

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, AUGUST 20, 2015 (JFC)
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.	Gladys M. Brown	James H. Cawley	Robert F. Powelson

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

The Next Public Meeting is Tentatively Scheduled for Thursday, September 3, 2015 at 10:00 A.M.

Minutes of the Meeting of Wednesday, July 8, 2015 (JC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 3, 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, AUGUST 19, 2015, AT 2:00 PM 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

August 20, 2015

BUREAU OF ADMINISTRATION

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2497274-ADM		COMMONWEALTH BAR ASSOCIATION - The Commission has a contract Agreement with the Commonwealth Bar Association covering its attorney members. The two parties met to discuss the status of the current contract between the parties. RECOMMENDATION: That the Commission approve a side letter to the current agreement with the Commonwealth Bar Association, allowing for their members to be granted a 2.25% longevity increase in January, 2016, in line with the current AFSCME master agreement.

Vote 5-0.

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2474802-OCM	M-2015-2474802	INVESTIGATION OF PENNSYLVANIA'S RETAIL NATURAL GAS MARKET - JOINT NATURAL GAS DISTRIBUTION COMPANY - NATURAL GAS SUPPLIER BILL
<u>Statement by Commissioner Witmer.</u>		
Vote 5-0.		
		- The Commission directed the Office of Competitive Market Oversight to explore the possibility of implementing a joint natural gas distribution company/natural gas supplier bill, similar to that directed for the electric industry. The Commission issued a Tentative Order on 4/23/15, which proposed a joint bill for the natural gas industry. Several interested parties filed comments to the Tentative Order. Upon review of the comments, the matter is now ripe for a Commission decision.
		RECOMMENDATION:
		That the Commission adopt the proposed Final Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2164009-OSA Vote 5-0.	F-2010-2164009	DANIELLE DOUGLAS VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 3/8/10, alleging that there were incorrect charges on her bill. On 3/31/10, PGW filed an Answer denying the allegations. In an Initial Decision, issued on 2/2/12, ALJ Hoyer sustained the Complaint and directed PGW to recalculate the Complainant's monthly bills. The Complainant filed Exceptions on 3/10/12. PGW filed Replies to Exceptions on 3/26/12. In a Tentative Opinion and Order, entered on 6/17/14, the Commission granted the Exceptions of the Complainant, in part, modified the ALJ's Initial Decision and directed PGW to provide additional information. On 7/7/14, PGW filed its Informational Filing in response to the Tentative Opinion and Order. The Complainant filed a reply to PGW's Informational Filing on 7/24/14. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2395643-OSA Statement By Chairman Brown. Vote 5-0.	C-2013-2395643	JANET ARMOUR VS VERIZON PENNSYLVANIA LLC - Formal Complaint filed on 11/27/13, alleging unreasonable customer service as a result of a visit to her service address by Verizon PA workers on 9/26/13. On 1/9/14, Verizon PA filed an Answer, New Matter, and Preliminary Objections. A hearing was held on 10/23/14. In an Initial Decision issued 2/9/15, ALJ Pell dismissed the Complaint. The Complainant filed Exceptions on 2/17/15 and 2/26/15. Verizon PA filed Replies to Exceptions on 3/12/15. 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.

2409676-OSA C-2014-2409676
(PP from 07/30/2015)

Vote 5-0.

STEPHEN KIBACK JR VS IDT ENERGY INC

- Formal Complaint filed on 3/4/14, alleging that IDT tripled the amount charged for generation and transmission and no longer saved him money over his electric distribution company's price to compare. On 4/25/14, IDT filed an Answer to the Complaint in which it admitted that the Complainant's charges increased as a result of increases in the wholesale energy market in January and February 2014 and averred that it offered retroactive rate adjustments and rebates and refunds to thousands of customers. The OCA filed a Notice of Intervention on 8/21/14. ALJ Cheskis held a telephonic evidentiary hearing on 10/27/14. The ALJ sustained the Complaint by Initial Decision issued 2/17/15. IDT filed Exceptions on 3/9/15, and the OCA filed Replies to Exceptions on 3/19/15.

