

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 18, 2014 (JC)

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, January 15, 2015 at 10:00 A.M.

Minutes of the Meeting of Thursday, November 13, 2014 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 15, 2015, 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 17, 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 18, 2014

BUREAU OF CONSUMER SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2407728-BCS	M-2014-2407728	FIRSTENERGY COMPANIES
Vote 5-0.	M-2014-2407729	- On 2/28/14, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power filed universal service and energy conservation plans (USECPs) for 2015-2017. On 8/27/14, the companies filed amended USECPs for 2015-2018, in accordance with the Commission's regulations at 52 Pa. Code §§ 54.71- 54.78.
	M-2014-2407730	
	M-2014-2407731	
		RECOMMENDATION:
		That the Commission adopt the proposed Tentative Order, which tentatively approves the FirstEnergy Companies' Plans

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2381742-OCM	I-2013-2381742	INVESTIGATION OF PA'S RETAIL NATURAL GAS SUPPLY MARKET
<u>Statement by Commissioner Witmer.</u> Vote 5-0.		<p>- Recommendation from the Commission's Office of Competitive Market Oversight (OCMO) for the Commission to continue its Investigation into Pennsylvania's Retail Natural Gas Supply Market. Through this Final Order, the Commission identifies those issues that OCMO will address, in order to facilitate improvements and encourage competition for the benefit of Pennsylvania consumers. Additionally, the Commission outlines its priorities, strategies and approaches in addressing these issues within the context of the Investigation.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the Final Order.</p>

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 <p>- 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. The parties filed a Settlement on 2/6/14 to resolve the investigation. 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&E and Columbia Gas filed Supplemental Statements in Support of the Settlement on 6/24/14 and 6/26/14, respectively. On 9/11/14, the Commission entered an Opinion and Order modifying 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. On 10/9/14, the Commission entered an Opinion and Order granting reconsideration pending review of, and consideration on, the merits of the Joint Petition.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order denying the Joint Petition.</p>
2371560-OSA	C-2013-2371560	LIDIA SHAN VS VERIZON PENNSYLVANIA LLC <p>- Formal Complaint filed on 7/1/13, challenging an outstanding charge on her bill related to Verizon's provision of service under its tariffed rate for temporary suspension of service. Verizon filed an Answer on 7/22/13. A hearing was held on 11/26/13. In an Initial Decision issued 6/24/14, ALJ Pell dismissed the Complaint on the basis that the Complainant failed to carry her burden of proving there were incorrect charges on her bill or that Verizon provided inadequate or unreasonable service. The Complainant filed Exceptions on 7/12/14. Verizon filed Replies to Exceptions on 8/4/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the Initial Decision.</p>

Vote 5-0.

Vote 4-0 with Commissioner Brown Recusing.

2378746-OSA C-2013-2378746

Vote 5-0.

ROSA HOBSON VS PHILADELPHIA GAS WORKS

-Formal Complaint filed on 8/8/13, averring that PGW was threatening to shut off her utility service. By way of relief, the Complainant requests that the Commission set up a payment agreement that is affordable to her. On 9/4/13, PGW filed an Answer admitting that it had issued a shut off notice to Ms. Hobson. PGW denied any incorrect charges and stated that Ms. Hobson is not entitled to a payment agreement. By Order entered 5/8/14, the Commission adopted the Initial Decision of ALJ Cheskis that was issued 4/1/14, to dismiss the Complaint. By Secretarial Letter dated 7/1/14, the 5/8/2014 Order was rescinded and new dates were established to file Exceptions and Replies to Exceptions. No Exceptions were filed and the Initial Decision became final on 7/22/14, without further Commission action. On 7/24/14, the Complainant filed a Petition for Reconsideration. PGW filed an Answer to the Petition on 8/11/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which denies the petition and sustains the ALJ's Initial Decision dismissing the Complaint.

2388009-OSA C-2013-2388009

Vote 5-0.

CHERYL ZACK VS SERVICE ELECTRIC TELEPHONE LLC

- Formal Complaint filed on 10/11/13, alleging unreasonable telephone and television service. On 11/4/13, Service Electric filed a letter in response to the Complaint, alleging that the Complainant has never been a customer of Service Electric. A prehearing conference was held on 5/8/14. On 6/14/14, Service Electric filed a Motion for Summary Judgment requesting that the Complaint be dismissed. ALJ Salapa issued an Initial Decision on 8/15/14 granting the Motion and dismissing the Complaint. The Complainant filed Exceptions on 9/2/14. Service Electric filed Reply Exceptions on 9/17/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the Complainant's Exceptions, adopts the ALJ's Initial Decision, and dismisses the Complaint.

