5-0.</p>	<p>R-2014-2446234 P-00981436F1000</p>	<p>NORTH PENN TELEPHONE COMPANY - Simplified Ratemaking Plan Revenue Neutral Rate Rebalancing Filing and Tariff Supplement No. 169 to Tariff PA P.U.C. No. 2 filed on 10/20/14, requesting to roll touch tone charges into basic local service rates and eliminate separately-stated touch tone charges for residential and business customers. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the proposed rate changes.</p>
<p>2446246-TUS <u>Statement by</u> <u>Commissioner Cawley.</u> Vote 5-0.</p>	<p>R-2014-2446246</p>	<p>PECO ENERGY COMPANY - GAS - Supplement No. 152 to Tariff Gas – Pa. P.U.C. No. 2 filed on 10/3/14, for approval to revise the penalty for the unauthorized use of natural gas by commercial and industrial customers. On 11/19/14, PECO revised Supplement No. 152 to modify the definition of "market rate" used in calculating the penalty. Supplement No. 152 was filed to become effective on 12/4/14. RECOMMENDATION: That the Commission adopt the proposed Order approving the tariff supplement.</p>
<p>2446878-TUS Vote 5-0.</p>	<p>R-2014-2446878 A-00121505</p>	<p>CANTERBURY INTERNATIONAL INC D/B/A TWO MEN AND A TRUCK - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Freight Pa PUC No. 4 to become effective 12/8/14.</p>
<p>2446881-TUS Vote 5-0.</p>	<p>R-2014-2446881 A-00106317</p>	<p>MOONEY'S RELOCATION SPECIALISTS INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Freight PA PUC No. 15 to become effective 12/8/14.</p>

2446928-TUS **A-2014-2446928** **CONVENIENT VENTURES LLC D/B/A ENERGYOBJECTIVE**
Vote 5-0. - Application filed on 10/9/14, 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 Citizens Electric of Lewisburg, Duquesne Light, Met Ed, PECO, Penelec, Penn Power, Pike County Light and Power, PPL Electric Utilities, UGI Utilities, Wellsboro Electric and West Penn Power, in the Commonwealth of PA.
RECOMMENDATION:
That the Commission adopt the proposed Order which approves the application.

2447601-TUS **A-2014-2447601** **HAMILTON RELAY INC**
Statement by Commissioner Brown. - Application filed on 9/30/14, for approval to offer, render, furnish or supply, telecommunications relay services for the deaf, hard of hearing and speech impaired individuals throughout the Commonwealth of PA.
Vote 5-0. **RECOMMENDATION:**
That the Commission approve the application consistent with the proposed Order.

2451537-TUS **A-2014-2451537** **AT&T CORPORATION**
Statement by Commissioner Brown. - Application for approval of the abandonment or discontinuance of telecommunications relay services for the deaf, hard of hearing and speech impaired individuals throughout the Commonwealth of PA.
Vote 5-0. **RECOMMENDATION:**
That the Commission adopt the proposed Order approving the application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1151742-LAW	M-00001337	PA UNIVERSAL SERVICE FUND - On 10/14/14, Solix, Inc. filed its Administrator's Report with recommendations about the PaUSF's fund size for calendar year 2015. RECOMMENDATION: That the Commission adopt the proposed Order.
2411278-LAW	L-2014-2411278	RULEMAKING - PAPER BILLING FEE - In an Opinion and Order entered 6/7/10, the Commission initiated an investigation into the practice of paper invoice charges. On 3/20/14, the Commission concluded the Investigation issuing an Order finding that imposing a separate line item charge to recover the costs for the provision of monthly paper bills is not consistent with the Public Utility Code, Commission regulations, long standing precedent, and well-established practices of Pennsylvania public utilities. The Commission also concluded that recovering costs regarding monthly bills allows for an excessive recovery of these costs and failing to provide customers with an itemized monthly bill free of charge constitutes unreasonable and inadequate service, actionable under Section 1501. 66 Pa.C.S. § 1501. Finally, the Commission's 3/20/14 Order directed Law Bureau to prepare a narrowly focused Notice of Proposed Rulemaking addressing the paper billing fee issue. RECOMMENDATION: That the Commission adopts the proposed Order
2445072-LAW	P-2014-2445072	PPL ELECTRIC UTILITIES CORPORATION - Petition for Temporary Waivers from Certain Technical Requirements of 52 Pa. Code §§ 57.174 and 57.179. The Commission's regulations require jurisdictional electric distribution companies (EDCs) to be capable of effectuating a 3-business day, off-cycle switch by 12/15/14 when a residential or small commercial customer requests a change in electric supplier. In addition, the Commission's regulations require EDCs to preserve all records regarding unauthorized change of electric generation suppliers and default service provider disputes for 3 years beginning on 12/15/14. See 52 Pa. Code §§ 57.173, 57.174, 57.179 and 57.180. RECOMMENDATION: That the Commission adopt the proposed Order.