RECOMMENDATION:

The Commission adopt the proposed Opinion and Order, which denies the Exceptions, adopts the Initial Decision, and sustains the Complaint.

2431917-OSA C-2014-2431917
(PP from 07/30/2015)

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS JOHN C DELAUTER T/A DELAUTER'S A-1 SERVICES

- Complaint filed on 7/15/14, alleging that Respondent failed to file assessment reports for the 2011 and 2012 calendar years, and it failed to pay its assessment amount for Fiscal Year 2012-2013. I&E requested that the Respondent be ordered to pay \$2,148 (consisting of the outstanding assessment balance of \$129 and a civil penalty of \$2,019). The Respondent did not file an Answer to the Complaint. On 10/29/14, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the assessment and the civil penalty are not paid. No Answer to the Motion was filed. On 1/12/15, the Respondent paid the outstanding assessment balance of \$129.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants, in part, the Motion for Default Judgment and sustains the Complaint, in part.

2432575-OSA C-2014-2432575
(PP from 07/30/2015)

**Postponed until the Public
Meeting of September 3, 2015.**

PUC - INVESTIGATION AND ENFORCEMENT VS SAMUEL C
DUNCAN T/A DUNCAN GARAGE

- Complaint filed on 7/18/14, alleging that Respondent failed to file an assessment report for the 2012 calendar year, and it failed to pay its assessment amount for Fiscal Year 2012-2013. I&E requested that the Respondent be ordered to pay \$1,012 (consisting of the outstanding assessment balance of \$10 and a civil penalty of \$1,002) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 10/29/14, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the assessment and the civil penalty are not paid. No Answer to the Motion was filed. On 2/19/15, the Respondent paid the outstanding assessment balance of \$10.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants, in part, the Motion for Default Judgment and sustains the Complaint, in part.

2439083-OSA A-2014-2439083

Vote 5-0.

IN LOVING ARMS FAMILY RESOURCE CENTER INC

- Application filed on 7/23/14, to provide group and party service in vehicles seating 11 to 15 passengers. On 11/24/14, MTR Transportation, Inc. t/d/b/a K-Cab Co. filed a Protest. On 12/18/14, the Applicant and the Protestant filed a Restrictive Amendment. On 1/5/15, the Bureau of Technical Utility Services (TUS) sent a letter to the Applicant, stating that the Applicant was required to submit verified statements in support of the application within 30 days. By Secretarial Letter issued 3/25/15, TUS denied the Application based on the Applicant's failure to file the verified statements. On 4/6/15, the Applicant filed a Petition for Reconsideration of Staff Action. No Answers to the Petition have been filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Petition for Reconsideration of Staff Action.

2445807-OSA C-2014-2445807

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS RAYMOND P SUTHERLAND

- Complaint filed on 10/2/14, alleging that Respondent failed to file an assessment report for the 2011 calendar year, and failed to pay its assessment amount for Fiscal Year 2012-2013. I&E requested that the Respondent be ordered to pay \$1,138 (consisting of the outstanding assessment balance of \$120 and a civil penalty of \$1,018) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 3/4/15, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the assessment and the civil penalty are not paid. No Answer to the Motion was filed.

RECOMMENDATION:

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

2446303-OSA (REVISED)

P-2014-2446303

P-2014-2446304

(PP from 07/30/2015)

Motion by Commissioner Witmer.

Statement by Chairman Brown.

Joint Statement by Vice Chairman Coleman and Commissioner Powelson.

Statement by Commissioner Cawley.

Commissioner Cawley voting no, concurring in part, and dissenting in part.

Vote 4-1.

VERIZON PENNSYLVANIA LLC AND VERIZON NORTH LLC

- On 6/1/15 the Commission entered a Tentative Implementation Order requesting comments from interested parties with regard to certain clarifications and directives to facilitate the implementation of the Opinion and Order entered on 3/4/15 (Reclassification Order). Comments were received from Verizon PA LLC and Verizon North LLC, the OCA, and Full Service Network. The Tentative Implementation Order did not allow for the filing of Reply Comments.