2393858-OSA F-2013-2393858

Statement by Commissioner Brown.
Vote 5-0.

WILLIAM EDNEY VS PHILADELPHIA GAS WORKS

- Formal Complaint filed on 11/18/13, alleging that there were incorrect charges on his gas utility bill for the service address. For relief, the Complainant requested that the charges be removed from his account. On 12/16/13, PGW filed an Answer to the Complaint. A hearing was held on 3/31/14. In an Initial Decision issued 7/25/14, ALJ M Guhl dismissed the Complaint. The Complainant filed Exceptions on 8/6/14. PGW filed Replies to Exceptions on 8/28/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the ALJ's Initial Decision, as modified, consistent with the Opinion and Order.

2400862-OSA C-2014-2400862

Vote 5-0.

JOANN BROWER VS PECO ENERGY COMPANY - ELECTRIC

- Formal Complaint filed on 1/10/14, alleging that the charges on her electric bills are incorrect and that she is being billed for electricity she did not use. On 1/23/14, PECO filed an Answer to the Complaint. A hearing was held on 3/12/14. On 5/29/14, ALJ Watson issued an Initial Decision dismissing the Complaint. The Complainant submitted Exceptions on 6/20/14 which were untimely filed. PECO filed Replies to Exceptions on 7/7/14. Since the Exceptions were not timely filed, they will be considered as a Petition for Reconsideration. Accordingly, the Replies to Exceptions will be considered as an Answer to the Petition.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the petition.

2410683-OSA **C-2014-2410683** **PUC - INVESTIGATION AND ENFORCEMENT VS SCOTT A ADAM**

Vote 5-0.

- Complaint filed on 3/17/14, 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 9/16/14, 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.

2411010-OSA **C-2014-2411010** **PUC - INVESTIGATION AND ENFORCEMENT VS JOHN G KULICK T/A KULICK TRUCKING**

Vote 5-0.

- Complaint filed on 3/11/14, the 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 7/24/14, 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.

2411038-OSA C-2014-2411038

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS AFFINITY LOGISTICS CORPORATION

- Complaint filed on 3/11/14, alleging that Affinity Logistics failed to file assessment reports for the 2010, 2011, and 2012 calendar years. I&E requested that the Respondent be ordered to pay a civil penalty of \$3,000 for the alleged violations and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the civil penalty. The Respondent did not file an Answer to the Complaint. On 7/24/14, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the civil penalty is not paid. No Answer to the Motion was filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.

2411043-OSA C-2014-2411043

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS SITTON MOTOR LINES INC

- Complaint filed on 3/11/14, I&E alleging that Sitton Motor Lines failed to file assessment reports for the 2010, 2011, and 2012 calendar years. I&E requested that the Respondent be ordered to pay a civil penalty of \$3,000 for the alleged violations and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the civil penalty. The Respondent did not file an Answer to the Complaint. On 7/24/14, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the civil penalty and directed the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the civil penalty is not paid. No Answer to the Motion was filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Motion for Default Judgment.

2411289-OSA **C-2014-2411289** **PUC - INVESTIGATION AND ENFORCEMENT VS VELOCITY EXPRESS LEASING 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. 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 9/16/14, 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.

2411294-OSA **C-2014-2411294** **PUC - INVESTIGATION AND ENFORCEMENT VS LISA A KELLY**

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 9/16/14, 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.

<p>2413352-OSA</p> <p>Vote 5-0.</p>	<p>C-2014-2413352</p>	<p>PUC - INVESTIGATION AND ENFORCEMENT VS KRAMER-CASEY ENTERPRISES INC</p> <p>- Complaint filed on 3/31/14, 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.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.</p>
<p>2413907-OSA</p> <p>Vote 5-0.</p>	<p>C-2014-2413907</p>	<p>PUC - INVESTIGATION AND ENFORCEMENT VS SOUMARE INC</p> <p>- Complaint filed on 4/1/14, 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 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 9/16/14, 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.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.</p>

2413918-OSA C-2014-2413918

Vote 5-0.

**PUC - INVESTIGATION AND ENFORCEMENT VS FOREDUL
TRANS INC**

- Complaint filed on 4/1/14, 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 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 9/16/14, 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.

