

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, JANUARY 29, 2015 (JFC)**

**10:00 A.M.**

**MAIN HEARING ROOM NO. 1  
SECOND FLOOR COMMONWEALTH KEYSTONE BUILDING**

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The Commission will act on various matters at today's meeting, which is open to the public. However, since adequate forums have been made available for public participation in cases before the Commission, there will be no opportunity for the public to address the Commission.

The attached agenda is complete at the time of issuance, but other items may be added and some stricken without further notice.

The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, its decision---except on routine, uncontested tariff filings---will be put in writing and served on the interested parties and made public at the time it is entered and served.

All public documents---such as orders, opinions, hearing transcripts, comments, initial and recommended decisions, and the like---relating to items on the agenda, may be examined in the Commission's File Room located in Room N-201, Second Floor, this Building.

The Commissioners seated on the bench are:

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>Pamela A. Witmer</b>	<b>John F. Coleman, Jr.</b>	<b>Robert F. Powelson</b>	<b>James H. Cawley</b>	<b>Gladys M. Brown</b>

**THE TAKING OF PHOTOGRAPHS IS PERMITTED PROVIDED FLASH IS NOT USED.**

The Next Public Meeting is Tentatively Scheduled for Thursday, February 12, 2015 at 10:00 A.M.

Minutes of the Meeting of Thursday, December 18, 2014 (JC)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, FEBRUARY 12, 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, JANUARY 28, 2015, AT 2:00 P.M. IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING.

THE COMMISSION'S AGENDA WILL BE LIMITED TO:

1. DISCUSSING PERSONNEL MATTERS.
2. CONSULTING WITH ITS LEGAL OR TECHNICAL STAFF ABOUT ACTIONS WHICH THIS COMMISSION IS LITIGATING BEFORE OTHER ADMINISTRATIVE AGENCIES OR COURTS.
3. DISCUSSING CASES WHICH WILL BE COMMENCED OR ADJUDICATED BY COMMISSION ACTION.
4. REVIEWING LEGALLY PRIVILEGED OR CONFIDENTIAL MATTERS.
5. DISCUSSING COLLECTIVE BARGAINING ISSUES.
6. CONSIDERING THE PURCHASE OR LEASE OF REAL ESTATE.

AN AGENDA FOR THE EXECUTIVE SESSION WILL BE DISTRIBUTED TO ALL COMMISSIONERS IN ADVANCE OF THIS SESSION. THIS NOTICE IS PROVIDED IN ACCORDANCE WITH ACT 84 of 1986, KNOWN AS THE SUNSHINE ACT.

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COPIES OF CHAIRMAN AND COMMISSIONERS'  
MOTIONS AND STATEMENTS WILL BE  
AVAILABLE FOR PICK-UP  
IMMEDIATELY AFTER PUBLIC MEETING  
IN JR. EXECUTIVE CHAMBERS  
THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**FINAL AGENDA**  
**January 29, 2015**

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2355580-OSA</b> <b>(PP from 01/15/2015)</b>  <b><u>Motion</u> by VC Coleman</b> <b><u>Statement</u> by</b> <b>Commissioner Witmer</b>  <b>Vote 3-2, with</b> <b>Commissioners Brown</b> <b>and Cawley dissenting</b>	<b>F-2013-2355580</b>	<b>MARCUS LOVE VS PHILADELPHIA GAS WORKS</b>  - Formal Complaint filed on 3/11/13, alleging that there were incorrect charges on his gas bill and that PGW installed a faulty meter and did not discover its error for four years. On 4/22/13, PGW filed an Answer denying the allegations. ALJ Guhl issued an Initial Decision on 8/7/14, denying, in part, and sustaining in part, the Complaint. On 8/27/14, PGW filed Exceptions. No Replies to Exceptions were filed.  <b>RECOMMENDATION:</b>  That the Commission adopt the proposed Opinion and Order, which grants, in part, and denies in part, the Exceptions, vacates the Initial Decision and remands the matter for further hearings as deemed necessary.
<b>2406180-OSA</b>  <b>Vote 5-0.</b>	<b>F-2014-2406180</b>	<b>JAMES COPPEDGE VS PECO ENERGY COMPANY-ELECTRIC</b>  - Formal Complaint filed on 2/8/14, alleging that (1) PECO was threatening to or already had shut off his service; (2) he would like a payment agreement; and (3) there were incorrect charges on his bill. PECO filed an Answer on 3/6/14, denying all averments, stating that that it had properly refused payments from the Complainant made in the forms of a 1099A, 1099C, or Bill of Exchange, and averring that the Complainant was not eligible for another payment agreement. A telephonic evidentiary hearing was held on 4/30/14. The Initial Decision of ALJ Long was issued on 8/8/14, and dismissed the Complaint. The Complainant filed Exceptions on 8/16/14; no Replies to Exceptions were filed.  <b>RECOMMENDATION:</b>  The Office of Special Assistants recommends that the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the Initial Decision.