RECOMMENDATION:

That the Commission adopt the proposed Final Implementation Opinion and Order.

2450418-OSA

C-2014-2450418

DANIEL CHORNENKY VS WEST PENN POWER

Vote 5-0.

- Formal Complaint filed on 10/14/14, averring that in 1966 he converted to all-electric heat because he was given a special rate for the life of his home, but that the rate was removed by the Company in 1980. He averred that at the time the rate was discontinued, he was too young and timid to challenge the action but now the cost of electricity is atrocious. On 11/19/14, West Penn filed an Answer and New Matter, and also filed a Preliminary Objection, in which West Penn requested that the Complaint be dismissed for legal insufficiency because the rate was discontinued in 1979 pursuant to Commission orders. By Initial Decision Granting Preliminary Objections and Dismissing Complaint issued 2/17/15, the ALJ granted West Penn's Preliminary Objection and dismissed the Complaint. On 2/27/15, the Complainant filed an Exception, and on 3/18/15, West Penn filed a Reply to the Complainant's Exception.

RECOMMENDATION:

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

2450483-OSA

C-2014-2450483

DAUPHIN COUNTY INDUSTRIAL DEVELOPMENT

(PP from 07/30/2015)

AUTHORITY VS PPL ELECTRIC UTILITIES CORPORATION

Vote 5-0.

- Formal Complaint filed on 10/3/14, alleging, inter alia, that it was not properly compensated for excess generation provided to PPL from DCIDA's solar facility. On 2/3/2015, DCIDA filed a Motion for Judgment on the Pleadings and on 2/23/15, PPL filed a Cross Motion for Judgment on the Pleadings. By Initial Decision issued 4/10/15, ALJ Salapa granted PPL's Cross Motion, denied DCIDA's Motion and dismissed the Complaint. Exceptions were filed by DCIDA on 4/30/15, and PPL filed Replies to Exceptions on 5/11/15.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order denying the Exceptions, and adopting the Initial Decision.

<p>2451351-OSA</p> <p>Vote 5-0.</p>	<p>C-2014-2451351</p>	<p>LOUISE FRANCIS VS PECO ENERGY COMPANY</p> <p>- Formal Complaint filed on 10/30/14, alleging that PECO was improperly attempting to install a smart meter at her residence and threatening to terminate her service for refusing to permit the installation. On 11/12/14, PECO filed an Answer and New Matter, and also filed Preliminary Objections, in which PECO requested that the Complaint be dismissed for legal insufficiency. By Initial Decision issued on 3/3/15, ALJ Pell sustained PECO's Preliminary Objections and dismissed the Complaint. On 3/17/15, the Complainant filed Exceptions; on 3/20/15, PECO filed Replies to the Exceptions.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which (1) denies the Exceptions; (2) adopts the Initial Decision; and (3) dismisses the Complaint.</p>
<p>2466653-OSA</p> <p>Vote 5-0.</p>	<p>A-2015-2466653</p>	<p>FINK GAS COMPANY</p> <p>- Application filed on 1/30/15, for approval of the abandonment of natural gas service to 22 natural gas service customers located in Armstrong County, PA, and for approval of the abandonment of all natural gas services and natural gas distribution services in PA. On 3/9/15, the OCA filed a Protest, and the Bureau of Investigation and Enforcement (I&E) filed a Notice of Intervention. On 7/1/15, I&E filed a Petition for Interim Emergency Order, requesting that Fink Gas be prevented from shutting off gas service to its customers while its application is pending before the Commission. ALJ Dunderdale conducted an emergency hearing on 7/9/15. By Order dated 7/15/15, the ALJ granted the Petition and certified the decision to grant interim emergency relief to the Commission as a material question. I&E and the OCA each filed a Brief on the Material Question on 7/28/15 and 7/29/15, respectively.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>
<p>2488055-OSA</p> <p>Vote 5-0.</p>	<p>A-2015-2488055</p>	<p>COMMONWEALTH TELEPHONE COMPANY LLC AND CENTURYLINK COMMUNICATIONS LLC</p> <p>- Joint Petition filed on 6/17/15, seeking approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 7/4/15. No comments or protests were received.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.</p>

