

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, APRIL 7, 2016 (RP)  
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>John F. Coleman, Jr</b> | <b>Andrew G. Place</b> | <b>Gladys M. Brown</b> | <b>Pamela A. Witmer</b> | <b>Robert F. Powelson</b> |

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

The Next Public Meeting is Tentatively Scheduled for Thursday, April 21, 2016 at 10:00 A.M.

Minutes of the Meeting of Thursday, March 10, 2016 (AP)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, APRIL 21, 2016, 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, APRIL 6, 2016, 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.

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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

April 07, 2016

BUREAU OF AUDITS

| <u>AGENDA NO.</u> | <u>DOCKET NO.</u> | <u>NAME AND SUBJECT</u>  |
|-------------------|-------------------|--|
| 2496439-AUD       | D-2015-2496439    | CITIZEN POWER COMPANY  |
| <b>Vote 5-0.</b>  |                   | - Statement of Revenue/Expense of the Energy Education and Services Program for the 12 months ended 12/31/14. The auditor's report contained two findings and 1 observation.<br>RECOMMENDATION:<br>That the Commission release the Audit Report to the public. |

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>AGENDA NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--------------------------|--|
| <b>1121115-OSA</b>       | <b>M-00900239</b>        | <b>PA RELAY SERVICE ADVISORY BOARD</b><br>- The Commission's Order of 5/29/90, established a Telecommunications Relay Service (TRS) Advisory Board. The Commission then appointed members to the TRS Advisory Board for 2-year terms. A. Kay Tyberg is nominated to serve a 2-year term that will expire on 1/31/18.<br><b>Vote 5-0.</b><br><b>RECOMMENDATION:</b><br>That the Commission adopt the proposed Opinion and Order appointing A. Kay Tyberg to serve on the TRS Board for a two-year term, terminating on 1/31/18.   |
| <b>1121115-OSA</b>       | <b>M-00900239</b>        | <b>PA RELAY SERVICE ADVISORY BOARD</b><br>- The Commission's Order of 5/29/90, established a Telecommunications Relay Service (TRS) Advisory Board. The Commission then appointed members to the TRS Advisory Board for 2-year terms. Dan Romage is nominated to serve a 2-year term that will expire on 1/31/18.<br><b>Vote 5-0.</b><br><b>RECOMMENDATION:</b><br>That the Commission adopt the proposed Opinion and Order appointing Dan Romage to serve on the TRS Board for a two-year term, terminating on 1/31/18.   |
| <b>2450483-OSA</b>       | <b>C-2014-2450483</b>    | <b>DAUPHIN COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY VS PPL ELECTRIC UTILITIES CORPORATION</b><br>- 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 2/3/15, 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; PPL filed Replies to Exceptions on 5/11/15. On 8/20/15 the Commission entered an Order adopting the ALJ's Initial Decision denying DCIDA's Exceptions, and granting PPL's Cross Motion. On 9/4/15, DCIDA filed a Petition for Reconsideration and/or Clarification. On 9/17/15, the Commission granted the Petition pending review on the merits.<br><b>Vote 5-0.</b><br><b>RECOMMENDATION:</b><br>That the Commission adopt the proposed Opinion and Order. |

**2455716-OSA**      **F-2014-2455716**      **CHARLES BROWN VS PHILADELPHIA GAS WORKS**  
**Vote 5-0.**      - Formal Complaint filed on 11/14/14, alleging that there were incorrect charges on his bill. On 12/22/14, PGW filed an Answer to the Complaint denying the allegations within the Complaint. An evidentiary hearing was held on 4/08/15. On 8/12/15, the Commission issued ALJ Jones' Initial Decision which dismissed the Complaint. On 8/20/15, the Complainant filed Exceptions. Replies to Exceptions were not filed.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the ALJ's Initial Decision.

**2473661-OSA**      **F-2015-2473661**      **RUTH MATHIEU-ALCE VS PHILADELPHIA GAS WORKS**  
**Vote 5-0.**      - Formal Complaint filed on 3/16/15, alleging incorrect charges on her gas bill and requesting a review of the charges on her account. On 4/14/15, PGW filed an Answer to the Complaint. A hearing was held on 6/23/15. By Initial Decision issued 10/22/15, ALJ Pell sustained the Complaint. The Complainant filed Exceptions on 11/17/15, which were untimely filed. PGW filed Replies to Exceptions on 11/30/15. 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, which denies the Petition and adopts the ALJ's Initial Decision.

