

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, NOVEMBER 5, 2015 (PW)
10:00 A.M.**

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

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

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

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

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

The Commissioners seated on the bench are:

COMMISSIONER	VICE CHAIRMAN	CHAIRMAN	COMMISSIONER	COMMISSIONER
Robert F. Powelson	John F. Coleman, Jr.	Gladys M. Brown	Pamela A. Witmer	Andrew G. Place

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

The Next Public Meeting is Tentatively Scheduled for Thursday, November 19, 2015 at 10:00 A.M.

Minutes of the Meeting of Thursday, October 1, 2015 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, NOVEMBER 19, 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, NOVEMBER 4, 2015, AT 1:00 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

November 05, 2015

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2092655-OCM	M-2009-2092655	SMART METER TECHNOLOGY - Petition of the NRG Retail Affiliates for Clarification and/or Reconsideration of the Commission's 9/3/15 Final Order filed 9/18/15. On 10/1/15, the Commission granted NRG's Petition for Clarification and/or Reconsideration, pending further review of, and consideration on, the merits. Seven parties timely filed answers to NRG's Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. DOCKET NO.
2388323-OSA C-2013-2388323

NAME AND SUBJECT

DANIEL VERMEYCHUK VS PECO ENERGY COMPANY

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

- Complaint filed on 9/27/13, alleging, inter alia, that PECO was incorrectly charging him for accounts he had closed or had never opened. On 10/24/13, PECO filed an Answer denying the material allegations in the Complaint. A hearing was held on 1/28/14. In the Initial Decision, issued 3/30/15, ALJ Fordham dismissed the Complaint. By Final Order, entered 5/1/15, the Initial Decision became final without further Commission action. The Complainant filed a Petition for Rescission or Amendment on 5/19/15. PECO did not file an Answer to the Petition.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which denies the Petition for Rescission or Amendment.

2397061-OSA C-2013-2397061

**YANLING CHEN AND JIANMING HU VS METROPOLITAN
EDISON COMPANY**

Vote 5-0.

- Formal Complaint filed on 12/5/13, alleging that Met-Ed unfairly and unreasonably removed 2 trees from their property without proper notification. On 1/6/14, Met-Ed filed an Answer to the Complaint. After several continuances of the hearing in this matter, a hearing was finally held on 1/14/15. On 4/10/15, the Initial Decision of ALJ Cheskis dismissing the Complaint was issued. Met-Ed filed Exceptions on 4/29/15. On 5/11/2015, Met-Ed filed Replies to Exceptions.

RECOMMENDATION:

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

2401964-OSA M-2015-2401964

WGL ENERGY SERVICES INC

Vote 5-0.

- On 2/25/14, I&E instituted an informal investigation of WGL Energy regarding its marketing practices as an electric generation supplier (EGS) in PA. The investigation related to allegations that a door-to-door sales agent employed by a third party marketing vendor of WGL Energy stole a wallet from a potential residential customer. I&E was prepared to allege in a formal complaint that WGL Energy Services or its agent engaged in fraudulent, deceptive or otherwise unlawful acts in violation of the Commission's regulations pertaining to marketing of EGS services. On 7/10/15, the parties submitted a Settlement Agreement and Statements in Support of the Settlement Agreement to resolve this matter.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that issues the Settlement Agreement for comments.

2416649-OSA A-2014-2416649

PENN TOWNSHIP VOLUNTEER EMERGENCY SERVICES

Vote 5-0.

- Application filed on 3/24/14, for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service from points in the counties of Adams, Cumberland, Dauphin, and York, to points in PA, and return. Notice of the application was published in the Pa. Bulletin on 6/14/14. Protests were timely filed, inter alia, by EZ Taxi, United Cab, Good Cab, and Keystone Cab Service (Joint Protestants) and by Capital City Cab. On 11/6/14, the Applicant filed Motions for Judgment on the Pleadings relative to these 2 protests. On 11/26/14, the Joint Protestants filed an Answer to the Motion directed to them. By Initial Decision issued on 6/4/15, ALJ Buckley granted the Motions, dismissed the protests of the Joint Protestants and Capital City Cab, and referred the matter to the Bureau of Technical Utility Services. Joint Protestants filed Exceptions on 6/24/15; the Applicant filed Replies to Exceptions on 7/2/15.