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2214488-TUS	A-2010-2214488	JOEL K HART SEWER COMPANY
Vote 5-0.		- Application for approval of the abandonment nun pro tunc of the right to offer, furnish, supply or provide wastewater collection, treatment and disposal service to the public in a portion of Mifflin Township, Lycoming County, PA. RECOMMENDATION: That the Commission adopt the proposed Order.
2347340-TUS	P-2013-2347340	PECO ENERGY COMPANY - GAS
Postponed until the Public Meeting of September 3, 2015.		- Petition was filed on 3/20/15, seeking approval of a Distribution System Improvement Charge (DSIC) effective 10/1/15. The Philadelphia Area Industrial Energy Users Group filed a Petition to Intervene and Answer, OCA filed a Formal Complaint and Public Statement and an Answer, and OSBA filed an Answer, Notice of Intervention and Public Statement and Notices of Appearance. RECOMMENDATION: That the Commission approve the Petition consistent with the proposed Order.
2466836-TUS	A-2015-2466836	NEXTERA ENERGY SERVICES PENNSYLVANIA LLC
Vote 5-0.		- Application filed on 2/11/15, for approval to offer, render, furnish, or supply natural gas 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, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, PECO Energy, PGW, NFGD Corp., Peoples Natural Gas, Peoples TWP, Peoples Natural Gas - Equitable Division, and Columbia Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

2468934-TUS	A-2015-2468934	THE NEW MARATHON INC
Vote 5-0.		<p>- Application filed on 2/3/15, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial and large commercial customers in the natural gas distribution company service territories of Valley Energy, UGI Utilities, UGI Central Penn Gas, UGI Penn Natural Gas, PECO Energy, PGW, NFGD Corp., Peoples Natural Gas, Peoples TWP, Peoples Natural Gas - Equitable Division, and Columbia Gas within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
2472888-TUS	A-2015-2472888	SOURCE POWER & GAS LLC
Vote 5-0.		<p>- Application filed on 2/11/15, 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, industrial, and governmental customers in all of the electric distribution company service territories throughout PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
2480807-TUS	R-2015-2480807	WELLSBORO ELECTRIC COMPANY
<p><u>Motion by Commissioner Cawley.</u> Vote 5-0.</p>		<p>- Tariff Electric-Pa. P.U.C. No. 2S filed on 5/5/15, for approval to implement various changes necessary to update Wellsboro's rules and procedures on customer choice to be in compliance with current Commission regulations and PJM procedures. On 6/3/15, Wellsboro filed Supplement No. 1 which voluntarily postpones the effective date to 7/9/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the tariff.</p>
2484349-TUS	A-2015-2484349	BRIGHTERGY LLC
Vote 5-0.		<p>- Application filed on 5/1/15, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small commercial, large commercial and industrial customers in all the electric distribution company service territories throughout PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>