2415045-OSA A-2014-2415045

(PP from 12/04/2014)

LYFT INC

- 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, ALJs 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 PA, and JB Taxi filed Replies to Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

**Dissenting Statement by Vice
Chairman Coleman.
Statement by Commissioner Brown.
Joint Statement by Chairman
Powelson and Commissioner Witmer.
Verbal Statement by Commissioner
Cawley.
Vote 4-1 with Vice Chairman
Coleman Dissenting.**

2415047-OSA A-2014-2415047
(PP from 12/04/2014)

Dissenting Statement by Vice
Chairman Coleman.
Statement by Commissioner Brown.
Joint Statement by Chairman
Powelson and Commissioner Witmer.
Verbal Statement by Commissioner
Cawley.
Vote 4-1 with Vice Chairman
Coleman Dissenting.

LYFT INC

- 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, ALJs 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 PA filed Replies to Exceptions. On 11/4/14, JB Taxi filed Replies to Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2417840-OSA F-2014-2417840

Vote 5-0.

OMAR ALI VS PECO

- Formal Complaint filed on 4/13/14, alleging that there are unauthorized charges on his bill and that he did not authorize a transfer of charges from another account with PECO. On 5/12/14, PECO filed an Answer to the Complaint. A hearing was held on 7/15/14. On 9/9/14, ALJ Colwell's Initial Decision dismissing the Complaint was issued. The Complainant filed Exceptions on 10/9/14. PECO filed Replies to Exceptions on 10/16/14.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Exceptions, in part, and denies them, in part, and adopts the ALJ's Initial Decision as modified, consistent with the Opinion and Order.

2427657-OSA C-2014-2427657
(PP from 12/04/2014)

**ATTORNEY GENERAL PA & OFFICE OF CONSUMER
ADVOCATE VS IDT ENERGY INC**

Vote 5-0.

- Formal Complaint filed on 6/20/14. On 7/10/14, IDT filed an Answer and New Matter, together with Preliminary Objections. On 8/20/14, ALJs Cheskis and Barnes issued an Order Granting in Part and Denying in Part Preliminary Objections addressed to the preliminary objections filed by IDT. On 9/8/14, OAG/OCA filed a Joint Petition for Interlocutory Review and Answer to Material Questions. Also on 9/8/14, IDT filed a Petition for Interlocutory Review and Answer to Material Question. Briefs in support and in opposition were filed by the parties on 9/18/14. The Commission's Bureau of Investigation and Enforcement filed a brief in support of the OAG/OCA Petition.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2432541-OSA C-2014-2432541

**PUC - INVESTIGATION AND ENFORCEMENT VS MICKY
CAB CORP**

Vote 5-0.

- Complaint filed on 7/18/14, alleging that the Respondent failed to file an assessment report for the 2012 calendar year, and it failed to pay its assessment amount for Fiscal Year 2013-2014. I&E requested that the Respondent be ordered to pay \$1,309 (consisting of the outstanding assessment balance of \$269 and a civil penalty of \$1,040) and that the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/3/14, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate be cancelled. No Answer to the Motion was filed.

RECOMMENDATION:

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

<p>2432973-OSA</p> <p>Vote 5-0.</p>	<p>C-2014-2432973</p>	<p>PUC - INVESTIGATION AND ENFORCEMENT VS SCOTT F STOUT</p> <p>- Complaint filed on 7/21/14, alleging that the Respondent failed to pay its assessment amount for Fiscal Year 2013-2014. I&E requested that the Respondent be ordered to pay \$347 (consisting of the outstanding assessment balance of \$302 and a civil penalty of \$45) and that the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/3/14, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate be cancelled. No Answer to the Motion was filed.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.</p>
<p>2432975-OSA</p> <p>Vote 5-0.</p>	<p>C-2014-2432975</p>	<p>PUC - INVESTIGATION AND ENFORCEMENT VS ROBERT G SPROUT T/A SPROUT DELIVERY SERVICE</p> <p>- Complaint filed on 7/21/14, alleging that the Respondent failed to file an assessment report for the 2012 calendar year, and it failed to pay its assessment amounts for Fiscal Year 2012-2013 and Fiscal Year 2013-2014. I&E requested that the Respondent be ordered to pay \$2,041 (consisting of the outstanding assessment balance of \$905 and a civil penalty of \$1,136) and that the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/3/14, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate be cancelled. No Answer to the Motion was filed.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.</p>