RECOMMENDATION:

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

2475535-OSA F-2015-2475535

TIMOTHY AND SUSAN SMITH VS PPL ELECTRIC UTILITIES CORPORATION

Vote 5-0.

- Formal Complaint filed on 4/1/15, alleging that a bill they received during the winter of 2014 was unreasonably high. On 4/27/15, PPL filed an Answer to the Complaint, in which it denied the material allegations set forth therein. An evidentiary hearing was held on 7/7/15. By Initial Decision issued 7/31/15, ALJ Salapa dismissed the Complaint, in part, and granted the Complainants a payment arrangement. On 8/19/15, the Complainants filed Exceptions to the Initial Decision, and on 8/25/15, PPL filed Replies to the Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the Initial Decision as modified.

2481758-OSA C-2015-2481758

STEPHANIE MOBLEY VS PECO ENERGY COMPANY

Vote 5-0.

- Formal Complaint filed on 5/12/15, requesting a reasonable payment arrangement. On 5/26/15, PECO filed an Answer to the Complaint and a New Matter. The Complainant did not file an Answer to PECO's New Matter. On 6/19/15, PECO filed a Motion for Judgment on the Pleadings and a Notice to Plead. On 7/31/15, the Commission issued the Initial Decision of ALJ Haas dismissing the Complaint. The Complainant submitted Exceptions on 7/31/15. PECO filed Replies to Exceptions on 8/13/15.

RECOMMENDATION:

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

<p>2483633-OSA</p> <p>Vote 5-0.</p>	<p>C-2015-2483633</p>	<p>LINDA M BOGGESS VS PECO ENERGY COMPANY</p> <p>- Formal Complaint filed on 5/8/15, requesting a payment arrangement. On 5/27/15, PECO filed an Answer to the Complaint and a New Matter. The Complainant did not file an Answer to PECO's New Matter. On 6/19/15, PECO filed a Motion for Judgment on the Pleadings and a Notice to Plead. On 7/24/15, the Commission issued an Initial Decision of ALJ Haas dismissing the Complaint. The Complainant submitted Exceptions on 8/24/15. PECO filed Replies to Exceptions on 9/1/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the ALJ's Initial Decision, consistent with the Opinion and Order.</p>
<p>2501620-OSA</p> <p>Vote 5-0.</p>	<p>A-2015-2501620</p>	<p>WINDSTREAM D&E INC, WINDSTREAM CONSESTOGA INC, WINDSTREAM BUFFALO VALLEY INC AND BLUE RIDGE DIGITAL PHONE COMPANY</p> <p>- Joint Petition filed on 9/2/15, 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 9/17/15. 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>
<p>2501649-OSA</p> <p>Vote 5-0.</p>	<p>A-2015-2501649</p>	<p>WINDSTREAM COMMUNICATIONS OF PENNSYLVANIA LLC AND BLUE RIDGE DIGITAL PHONE COMPANY</p> <p>- Joint Petition filed on 9/2/15, requesting approval of an Interconnection Agreement pursuant to Section 252 (i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 9/19/15. 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>

2501979-OSA A-2015-2501979

**Statement by Chairman Brown.
Vote 4-0 with Chairman Brown
Recusing.**

**FRONTIER COMMUNICATIONS OF PENNSYLVANIA LLC AND
BLUE RIDGE DIGITAL PHONE COMPANY**

- Joint Petition filed on 8/31/15, requesting approval of an Interconnection Agreement pursuant to Section 252 (i) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 9/19/15. No comments or protests were received.

RECOMMENDATION:

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

2501993-OSA A-2015-2501993

Vote 5-0.

**UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC
D/B/A CENTURYLINK AND QUANTUM SHIFT
COMMUNICATIONS INC D/B/A VCOM SOLUTIONS**

- Joint Petition filed on 9/4/15, requesting approval of an Interconnection Agreement, pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 9/19/15. No comments or protests were received

RECOMMENDATION:

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

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2325034-TUS Vote 5-0.	P-2012-2325034	PPL ELECTRIC UTILITIES CORPORATION - Proposed Refund and Recoupment Plan filed 5/11/15, in compliance with the Commission's Opinion and Order entered 4/9/15. On 5/21/15, PP&L Industrial Customer Alliance filed an Exception to the Refund and Recoupment Plan. RECOMMENDATION: That the Commission adopt the proposed Order that approves the Refund and Recoupment Plan subject to the modifications outlined in the Order.
2490501-TUS (PP from 10/22/2015) Motion by Chairman Brown and Vice Chairman Coleman. Statement by Vice Chairman Coleman. Statement by Commissioner Powelson. Vote 4-1 with Commissioner Powelson Dissenting.	A-2015-2490501	SQF LLC - Application for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2497819-TUS Vote 5-0.	A-2015-2497819	NITTANY ENERGY LLC - Application filed on 8/21/15, 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. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2498467-TUS Vote 5-0.	R-2015-2498467 P-00981410F1000	UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC D/B/A CENTURYLINK - 2015 Price Stability Index/Service Price Index Report Filing and Supplement No. 151 to Tariff Telephone Pa P.U.C. No. 27 requesting an aggregate rate increase of \$613,130, filed on 9/1/15. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.

2500367-TUS	A-2015-2500367	<p>TITAN ENERGY - NEW ENGLAND INC</p> <p>- Application filed on 8/26/15, for approval to offer, render, furnish, or supply natural gas services as a broker/marketer 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.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2500554-TUS	A-2015-2500554	<p>TITAN ENERGY - NEW ENGLAND INC</p> <p>- Application filed on 8/31/15, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories throughout PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		
2505213-TUS	A-2015-2505213	<p>T-NETIX TELECOMMUNICATIONS SERVICES INC</p> <p>- Application filed on 9/25/15, seeking approval for the discontinuance and abandonment of Interexchange Carrier Reseller services within PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order approving the application.</p>
Vote 5-0.		
2505749-TUS	A-2015-2505749	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Letter of Notification filed on 9/30/15, for approval to reconstruct approximately 2.6 miles of the existing Elliot Heights #1 and #2 138/69 kV Tap Line in the City of Bethlehem, Salisbury Township, Lehigh County, PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 5-0.		

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2293611-LAW (PP from 10/22/2015)	M-2012-2293611	IMPLEMENTATION OF ACT 11 OF 2012 - DISTRIBUTION SYSTEM IMPROVEMENT CHARGE - Act 11 of 2012, amended, inter alia, Chapter 13 of the Public Utility Code. Act 11 allows water and wastewater utilities, electric distribution companies and natural gas distribution companies or a city natural gas distribution operation to petition for a distribution system improvement (DSIC) mechanism. By Order entered 8/2/12, the Commission established the procedures and guidelines necessary for those utilities seeking to implement a DSIC mechanism. Since the issuance of the 8/2/12 Final Implementation Order, the Commission has granted the petitions to implement a DSIC mechanism for 10 jurisdictional utilities. However, various discrete issues regarding the implementation of the DSIC surcharge mechanism that were not fully addressed in our 8/2/12 Order have arisen. Accordingly, via this Tentative Supplemental Implementation Order, the Commission solicits comments so as to take further steps to adopt procedures regarding additional implementation issues that have developed over time. RECOMMENDATION: That the Commission adopt the proposed Order.
Vote 5-0.		
2362571-LAW	P-2013-2362571	AMERICAN BROADBAND AND TELECOMMUNICATIONS COMPANY - Application filed on 5/10/13, seeking approval to be designated as an Eligible Telecommunications Carrier (ETC) in PA for the limited purpose of receiving federal low-income universal service support for prepaid wireless services. AB&T filed several supplements to its petition that set forth other pertinent information. RECOMMENDATION: That the Commission adopt the proposed Order.
Vote 5-0.		
2365991-LAW	D-2013-2365991 D-2013-2365992 D-2013-2365993 D-2013-2365994	METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY, AND WEST PENN POWER COMPANY - Revised Implementation Plan was tentatively approved at 8/20/15 Public Meeting, comments were thereafter received, and now plan awaits final action. RECOMMENDATION: That the Commission adopt the proposed Order.
Vote 5-0.		