2487170-TUS	R-2015-2487170 A-00049926	YELLOW CAB COMPANY OF PITTSBURGH - Increase in rates.
Vote 5-0.		RECOMMENDATION: That the Commission deny Tariff Call or Demand Pa. PUC No. 33 be denied and that Yellow Cab Company of Pittsburgh be ordered to file a tariff on or before 9/20/15 solely incorporating the rates approved herein.
2489752-TUS	G-2015-2489752 G-2015-2489771 S-2015-2490184 S-2015-2490205 S-2015-2490378	UGI UTILITIES INC, UGI CENTRAL PENN GAS INC AND UGI PENN NATURAL GAS INC - On 6/26/15, UGI filed for approval of affiliated interest agreements between UGI Utilities and UGI Central Penn Gas, and UGI Utilities and UGI Penn Natural Gas. On 6/29/15, UGI Central Penn Gas and UGI Penn Natural Gas filed for registration of securities certificates. On 6/30/15, UGI Utilities filed for registration of a securities certificate. No protests were filed and no hearings were held. On 7/21/15, UGI Utilities, UGI Central Penn Gas, and UGI Penn Natural Gas voluntarily agreed to extend the consideration period until 8/21/15.
Vote 5-0.		RECOMMENDATION: That the Commission register the securities certificates and approve the affiliated interest agreements consistent with the proposed Order.
2490418-TUS	A-2015-2490418	SPRINT COMMUNICATIONS COMPANY LP - Application filed 6/19/15, seeking Commission approval for the partial discontinuance and abandonment of Interexchange Carrier services within PA. No protests were filed and no hearings were held.
Vote 5-0.		RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2490594-TUS	A-2015-2490594	COMBINED PUBLIC COMMUNICATIONS INC - Application filed 6/24/15, for approval to offer, render, furnish or supply telecommunication services as a detariffed Interexchange Toll Reseller throughout PA. No protests were filed and no hearings were held.
Vote 5-0.		RECOMMENDATION: That the Commission approve the Application consistent with the proposed Order.

2494152-TUS

S-2015-2494152

S-2015-2494972

S-2015-2494978

Vote 5-0.

CITIZENS ELECTRIC COMPANY, WELLSBORO ELECTRIC COMPANY AND VALLEY ENERGY INC

- Securities certificates to extend for an additional 3 years the Master Letter of Credit arrangement between their corporate parent, C&T Enterprises, Inc. and the National Cooperative Services Corp., resulting in the guarantee of debt in an aggregate amount up to \$15 million.

RECOMMENDATION:

That the Commission register the securities certificates consistent with the proposed Order.

2494973-TUS

A-2015-2494973

Vote 5-0.

BELL SOUTH LONG DISTANCE INC D/B/A AT&T LONG DISTANCE SERVICE

- Application seeking Commission approval for the discontinuance and abandonment of Interexchange Carrier Reseller services within PA. No protests were filed and no hearings were held.

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>
2365991-LAW Vote 5-0.	D-2013-2365991 D-2013-2365992 D-2013-2365993 D-2013-2365994	FIRSTENERGY PENNSYLVANIA COMPANIES - FirstEnergy PA companies filed their revised Implementation Plan to address the various items identified in the Commission's 3/30/15 Order at the same docket as being deficient, and appropriate Commission staff have reviewed this filing. RECOMMENDATION: That the Commission adopt the proposed Order.
2409835-LAW Vote 5-0.	A-2014-2409835	PENNDOT - On 5/7/15 Commission approved the Application of PennDOT to replace the existing 7-span steel deck truss/box beam bridge that carries State Route 0436 over one track of the Buffalo and Pittsburgh Railroad, Inc., (DOT No. 148 900 D) Mahoning Shadow Trail, Mahoning Creek, and Water Street with a 4-span steel girder bridge in Punxsutawney Borough, Jefferson County, pursuant to Section 2702 of the Public Utility Code, 66 Pa. C.S. § 2702. In the 5/7/15 Order, the Commission approved the appropriation by PennDOT of property belonging to Allegheny & Western Railway Co. (Allegheny & Western), pursuant to Section 2702 of the Public Utility Code. On 7/13/15, PennDOT filed a Petition with the Commission requesting that the Commission refer this matter to the Court of Common Pleas of Jefferson County, pursuant to Section 2704(b) of the Public Utility Code, so that the Court could determine the amount of compensation that PennDOT owes Allegheny & Western for the appropriated property. RECOMMENDATION: That the Commission adopt the Order
2424864-LAW Vote 5-0.	M-2014-2424864	ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE III - On 6/11/ 2015, the Commission adopted the EE&C Program Implementation Order (entered 6/19/2015) that established additional incremental reductions in consumption and peak demand for Phase III of the program. On 7/6/2015, the Energy Association of PA filed a Petition for Clarification of the Implementation Order seeking clarification on certain aspects of the peak demand reduction program. Also on 7/6/2015, FirstEnergy filed a Petition for Clarification of the Implementation Order regarding a bidding requirement, or, in the alternative, Petition for Waiver of a Bidding Requirement set forth in the Implementation Order. RECOMMENDATION: That the Commission adopt the proposed Order.