2435598-OSA Vote 5-0.	C-2014-2435598	<p>PUC - INVESTIGATION AND ENFORCEMENT VS LAOBINA INC</p> <p>- Complaint filed on 8/4/14, alleging that the Respondent failed to file assessment reports for the 2011 and 2012 calendar years, and it failed to pay its assessment amounts for Fiscal Years 2012-2013 and 2013-2014. I&E requested that the Respondent be ordered to pay \$3,150 (consisting of the outstanding assessment balance of \$130 and a civil penalty of \$3,020) and that the Respondent's Certificate of Public Convenience be cancelled if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/5/14, I&E filed a Motion for Default Judgment, requesting that the Complaint be sustained and that, inter alia, the Respondent's Certificate be cancelled. No Answer to the Motion was filed.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the Motion and sustains the Complaint.</p>
2448583-OSA Vote 5-0.	A-2014-2448583	<p>CONSOLIDATED COMMUNICATIONS OF PENNSYLVANIA COMPANY LLC AND CENTURYLINK COMMUNICATIONS LLC</p> <p>- Joint Petition filed on 10/20/14, 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 11/1/14. 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>
2450635-OSA Vote 5-0.	A-2014-2450635	<p>WINDSTREAM PENNSYLVANIA LLC, WINDSTREAM D&E INC, WINDSTREAM CONESTOGA INC, WINDSTREAM BUFFALO VALLEY INC AND CENTURYLINK COMMUNICATIONS LLC</p> <p>- Joint Petition filed on 10/20/14, 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 11/15/14. No comments or protests were received.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.</p>

2451096-OSA A-2014-2451096

Vote 5-0.

VERIZON PENNSYLVANIA LLC AND DISCOUNT CLEC SERVICES CORPORATION

- Joint Petition filed on 10/24/14, 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 11/15/2014. No comments or protests were received.

RECOMMENDATION:

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

2451124-OSA A-2014-2451124

Vote 5-0.

VERIZON NORTH LLC AND DISCOUNT CLEC SERVICES CORPORATION

- Joint Petition filed on 10/24/14, CLEC Services Corporation filed a Joint Petition 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 11/15/2014. 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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2268759-TUS Vote 5-0.	A-2011-2268759	CENTERPOINT ENERGY SERVICES INC - Application filed on 8/18/14, for approval to abandon its electric generation supplier license. RECOMMENDATION: That the Commission adopt the proposed Order, which approves the abandonment.
2290597-TUS Vote 5-0.	R-2012-2290597	PPL ELECTRIC UTILITIES CORP - Supplement No. 165 to Tariff - Electric Pa. P.U.C. No. 201 filed on 10/31/14, for approval to implement its initial Storm Damage Expense Rider (SDER) for the period 1/1/15 through 12/31/15. A formal complaint was filed against the supplement. RECOMMENDATION: That the Commission adopt the proposed order that suspends the tariff supplement and institutes an investigation.
2344596-TUS Vote 5-0.	P-2013-2344596 P-2013-2342745	PEOPLES NATURAL GAS COMPANY LLC - Petition filed on 6/18/14, for approval of its Revised Long-Term Infrastructure Improvement Plan for its Peoples Division and Equitable Division. RECOMMENDATION: That the Commission approve the petition consistent with the proposed Order.
2389195-TUS Vote 5-0.	P-2013-2389195 A-00124041	WILLIAMSPORT AREA AMBULANCE SERVICE COOPERATIVE T/A SUSQUEHANNA REGIONAL EMS - Petition for an 8-year waiver from 52 Pa. Code § 29.503 (relating to age restrictions). RECOMMENDATION: That the Commission grant the petition.