**2416127-OSA**

**A-2014-2416127**

**RASIER - PA LLC**

**Vote 5-0.**

- Application filed on 4/14/14, for the right to begin to transport, by motor vehicle, persons in the experimental service of shared-ride network for passenger trips between points in Allegheny County. By Recommended Decision (R.D.) issued 9/25/14, ALJs Long and Watson recommended that the application be denied. On 10/10/14, Rasier-PA filed Exceptions to the R.D. Executive Transportation Co. filed Exceptions on 10/14/14 (beyond the required due date). On 10/20/14, JB Taxi and the Insurance Federation of PA filed Replies to Exceptions. Also, on 10/20/14, Rasier-PA filed a letter reply to Executive's Exceptions. On 12/5/14, the Commission issued an Order granting Rasier-PA's Exceptions, in part, reversing the R.D., and granting the application subject to terms and conditions. Executive filed a Petition for Reconsideration on 12/22/14. By Order entered 1/2/15, the Commission granted the Petition within the meaning of Pa. R.A.P. 1701(b)(3). On 1/2/15, Rasier-PA filed an Answer to the Petition.

**RECOMMENDATION:**

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

**2424608-OSA**

**A-2014-2424608**

**RASIER-PA LLC**

**Vote 5-0.**

- Application filed on 6/2/14, for the right to begin to transport, by motor vehicle, persons in the experimental service of shared-ride network for passenger trips between points in PA. By Recommended Decision (R.D.) issued 9/25/14, ALJs Long and Watson recommended that the application be denied. On 10/14/14, Rasier-PA filed Exceptions to the R.D. Various common carrier Protestants also filed Exceptions on 10/14/14. On 10/20/14, Rasier-PA, JB Taxi t/a County Taxi Cab and the Insurance Federation of PA filed Replies to Exceptions. On 10/24/14 the Protestants filed Replies to Exceptions. On 12/5/14, the Commission issued an Order granting Rasier-PA's Exceptions, in part, reversing the R.D., and granting the application subject to terms and conditions. The Protestants filed a Petition for Reconsideration on 12/22/14. By Order entered 1/2/15, the Commission granted the Petition within the meaning of Pa. R.A.P. 1701(b)(3). On 1/2/15, Rasier-PA filed an Answer to the Petition.

**RECOMMENDATION:**

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

2434728-OSA

C-2014-2434728

PUC - INVESTIGATION AND ENFORCEMENT VS  
AMERICAN COURIER COMPANY INC

**Vote 5-0.**

- Complaint filed on 7/28/14 alleging that the Respondent failed to pay its assessment amounts for Fiscal Years 2012-2013 and 2013-2014. I&E requested that the Respondent be ordered to pay \$7,161 (consisting of the outstanding assessment balance of \$6,227 and a civil penalty of \$934) 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. 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, as modified by this Opinion and Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2139967-TUS</b>	<b>A-2009-2139967</b>	<b>ENERGETIX INC</b> - Application filed on 5/15/14, for approval to abandon electric generation supplier License. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application for abandonment.
<b>Vote 5-0.</b>		
<b>2428714-TUS</b>	<b>A-2014-2428714</b>	<b>ACCENTURE LLP</b> - Application filed on 6/18/14, for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to small commercial, large commercial, industrial and governmental customers in all of the electric generation distribution company service territories in the Commonwealth of PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>Vote 5-0.</b>		
<b>2430950-TUS</b>	<b>R-2014-2430950 A-00116289</b>	<b>DANVILLE AMBULANCE SERVICE INC</b> - Increase in rates. <b>RECOMMENDATION:</b> That the Commission approve Tariff Paratransit Pa. PUC No. 2 to become effective on 2/3/15.
<b>Vote 5-0</b>		
<b>2440523-TUS</b>	<b>A-2014-2440523</b>	<b>YORK WATER COMPANY</b> - Application filed on 9/2/14, for approval of: 1) the transfer, by sale, of substantially all of the water works property, and rights of the Paradise Homes Mobile Home Park to York Water, and 2) the rights of York Water to begin to offer or furnish water service in a portion of Paradise Township, York County, PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order.
<b>Vote 5-0.</b>		