2446303-LAW P-2014-2446303
P-2014-2446304
(PP from 07/30/2015)

Statement by Chairman Brown.
Dissenting Statement by
Commissioner Cawley.
Vote 4-1 with Commissioner
Cawley Dissenting.

VERIZON PENNSYLVANIA LLC AND VERIZON NORTH LLC

- On 3/4/15, the Commission granted, in part, Verizon's petition to reclassify certain wire centers as competitive and waive certain regulations. The Commission conditioned its approval upon the Companies collecting and reporting data concerning affordability of basic service and quality of service. After receiving input from technical staff, the Commission sought comments and replies from the parties. Comments were received from the Verizon Companies, the OCA, and the Coalition for Affordable Utility Services and Energy Efficiency in PA. Reply Comments were received from the Verizon Companies and the OCA.

RECOMMENDATION:

That the Commission adopts the Order approving the Joint Petition.

2474633-LAW P-2015-2474633

Postponed until the Public
Meeting of September 17, 2015.

GEGEN LLC

- Petition for Waiver of the Commission's tariff regulations governing limousine service. The Petition was published in the Pa. Bulletin on 5/16/15. 45 Pa.B. 2443. Comments in response to the Petition were filed by Airport Limousine Service, Inc., t/d/b/a Embassy Coach and Germantown Cab Co.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2478052-LAW L-2015-2478052

Vote 5-0.

PROPOSED RULEMAKING AMENDING 52 PA CODE
CHAPTERS 3, 5 AND 23 - SCHEDULED ROUTE AND
AIRPORT TRANSFER SERVICE

- Proposed Rulemaking concerning application criteria and tariff requirements for Scheduled Route and Airport Transfer carriers. Specifically, it is proposed that we eliminate the public demand or need component in the application process and streamlines the tariff filing requirements for these carriers.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2491265-LAW P-2015-2491265

Vote 4-1 with Commissioner
Witmer Dissenting.

DUQUESNE LIGHT COMPANY

- Petition For An Extension of Time and All Necessary Waivers To Implement Its Phase II Off-Cycle Switching Solution filed on 7/2/15. Duquesne served the petition on the Bureau of Investigation & Enforcement, the OSBA, the OCA, and numerous other stakeholders. No answers were filed to the 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>
2462487-ALJ (PP from 07/30/2015)	C-2015-2462487	SHARON LAFFEY VS KNOX ENERGY COOPERATIVE ASSOCIATION INC - Complaint filed 12/17/14 alleging that a portion of the gas line to Complainant's residence is not buried and protrudes from the ground, and that she believes this exposure creates a hazardous condition. Complainant wants the Commission to order Knox Energy to bury the gas line. Complainant states that Respondent promised that it would bury the gas line in Spring 2014, but has not done so as of the date of filing. On 2/5/15, Knox filed an Answer and New Matter with a Notice to Plead. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Initial Decision dismissing the complaint.
2462723-ALJ	R-2015-2462723 C-2015-2465209 C-2015-2466594 C-2015-2468927 C-2015-2471689	UNITED WATER PENNSYLVANIA INC - Supplement No. 42 to Tariff Water-Pa. P.U.C. No. 7 filed 1/28/15 to become effective 3/29/15, containing proposed changes in rates, rules, and regulations calculated to produce \$9,592,444 in additional annual revenues. By Order entered 2/26/15, the Commission suspended the proposed tariff until 10/29/15 and instituted an investigation. On 6/26/15, a Joint Petition for Settlement was filed. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision approving the Joint Petition for Settlement.

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

Vote 5-0.