2400191-LAW L-2014-2400191

Vote 5-0.

RULEMAKING - REVISIONS RELATING TO INSPECTION REQUIREMENTS FOR AUTOMATIC SPLICES

- Existing regulations require all PA electric distribution companies (EDCs) to conduct visual overhead line inspections every year or two. Inspections using infrared technology of automatic splices, however, are not currently required. This advance notice sought comments regarding how our regulations should be updated to address this issue. After review of the comments, it is recommended that the rulemaking proceeding be withdrawn and that an EDC best practice working group be established to develop best practices regarding automatic splice installation, inspection, maintenance, and training.

RECOMMENDATION:

That the Commission adopt the proposed Order.

**2478052-LAW L-2015-2478052
(PP from 10/22/2015)**

Vote 5-0.

RULEMAKING - SCHEDULED ROUTE AND AIRPORT TRANSFER

- On 8/20/15, the Commission initiated a proposed rulemaking to eliminate the requirement that an applicant for scheduled route or airport transfer authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need. Today, the Commission initiated a proposed rulemaking to accomplish this goal for the entire passenger motor carrier industry, including the scheduled route and airport transfer industries.

RECOMMENDATION:

That the Commission adopt the Order.

**2498111-LAW L-2015-2498111
(PP from 09/17/2015)**

Vote 5-0.

RULEMAKING RE STEAM HEAT DISTRIBUTION SAFETY REGULATION

- Proposed rulemaking order to amend the Commission's steam heating service regulations in Chapter 61 and Chapter 67 in Title 52 of the Pa. Code and to add a new subchapter in Chapter 61 providing for steam safety requirements. The proposed rulemaking order seeks comments from all interested parties on the proposed regulations.

RECOMMENDATION:

That the Commission adopt the proposed Order.

- 2504908-LAW** **P-2015-2504908** **PEOPLES TWP LLC**
Vote 5-0. - Petition filed on 9/23/15, requesting approval and waiver of regulations, including the waiver of 52 Pa. Code § 53.64(a) and 52 Pa. Code § 53.64(i)(1) as well as the publication of a revised Pa. Bulletin Notice, to move its purchased gas cost filing date to 4/1/16, and 4/1 in all subsequent years to align with the filing date of its affiliated natural gas distribution company.
RECOMMENDATION:
That the Commission adopt the proposed Order.
- 2505167-LAW** **P-2015-2505167** **BILLTOWN CAB CO INC**
Vote 5-0. - Petition for Waiver of the Commission's Vehicle Mileage Requirements at 52 Pa. Code § 29.314(c) filed on 9/25/15. Billtown Cab served the Petition on the Bureau of Investigation & Enforcement (I&E), the OSBA, and the OCA. No answers were filed to the petition.
RECOMMENDATION:
That the Commission adopt the proposed Order.
- 2505446-LAW** **P-2015-2505446** **PEOPLES TWP LLC**
Vote 5-0. - Petition filed 9/25/15, for approval of the renewal of a firm transportation service agreement with Columbia Gas Transmission. Peoples TWP stated that this contract extension is necessary to fulfill both the winter period peak demand and winter period daily requirements of customers in Butler County. Peoples TWP contends that the proposed extension of the existing agreement with Columbia will preserve a critical peak and seasonal source of gas supply and assure Peoples TWP's continued ability to satisfy the projected peak day, winter season, and year-round requirements of its residential and small commercial customers. No answers to the petition were received.
RECOMMENDATION:
That the Commission adopts the proposed Order.