<p>2428750-TUS</p> <p>Vote 5-0.</p>	<p>R-2014-2428750 C-2014-2454700</p>	<p>CMV SEWAGE CO INC</p> <p>- Supplement No. 18 to Tariff Sewer-Pa. P.U.C. No. 1 filed on 10/30/14, proposing an annual increase in revenues of \$29,343 (21.70%) to become effective 1/1/15. On 11/21/14, the OCA filed a Formal Complaint.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p>2429346-TUS</p> <p>Vote 5-0.</p>	<p>P-2014-2429346 G-2014-2448897 G-2014-2448803</p>	<p>PEOPLES NATURAL GAS COMPANY LLC AND PEOPLES TWP LLC</p> <p>- Petition filed on 6/26/14, for accounting and regulatory approvals and approval of related tariff revisions associated with implementation of Revised Long Term Infrastructure Plan. Also, for approval of affiliated interest agreements between Peoples and Peoples TWP associated with the intercompany exchange of gas and the implementation of a Synergy Fee to provide payment on DSIC-eligible plant installed by one company to serve the customers of the other company. The OCA and the OSBA filed comments on the petition. On 9/10/14, the Companies and the OCA filed for approval of a Joint Settlement Agreement, in which the contested issues of the petition were resolved. Because the Settlement transpired prior to any formal proceedings, there was no need for a hearing or the further adjudication of this matter by the OALJ.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the petition, the affiliated interest agreements, and the Settlement consistent with the proposed Order.</p>
<p>2433184-TUS</p> <p>Vote 5-0.</p>	<p>A-2014-2433184</p>	<p>RESIDENTS ENERGY LLC</p> <p>- Application filed on 6/19/14, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial and industrial 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>

2441958-TUS Vote 5-0.	A-2014-2441958 A-2014-2441956	TALK AMERICA SERVICES LLC - Application filed on 9/5/14 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; The United Telephone Company of PA d/b/a CenturyLink; Consolidated Communications of PA Company; Commonwealth Telephone Co. d/b/a Frontier Communications Commonwealth Telephone Company; and Windstream 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.
2444030-TUS Vote 5-0.	A-2014-2444030	CONSUMER ENERGY SOLUTIONS INC - Application filed on 9/23/14, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to residential, 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 Energy, PGW, National Fuel Gas Distribution, Peoples Natural Gas Co., Peoples Natural Gas, LLC–Equitable Division, and Columbia Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2446273-TUS Vote 5-0.	M-2014-2446273	LEHIGH COUNTY UPDATED 9-1-1 - 911 System Renewal Plan was received on 10/1/14, 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. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.

2448626-TUS	R-2014-2448626	<p>SUNOCO PIPELINE LP</p> <p>- Supplement No. 1 Tariff Pipeline-Pa P.U.C. No. 16 and Letter Request for Waiver of 52 Pa. Code §53.52(b) (2) and (c) (1) through (5)</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the tariff supplement and granting the waiver request.</p>
Vote 5-0.		
2449295-TUS	<p>R-2014-2449295</p> <p>R-2014-2449301</p> <p>P-00930715F1000</p>	<p>VERIZON PENNSYLVANIA LLC</p> <p>- Annual 2015 Annual Price Change Opportunity filing and Revenue Neutral Residential Rate Rebalancing filing filed on 10/22/14. The Company requests a \$2,000,800 increase in rates from the implementation of its Price Change Opportunity and to consolidate its residential dial tone line rates through revenue neutral adjustments. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the proposed rate increases and rate rebalancing.</p>
<p><u>Statement</u> by Commissioner Cawley.</p> <p>Vote 5-0 with Commissioner Cawley Partially Dissenting.</p>		
2449830-TUS	R-2014-2449830	<p>MCNAUGHTON BROS INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve 14th Revised Page 48 to Tariff Freight Pa. PUC No. 50 to become effective on 12/22/14.</p>
Vote 5-0.		
2449848-TUS	R-2014-2449848	<p>TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve 13th Revised Page 52 to Tariff Freight Pa. PUC No. 50 to become effective on 12/22/14.</p>
Vote 5-0.		