**2483433-OSA**      **C-2015-2483433**      **ALICE ANDERSON VS PECO ENERGY COMPANY**  
**Vote 5-0.**      - Formal Complaint filed on 5/15/15, alleging that PECO is threatening to terminate her service. For relief, she requested a payment arrangement. On 5/26/15, PECO filed an Answer to the Complaint with a New Matter. On 6/22/15, PECO filed a Motion for Judgment on the Pleadings and a Notice to Plead. On 8/14/15, the Commission issued ALJ Salapa's Initial Decision which granted PECO's Motion for Judgment and dismissed the Complaint. On 8/20/15, and on 9/3/15, the Complainant filed Exceptions. On 9/14/15, PECO 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.

**2489477-OSA**      **A-2015-2489477**  
**A-8917800**

**Vote 5-0.**

**BRYAN T FETTER T/A B T FETTER TRUCKING**

- Per Letter of 7/7/15, the Commission's Bureau of Technical Utility Services denied and dismissed Fetter Trucking's application for the authority to transport property, excluding household goods in use. On 7/24/15, Fetter Trucking filed a Petition for Reconsideration of Staff Action with reference to the 7/7/15 letter. No response to the petition has been received.

**RECOMMENDATION:**

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

**2490383-OSA**      **M-2015-2490383**  
**A-2015-2494779**  
**A-2012-2292048**

**(PP from 03/17/2016)**

**Motion by Vice Chairman Place.**

**Vote 5-0.**

**SPRAGUE OPERATING RESOURCES LLC**

- On 7/8/15, the Commission adopted a Tentative Order proposing to cancel the license of certain Electric Generation Suppliers (EGSs), including Sprague Operating Resources for not filing the required financial security documentation to maintain their EGS licenses. On 7/17/15, Sprague filed an Application to Abandon indicating its intention to abandon its PA EGS license. A Final Order cancelling the EGSs' licenses was entered on 8/28/15. On 9/10/15, Sprague filed a Petition for Reconsideration of the Final Order. No Answers to the Petition have been filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order denying the Petition for Reconsideration and finding moot the Application to Abandon.

**2491428-OSA**      **F-2015-2491428**

**Vote 5-0.**

**ALEXANDER SOLOWIJ VS PECO ENERGY COMPANY**

- Formal Complaint filed on 7/6/15, objecting to PECO's attempts to install a smart meter at his residence and to PECO's termination of his electric service. On 7/28/15, PECO filed an Answer denying the material allegations in the Complaint. On 8/6/15, PECO filed Preliminary Objections seeking dismissal of the Complaint for legal insufficiency. By Initial Decision, issued 10/5/15, ALJ Salapa sustained PECO's Preliminary Objections and dismissed the Complaint. The Complainant filed Exceptions on 10/19/15. PECO filed Replies to Exceptions on 11/3/15.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order which denies the Exceptions but modifies the Initial Decision.

|                    |                       |  |
|--------------------|-----------------------|--|
| <b>2491526-OSA</b> | <b>F-2015-2491526</b> | <p><b>DAWOOD GHOURI VS PECO ENERGY COMPANY</b></p> <p>- Formal Complaint filed on 7/1/15, alleging that PECO improperly placed the unpaid balance of one of his tenants on his account after it discovered that another unit in the building was sharing the same meter. On 7/28/15, PECO filed an Answer and Preliminary Objections. In an Initial Decision issued 9/25/15, ALJ Haas granted PECO's Preliminary Objections and dismissed the Complaint. The Complainant filed Exceptions on 10/9/15. PECO filed Replies to Exceptions on 10/19/15.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the Initial Decision.</p>  |
| <b>Vote 5-0.</b>   |                       |  |
| <b>2505423-OSA</b> | <b>R-2015-2505423</b> | <p><b>WELLSBORO ELECTRIC COMPANY</b></p> <p>- Supplement No. 96 filed on 9/28/15, to become effective on 11/24/15. Supplement No. 96 proposed to modify Wellsboro's lighting service rate schedules to limit generation service provided thereunder to default service supply. No complaints were filed and no hearings held. By Order entered 11/19/15, the Commission denied approval of Supplement No. 96. On 12/4/15, Wellsboro filed a Petition for Reconsideration of the 11/19/15 Order. No answers to the Petition were filed. By Order entered 12/17/15, the Commission granted the Petition, pending review of, and consideration on, the merits.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order, which denies the Petition for Reconsideration.</p>  |
| <b>Vote 5-0.</b>   |                       |  |
| <b>2525128-OSA</b> | <b>R-2016-2525128</b> | <p><b>THE COLUMBIA WATER COMPANY</b></p> <p>- Supplement No. 76 to Tariff – Water Pa. P.U.C. No 7 filed on 1/12/16, to become effective on 3/11/16. Supplement No. 76 proposed to decrease Columbia's rates for its Marietta Division by eliminating the PENNVEST surcharge, due to the retirement of the debt approved for the surcharge. On 3/9/16, the OCA filed a Formal Complaint against Supplement No. 76. By Order entered 3/10/16, the Commission referred the matter to the OALJ for appropriate action, but permitted Supplement No. 76 to become effective on 3/11/16, subject to reconciliation. On 3/23/16, Columbia filed a Petition for Reconsideration and Clarification of the 3/10/16 Order.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order, which grants reconsideration pending review of, and consideration on, the merits of the petition.</p> |
| <b>Vote 5-0.</b>   |                       |  |