2505449-LAW P-2015-2505449

PEOPLES TWP LLC

Vote 5-0.

- Petition filed on 9/25/15, for approval of the renewal of two firm storage service agreements and two related storage service transportation agreements with Columbia Gas Transmission. Peoples TWP stated that these contract extensions are necessary to fulfill both the winter period peak demand and winter period daily requirements of customers. According to Peoples TWP, the proposed extension of the existing agreements with Columbia will preserve a critical peak and seasonal source of gas supply and assure Peoples TWP's continued ability to satisfy the projected peak day, winter season, and year-round requirements of its residential and small commercial customers. No answers to the petition were received.

RECOMMENDATION:

That the Commission adopts the proposed Order.

2505558-LAW P-2015-2505558

PEOPLES TWP LLC

Vote 5-0.

- Petition filed on 9/29/15, for approval to enter into a new interstate pipeline firm transportation service contract. Peoples TWP stated that this new firm transportation agreement with Texas Eastern Transmission was the best option to pursue for customers in Delmont, Westmoreland County. According to Peoples TWP, Texas Eastern's service is flexible and reliable to satisfy Peoples TWP customers' usage requirements during peak conditions. No answers to the petition were received.

RECOMMENDATION:

That the Commission adopts the proposed Order.

**2507592-LAW L-2015-2507592
(PP from 10/22/2015)**

RULEMAKING AMENDING 52 PA CODE CH 1, 3, 5, 23 & 29

Vote 5-0.

- Proposed rulemaking to reduce the current barriers to entry for qualified passenger motor carrier applicants by eliminating the requirement that an applicant for passenger motor carrier authority establish that approval of the application will serve a useful public purpose, responsive to a public demand or need.

RECOMMENDATION:

That the Commission adopt the Proposed Rulemaking Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2478270-ALJ	A-2015-2478270	ORWELL NATURAL GAS COMPANY
<u>Motion by Commissioner Place.</u> <u>Vote 5-0.</u>		<p>- Application filed 4/7/15 seeking approval of the transfer of Orwell's distribution system assets to Utility Pipeline Ltd., and immediately thereafter to Knox Energy Cooperative Association, Inc., and for the abandonment of all PA regulated service by Orwell, with the immediate commencement of service by Knox at the same rates and with the same terms and conditions of service as provided by Orwell. A Joint Petition for Approval of Application and Adoption of Settlement Agreement was filed 7/20/15.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Buckley's Recommended Decision approving the settlement without modification.</p>

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

November 5, 2015

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2334103-OSA	A-2012-2334103 A-8915269	610 HAULING LLC T/A COLLEGE HUNKS HAULING JUNK - Application filed on 11/5/12. Protests were filed 5/24/13. An ALJ hearing was held 2/11/14. The protests were withdrawn upon the filing of a restrictive amendment. By Order dated 4/3/14, the ALJ reassigned the application to the Bureau of Technical Utility Services (TUS). By letter dated 5/20/14, TUS informed 610 Hauling that the application was incomplete and requested additional information. By Order entered 8/21/14, the application was denied for failure to provide the requested information. On 9/5/14, 610 Hauling filed a Petition for Reconsideration, claiming it had provided the information. By Order entered 11/13/14, the Commission granted the petition, vacated the 8/21/14 Order, and referred the application back to TUS for further action. By Secretarial Letter dated 5/8/15, the application was denied on its merits for failure to establish need and propensity to operate illegally. On 6/2/15, 610 Hauling filed a second Petition for Reconsideration. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants the second Petition, rescinds the Secretarial Letter, and grants the application as amended.

Vote 5-0.