<b>2445416-TUS</b>	<b>A-2014-2445416</b>	<p><b>AGERA ENERGY LLC</b></p> <p>- Application filed on 9/29/14, for approval to become a licensed electric generation supplier as a supplier to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories within the Commonwealth of PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>Vote 5-0.</b>		
<b>2449774-TUS</b>	<b>R-2014-2449774</b> <b>R-2014-2449777</b> <b>P-00001854F1000</b>	<p><b>VERIZON NORTH LLC</b></p> <p>- 2015 Verizon North LLC Annual Price Change Opportunity Filing and Revenue Neutral Residential Rate Rebalancing Filing.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order approving the proposed rate increases and rate rebalancing.</p>
<b>Postponed until 2/12/15.</b>		
<b>2450025-TUS</b>	<b>A-2014-2450025</b>	<p><b>ACHIEVE ENERGY SOLUTIONS LLC</b></p> <p>- Application filed on 10/22/14, for approval to offer, render, furnish, or supply natural gas supply services to residential, small commercial, large commercial, industrial and governmental customers in the service territories of Valley Energy, UGI, UGI Central Penn Gas, UGI Penn Natural Gas, Peoples TWP, PECO, PGW, National Fuel Gas Distribution Corp., Peoples Natural Gas, Peoples Natural Gas - Equitable Division, and Columbia Gas of PA, within the Commonwealth of PA, as a supplier of natural gas services and a broker/marketer engaged in the business of supplying natural gas services.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>Vote 5-0.</b>		

<b>2451710-TUS</b>	<b>A-2014-2451710</b>	<p>AMERIGREEN ENERGY INC</p> <p>- Application filed on 10/16/14, for approval to amend their license to operate as a supplier engaged in the business of supplying natural gas services to the additional service territories of UGI Central Penn Gas, UGI Penn Natural Gas, National Fuel Gas Distribution Corp., Peoples Natural Gas, Peoples Natural Gas – Equitable Division, Peoples TWP, Philadelphia Gas Works, and Valley Energy.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>Vote 5-0.</b>		
<b>2452408-TUS</b>	<b>R-2014-2452408</b>	<p>TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE INC</p> <p>- Rate increase.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve 11th Revised Page 63 to Tariff Freight Pa. P.U.C. No. 50 to increase rates charged for household goods authority effective 2/3/15.</p>
<b>Vote 5-0.</b>		
<b>2453103-TUS</b>	<b>A-2014-2453103</b>	<p>PENNSYLVANIA ELECTRIC COMPANY</p> <p>- Letter of Notification filed on 11/10/14, for the approval for the relocation of Erie South-Erie West 345 kV and Erie West-Wayne 345 kV Transmission Line Project in Conneaut Township, Erie County. 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>
<b>Vote 5-0.</b>		
<b>2453706-TUS</b>	<b>M-2014-2453706</b>	<p>SCHUYLKILL COUNTY</p> <p>- Schuylkill County's 911 System Renewal Plan filed on 11/14/14, for approval 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>
<b>Vote 5-0.</b>		