**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>2094616-TUS</b>                       | <b>R-2009-2094616</b>    | TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE INC<br>- Extension of the fuel cost recovery surcharge.<br><br>RECOMMENDATION:<br>That the Commission adopt the proposed extension order permitting the fuel cost recovery surcharge to become effective on 4/18/16.   |
| <b>Vote 5-0.</b>                         |                          |   |
| <b>2428959-TUS</b>                       | <b>A-2014-2428959</b>    | CITY OF BETHLEHEM<br>- Application filed 6/13/14, for approval, nun pro tunc, of the right to offer, render, furnish or supply water service to the public in additional territory in a portion of Lower Nazareth Township, Northampton County, PA. The City submitted proofs of publication and service to appropriate entities. Two protests were filed. Hearings were held. By the Final Order entered 1/26/15, the application was transferred to the Bureau of Technical Utility Services.<br><br>RECOMMENDATION:<br>That the Commission adopt the proposed Order. |
| <b>Vote 5-0.</b>                         |                          |   |
| <b>2488420-TUS</b>                       | <b>A-2015-2488420</b>    | ALFA ENERGY LLC<br>- Application filed on 6/19/15, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial and industrial customers in the electric distribution company service territories of Duquesne Light and PECO Energy in PA.<br><br>RECOMMENDATION:<br>That the Commission adopt the proposed Order which approves the application.  |
| <b>Vote 5-0.</b>                         |                          |   |
| <b>2501471-TUS</b>                       | <b>M-2015-2501471</b>    | COLUMBIA GAS OF PA INC<br>- Periodic Review of Columbia Gas of PA's Long-Term Infrastructure Improvement Plan.<br><br>RECOMMENDATION:<br>That the Commission adopt the proposed Opinion and Order.  |
| <b>Oral Statement by Chairman Brown.</b> |                          |   |
| <b>Vote 5-0.</b>                         |                          |   |



- 2507378-TUS**      **A-2015-2507378**      **UTMOST INC**  
**Vote 5-0.**      - Application filed on 10/8/15, 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, industrial, and governmental customers in the electric distribution company service territory of Duquesne Light in PA.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order which approves the application.
- 2521837-TUS**      **A-2016-2521837**      **CENTRAL ENERGY-NORTH EAST LLC**  
**Vote 5-0.**      - Application filed on 1/4/16, 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 the electric distribution company service territories of Citizens Electric of Lewisburg, Duquesne Light, PECO, and Wellsboro Electric in PA.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order which approves the application.
- 2524540-TUS**      **R-2016-2524540**  
**P-00951005F1000**      **FRONTIER COMMUNICATIONS OF BREEZEWOOD LLC ,**  
**C-2016-2534365**      **CANTON LLC, LAKEWOOD LLC, OSWAYO RIVER LLC,**  
**AND PENNSYLVANIA LLC**  
**Statement by Chairman Brown.**  
**Vote 4-0 with Chairman Brown**  
**Recusing.**      - 2016 Joint Price Stability Index/Service Price Index Report Filing and accompanying tariff supplements requesting an aggregate rate increase of \$45,565.00 filed on 2/1/16. On 3/17/16, the OSBA filed a Formal Complaint against the filing.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order.
- 2524592-TUS**      **R-2016-2524592**  
**P-00961024F1000**      **COMMONWEALTH TELEPHONE COMPANY D/B/A**  
**C-2016-2534366**      **FRONTIER COMMUNICATIONS COMMONWEALTH**  
**TELEPHONE COMPANY**  
**Statement by Chairman Brown.**  
**Vote 4-0 with Chairman Brown**  
**Recusing.**      - 2016 Price Stability Index/Service Price Index Report Filing and accompanying tariff supplement requesting a rate increase of \$396,474 filed on 2/1/16. On 3/17/16, the OSBA filed a Formal Complaint against the filing.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order.