2451474-TUS Vote 5-0.	S-2014-2451474 S-2014-2456673	LUMOS NETWORKS OF WEST VIRGINIA INC AND FIBERNET TELECOMMUNICATIONS OF PENNSYLVANIA LLC - Securities Certificates filed on 10/31/14, for approval to serve as guarantors of a senior secured term loan under the terms of an existing senior secured credit facility of their corporate parent Lumos Network Operating Company for up to \$30 million. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission register the securities certificates consistent with the proposed Order.
2452705-TUS Vote 5-0.	R-2014-2452705 C-2014-2454751	DELAWARE SEWER COMPANY - Supplement No. 1 to Tariff Sewer-Pa. P.U.C. No. 1 filed on 11/7/14, proposing an annual increase in revenues of \$67,663 (285%) to become effective 1/7/15. On 11/21/14, the OCA filed a Formal Complaint. RECOMMENDATION: That the Commission adopt the proposed Order.
2452708-TUS Vote 5-0.	R-2014-2452708	PENNSYLVANIA-AMERICAN WATER COMPANY - Supplement No. 287 to Tariff Water-PA P.U.C. No. 4 filed on 11/12/14, proposing to update tariff language pertaining to Distribution System Improvement Charge (DSIC) eligible property for Company projects receiving PENNVEST funding. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the filing.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2313373-LAW	M-2012-2313373 M-00051865	ACT 129 EE&C PROGRAM - TECHNICAL REFERENCE MANUAL - On 3/28/09, 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 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 that the Commission released for Comment on 9/11/14. The Commission issues the 2015 TRM update as modified based on the comments provided. RECOMMENDATION: That the Commission adopt the proposed order.
2395687-LAW	P-2013-2395687	SAGE TELECOM COMMUNICATIONS LLC - Petition for approval to be designated as an Eligible Telecommunications Carrier in PA filed on 11/26/13. The petition was published in the Pa. Bulletin on 1/18/14 at 44 Pa.B. 443. The OCA filed Comments and Sage filed Reply Comments as well as supplements to its petition. The OCA supports Sage's petition subject to certain clarifications and conditions. RECOMMENDATION: That the Commission adopts the Order approving the petition.
2448825-LAW	M-2014-2448825	IMPLEMENTATION OF ACT 155 OF 2014 - On 10/22/14, Governor Corbett signed into law Act 155 of 2014, which amends Chapters 5, 14, 22 and 28 of Title 66 of the PA Consolidated Statutes. In particular, Act 155 amends Chapters 22 and 28 of the Public Utility Code to allow the PUC to establish annual fees to fund the Commission's oversight of natural gas suppliers and electric generation suppliers. Act 155 also amends Chapter 5 of the Public Utility Code to allow the Commission to include the intrastate operating revenues of licensed entities in determining its budget cap and to exclude, from the budget cap, funds received from the federal government and other sources to perform functions unrelated to our regulation of public utilities and licensed entities. RECOMMENDATION: That the Commission adopt the Order.

Vote 5-0.

Postponed until the Public Meeting of January 15, 2015.

Joint Statement by Chairman Powelson and Commissioner Cawley.
Vote 5-0.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2412337-ALJ	C-2014-2412337	RODNEY TEMPLE VS WEST PENN POWER COMPANY
<u>Statement</u> by Commissioner Witmer. Vote 5-0.		<p>- Complaint filed 3/7/14 alleging West Penn was improperly requiring him to pay a security deposit and that customer service was rude and unresponsive. West Penn filed an Answer on 4/14/14 denying the material allegations in the complaint. A hearing was held 5/28/14.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Long's Initial Decision dismissing the complaint.</p>

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

December 18, 2014

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2411927-OSA	C-2014-2411927	PUC - INVESTIGATION AND ENFORCEMENT VS DONALD ELWOOD DORR T/A WILKINSBURG MOVING EXCHANGE
Vote 5-0.		<p>- 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 7/30/14, 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. On 12/4/14, the Commission granted the Motion and sustained the Complaint. On 12/16/14, the Respondent filed a Petition for Reconsideration.</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>

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2448863-LAW	P-2014-2448863	DUQUESNE LIGHT COMPANY
Vote 5-0.		<p>- Petition filed on 12/15/14, for Reconsideration/Rehearing of the Commission's 12/4/14 Final Order. Duquesne served its Petition on the Bureau of Investigation & Enforcement, the OSBA, the OCA, and GreeneHurlocker, PLC.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

2457138-LAW

P-2014-2457138

JOHNSTOWN REGIONAL ENERGY LLC

Vote 5-0.

- Petition filed 11/20/14, for waiver to allow the continued use of Fiberspar composite piping in Cambria and Somerset Counties to transport LFG to the existing interconnect with Peoples and EQT pipeline systems. In its Order, the Commission grants the requested waiver, conditioned on affirmance by the Office of Pipeline Safety, U.S. Dept. of Transportation, Pipeline and Hazardous Materials Safety Administration.

RECOMMENDATION:

That the Commission adopt the proposed Order.

COMMISSIONERS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2349042-CMR

L-2013-2349042

RULEMAKING-MOTOR CARRIER VEHICLE LIST, AGE AND MILEAGE REQUIREMENTS FOR TAXIS AND LIMOUSINES

**Motion by Vice Chairman Coleman.
Vote 5-0.**

- MOTION OF VICE CHAIRMAN COLEMAN