2456357-TUS	A-2014-2456357	<p>WEST PENN POWER COMPANY/PENNSYLVANIA ELECTRIC CO</p> <p>- Letter of Notification filed on 11/20/14, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(vi), for the Brookville-Elko 138 kV Loop to Squab Hollow Substation Project in Fox Township, Elk County. 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>
<b>Vote 5-0.</b>		
2457100-TUS	R-2014-2457100	<p>EZ MOVING LLC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve 3rd Revised Page 31-M to Tariff Freight Pa. PUC No. 54 to become effective on 2/2/15.</p>
<b>Vote 5-0.</b>		
2460381-TUS	M-2014-2460381	<p>QUARTERLY EARNINGS SUMMARY REPORT</p> <p>- Bureau of Technical Utility Services report to the Commission regarding quarterly earnings of PA utilities for the quarter ended 9/30/14.</p> <p>RECOMMENDATION:</p> <p>That the Commission make the earnings report public.</p>
<b>Vote 4-1, with Commissioner Cawley dissenting.</b>		

## LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2349042-LAW	L-2013-2349042	<p>RULEMAKING - MOTOR CARRIER VEHICLE LIST, AGE AND MILEAGE REQUIREMENTS FOR TAXIS AND LIMOUSINES</p> <p>- On 12/22//14, the Commission entered a Tentative Reconsideration Order, wherein we reconsidered our 11/13/14 Final Rulemaking Order pursuant to 66 Pa. C.S. § 703(g) and tentatively proposed deleting the 6-month implementation timeframe as applied to taxi carriers in 52 Pa. Code § 29.314.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the Final Order.</p>
<p><b>Vote 5-0.</b></p>		
2424608-LAW	A-2014-2424608 A-2014-2416127	<p>RASIER-PA LLC</p> <p>- On 12/5/14, the Commission issued 2 separate Orders conditionally approving Rasier-PA LLC to transport, by motor vehicle, persons in the experimental service of passenger trips between (1) certain specified points in PA (Docket No. A-2014-2424608), and (2) points in Allegheny County, PA (Docket No. A-2014-2416127). The 12/5/14 Order required Rasier-PA to file certain documentation with the Commission as a condition of exercising such transportation authority. On 12/24/14, Rasier-PA filed its Compliance Plans and supporting information, as supplemented on 1/5/15 and 1/9/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>
<p><u>Joint Statement</u> by Chairman Powelson and Commissioner Witmer <b>Vote 5-0.</b></p>		
2448863-LAW	P-2014-2448863	<p>DUQUESNE LIGHT COMPANY</p> <p>- Petition for Reconsideration/Rehearing filed on 12/15/14 of a 12/4/14 Final Order. Duquesne served its Petition on the Bureau of Investigation &amp; Enforcement, the OCA, the OSBA, and GreeneHurlocker, PLC.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p><u>Joint Motion</u> by Chairman Powelson and Commissioner Witmer <b>Vote 5-0.</b></p>		
2449353-LAW		<p>DELEGATION OF AUTHORITY TO BUREAU OF AUDITS</p> <p>- Recommendation to delegate to the Bureau of Audits the authority to approve via Secretarial Letter 1307(a) adjustment clause rate change filings that are routine, uncontested, and in compliance with the currently approved tariff.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the recommendation.</p>
<p><b>Vote 5-0.</b></p>		

**2450281-LAW      P-2014-2450281**

**DUQUESNE LIGHT COMPANY**

**Vote 5-0.**

- Due to implementation of a new customer billing system, Duquesne requests partial temporary waiver of regulations relating to interest rate compounding, interest application to late charges, and the appearance and sequence of line items on customer bills.

**RECOMMENDATION:**

That the Commission adopt the proposed Order.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1175539-ALJ</b>	<b>A-00119606</b>	<p>DELAWARE &amp; HUDSON RAILWAY CO INC</p> <p>- Amended Application filed on 6/13/14. Also on 12/5/14, D&amp;H filed a Petition for Leave to Withdraw its application, pursuant to 52 Pa. Code §5.94.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Salapa's Recommended Decision granting the petition.</p>
<b>2392770-ALJ</b>	<b>F-2013-2392770</b>	<p>STEPHANIE M. SAWYER VS PHILADELPHIA GAS WORKS</p> <p>- In a timely appeal of a BCS decision, a Complaint was filed 11/5/13 alleging PGW has removed her improperly from its Customer Responsibility Program (CRP) and requests that she be reinstated into the program. PGW filed its Answer on 12/5/13. Hearing held on 4/1/14.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Vero's Initial Decision dismissing the complaint.</p>

**Vote 5-0.**

**Postponed until  
2/12/15.**