|                    |   |  |
|--------------------|---|--|
| <b>2525050-TUS</b> | <b>S-2016-2525050</b>   | <p><b>WEST PENN POWER COMPANY</b></p> <p>- Securities certificate filed on 1/29/16, with respect to the issuance of debt in a principal amount not to exceed \$475,000,000. No protests were filed and no hearings were held. West Penn voluntarily extended the consideration period to 4/8/16.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission register the Securities Certificate consistent with the proposed Order.</p>  |
| <b>Vote 5-0.</b>   |   |  |
| <b>2525052-TUS</b> | <b>S-2016-2525052</b>   | <p><b>PENNSYLVANIA POWER COMPANY</b></p> <p>- Securities Certificate in respect to the assumption of primary liability for indebtedness in an aggregate principal amount not to exceed \$65 million. No protests were filed, and no hearings were held. On 3/3/16, Penn Power voluntarily extended the 30-day consideration period to 4/8/16.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission register the Securities Certificate consistent with the proposed Order.</p> |
| <b>Vote 5-0.</b>   |   |  |
| <b>2526304-TUS</b> | <b>A-2016-2526304</b>   | <p><b>PPL ELECTRIC UTILITIES CORPORATION</b></p> <p>- Letter of Notification filed on 1/29/16, for approval to rebuild approximately 24.4 miles of the existing Susquehanna-Jenkins 230 kV Transmission Line located in Luzerne County, PA. No protests were filed and no hearings were held.</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>2528777-TUS</b> | <p><b>R-2016-2528777</b><br/> <b>R-2016-2528785</b><br/> <b>P-00961115F1000</b><br/> <b>P-00961116F1000</b></p> | <p><b>TDS TELECOM/MAHANNOY &amp; MAHANTANGO TELEPHONE COMPANY AND TDS TELECOM/SUGAR VALLEY TELEPHONE COMPANY</b></p> <p>- 2016 combined Price Index/Service Price Index report filed on 3/1/16. No tariffs were filed. No protests were filed and no hearings were held.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>  |
| <b>Vote 5-0.</b>   |   |  |

2532596-TUS

A-2016-2532596

NEXTLINK WIRELESS INC

**Vote 5-0.**

- Application seeking approval for the Discontinuance and Abandonment of Interexchange Toll Facilities-based Carrier (IXC-fb) (detariffed) and Competitive Access Provider (CAP) services within PA. No protests were filed and no hearings were held.

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>2479955-ALJ</b>       | <b>R-2015-2479955</b><br><b>C-2015-2502642</b><br><b>C-2015-2506329</b> | <b>ALLIED UTILITY SERVICES INC</b><br><br>- Supplement No. 12 to its Tariff Wastewater – Pa. P.U.C. No. 1 filed to become effective 10/5/15, containing proposed changes in rates, rules and regulations calculated to produce \$154,334 in additional annual revenues, based upon the experienced level of operations in the historic test year ending 12/31/14. By Commission Order entered 9/17/15, the filing was suspended until 5/5/16. On 11/16/15, a Joint Petition for Full Settlement of the Rate Proceeding was filed.<br><br><b>COMMISSION REVIEW:</b><br><br>That the Commission adopt ALJ Haas' Recommended Decision approving the Settlement without modification.   |
| <b>2495097-ALJ</b>       | <b>F-2015-2495097</b>   | <b>ELAINE ROBINSON VS PECO ENERGY COMPANY</b><br><br>- In a timely appeal to a BCS decision, a Complaint was filed 7/25/15 alleging that: 1) the utility is threatening to shut off her service or has already shut it off, 2) she would like a payment arrangement, 3) there are incorrect charges on her bill, and 4) she is having a reliability, safety or quality problem with her utility service. Complainant states that she wants the Commission to order PECO not to shut off her electricity and not to put her on budget billing without her permission. On 8/14/15, PECO filed its answer. A hearing was held on 11/2/15.<br><br><b>COMMISSION REVIEW:</b><br><br>That the Commission adopt ALJ Heep's Initial Decision dismissing the Complaint with prejudice for failure to appear and prosecute. |

**Vote 5-0.**

**Vote 5-0.**