<p>2446292-LAW</p> <p style="color: red;">Vote 5-0.</p>	<p>P-2014-2446292</p>	<p>PECO ENERGY COMPANY</p> <p>- Petition for Temporary Waiver of regulations related to the required days on a billing period at 52 Pa. Code §§ 56.2 and 56.11. The Commission's regulations require jurisdictional electric distribution companies to be capable of effectuating a 3-business day, off-cycle switch by 12/15/14 when a residential or small commercial customer requests a change in electric supplier. See 52 Pa. Code §§ 57.173, 57.174 and 57.180. To meet the requirements of these regulations, PECO intends to bill customers on a supplier switch, which involves a short period bill of less than 26 days and an on-cycle bill resulting in more than one bill during a billing period.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p>2448863-LAW</p> <p style="color: red;">Vote 5-0.</p>	<p>P-2014-2448863</p>	<p>DUQUESNE LIGHT COMPANY</p> <p>- Petition filed on 10/21/14, for Temporary Waiver of the Commission's 3 Business Day Switching Requirements Under 52 Pa. Code § 57.174. Duquesne served its Petition on the Bureau of Investigation & Enforcement, the OSBA, the OCA, and various attorneys and professionals in the energy industry. OCA and the Retail Energy Supply Association both filed answers on 11/10/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p>2449010-LAW</p> <p style="color: red;">Vote 5-0.</p>	<p>P-2014-2449010 P-2014-2449015 P-2014-2449017 P-2014-2449027</p>	<p>METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY, AND WEST PENN POWER COMPANY</p> <p>- Joint Petition for Temporary Waiver of Technical Requirements of 52 Pa. Code § 57.174. The Commission's regulations require jurisdictional electric distribution companies to be capable of effectuating a 3-business day, off-cycle switch by 12/15/14 when a residential or small commercial customer requests a change in electric supplier. See 52 Pa. Code §§ 57.173, 57.174, and 57.180.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

2449397-LAW **P-2014-2449397**

Vote 5-0.

UGI UTILITIES INC - ELECTRIC DIVISION

- Petition to Defer Implementation of Portions of Revised Standards for Changing a Customer's Electric Generation Supplier at 52 Pa. Code §§ 57.174 and 57.180 and to Implement an Alternative Method to Address Certain Variable Rate Disputes. The Commission's regulations require jurisdictional electric distribution companies to be capable of effectuating a 3-business day, off-cycle switch by 12/15/14 when a residential or small commercial customer requests a change in electric supplier. See 52 Pa. Code §§ 57.173, 57.174, and 57.180.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2451180-LAW **P-2014-2451180**
P-2014-2451181

Vote 5-0.

**CITIZENS ELECTRIC COMPANY OF LEWISBURG AND
WELLSBORO ELECTRIC COMPANY**

- Joint Petition filed on 10/31/14, for temporary waiver of the Commission's accelerated switching regulations at 52 Pa. Code § 57.174. The Joint Petitioners served their Petition on the Bureau of Investigation & Enforcement, the OSBA, and the OCA. No parties filed answers to the Joint Petition.

RECOMMENDATION:

That the Commission adopt the proposed order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2400003-ALJ Vote 5-0.	R-2014-2400003	BOROUGH OF AMBLER WATER DEPARTMENT - Supplement No. 37 to Tariff Water-Pa. P.U.C. No. 5 filed on 1/31/14 to become effective 4/16/14, containing proposed changes in rates, rules, and regulations calculated to produce 39.58% in additional annual revenues. By Order entered 4/3/14, the Commission instituted an investigation and suspended the filing until 11/16/14. The Borough filed Supplement No. 38 on 5/9/14 extending the tariff suspension date for 60 days, until 1/14/15 to engage in mediation. A Joint Petition for Settlement was submitted on 9/8/14. The Mediator's Report was filed 9/9/14. COMMISSION REVIEW: That the Commission adopt ALJs Fordham and Guhl's Recommended Decision approving the Joint Petition for Settlement without modification.
2430544-ALJ Vote 5-0.	C-2014-2430544	JOHN CRESPO VS PHILADELPHIA GAS WORKS - Complaint filed 6/23/14 alleging PGW wrongfully placed a municipal lien on his property at 5147 Germantown Ave., Philadelphia PA, for an unpaid balance that was his tenant's responsibility. Complainant claims he is a landlord enrolled in PGW's Landlord Cooperation Program. Complainant requests PGW be directed to remove the municipal lien on the service property. PGW filed an Answer and Preliminary Objections stating the Commission lacks jurisdiction over the lien, as well as a Motion to Strike Impertinent Matter stating the Commission lacks the authority to grant it. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Initial Decision granting PGW's Preliminary Objections for lack of jurisdiction and dismissing the complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

December 4, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2390562-OSA	C-2013-2390562	NRG POWER MIDWEST LP ET AL VS DUQUESNE LIGHT COMPANY
Vote 5-0.		<p>- Supplement No. 81 to Tariff Electric – Pa. P.U.C. No. 24 filed 8/2/13, proposing to increase rates to produce additional annual operating revenues of approximately \$76.3 million. On 10/28/13, NRG filed a Formal Complaint alleging that Rider No. 18 may be discriminatory. On 3/25/14, Duquesne filed a Motion to Sever from the Base Rate Proceeding the Rider 18 portion of the Complaint filed by NRG. By Recommended Decision, issued on 6/4/14, ALJ Johnson recommended that the NRG Complaint be sustained. On 6/19/14, Duquesne and the Beaver Falls Municipal Authority (BFMA) filed Exceptions to the Recommended Decision. Replies to Exceptions were filed by NRG on 6/26/14. By Order entered 11/13/14, the Commission entered an Order granting in part the Exceptions of Duquesne and BFMA and dismissing in part the Complaint. NRG filed a Petition for Reconsideration on 12/1/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Petition for Reconsideration pending review on the merits.</p>
2415045-OSA	A-2014-2415045	LYFT INC
Postponed until the Public Meeting of December 18, 2014.		<p>- Application filed on 4/3/14, for the right to begin to transport, by motor vehicle, persons in the experimental service of Transportation Network Company for passenger trips between points in Allegheny County. Various carriers and other entities filed Protests. Evidentiary hearings were held on 8/27/14, 9/3/14, and 9/10/14. By Recommended Decision issued 10/9/14, Administrative Law Judges Long and Watson recommended that the application be denied. On 10/24/14, Lyft filed Exceptions to the Recommended Decision. On 10/27/14, Executive Transportation filed Exceptions. On 11/3/14, Lyft, Executive Transportation, the Insurance Federation of Pennsylvania, and JB Taxi filed Replies to Exceptions.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>

2415047-OSA

A-2014-2415047

LYFT INC

Postponed until the Public Meeting
of December 18, 2014.

- Application filed on 4/3/14, for the right to begin to transport by motor vehicle, persons in the experimental service of Transportation Network Company for passenger trips between points in PA. Numerous carriers and other entities filed Protests. Evidentiary hearings were held on 8/27/14 and 9/3/14. By Recommended Decision issued 10/9/14, Administrative Law Judges Long and Watson recommended that the application be denied. On 10/24/14, Lyft filed Exceptions to the Recommended Decision. On 10/27/14, various Protestants (Joint Protestants) filed Exceptions. On 11/3/14, Lyft, the Joint Protestants, and the Insurance Federation of Pennsylvania filed Replies to Exceptions. On 11/4/14, JB Taxi filed Replies to Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Supplemental Carry-In Agenda

December 04, 2014

LAW BUREAU

AGENDA NO.

2453735-LAW

DOCKET NO.

M-2014-2453735

NAME AND SUBJECT

MOUNTAIN ENERGY LTD

Vote 5-0.

- On 11/18/14, the Commission entered an Emergency Order to provide Peoples Natural Gas Company with the means to immediately take control of the operations of the Mountain Energy system and provide customers with safe and adequate service. In its Ratification Order, the Commission orders Peoples to continue its operational control of Mountain Energy's system and assigns the matter to the Office of Administrative Law Judge for expedited hearings pursuant to 52 Pa. Code § 3.4.

RECOMMENDATION:

That the Commission adopt the Ratification Order.