

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, MAY 5, 2016 (AP)  
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>Robert F. Powelson</b>	<b>Andrew G. Place</b>	<b>Gladys M. Brown</b>	<b>John F. Coleman, Jr.</b>	<b>Vacant</b>

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

The Next Public Meeting is Tentatively Scheduled for Thursday, May 19, 2016 at 10:00 A.M.

Minutes of the Meeting of Thursday, April 7, 2016 (RP)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MAY 19, 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, MAY 4, 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

MAY 5, 2016

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1201167-OSA	A-00123058 C-2012-2314500 A-2014-2453702	VALLEY LIMOUSINE SERVICE LLC AND GLOBAL POINT TRANSPORTATION LLC  - On 10/25/12, the Bureau of Investigation and Enforcement (I&E) filed an Amended Complaint against Valley alleging that it failed to file assessment reports for the 2009 and 2010 calendar years. Also, I&E alleged that Valley failed to pay its assessments for the 7/1/10 to 6/30/11 and the 7/1/11 to 6/30/12 Fiscal Years. On 11/28/12, I&E filed a Motion for Default Judgment. By Order entered 4/18/13, the Motion was granted. Valley was given 30 days in which to make payment, or its certificate would be cancelled. On 3/7/14 Global entered into a Purchase Agreement with Valley. On 10/9/14, Valley filed an Application for Approval of Transfer. By Secretarial Letter issued on 2/12/15, the Commission cancelled Valley's certificate. By Secretarial Letter issued on 3/19/15, the Transfer Application was denied. On 4/2/15, Global filed a Petition for Reconsideration. On 2/16/16, Valley filed a Petition for Reinstatement for Purpose of Transfer. No responses to the Petitions have been filed.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order that grants the Petition for Reinstatement for Purpose of Transfer, grants the Petition for Reconsideration and refers the matter to the Bureau of Technical Utility Services for further action.
2393373-OSA	F-2013-2393373	STEPHANIE HALLMAN VS PECO ENERGY COMPANY  - Formal Complaint filed on 11/8/13, alleging that PECO wanted her to pay for an unpaid utility account balance for service rendered to an address where she never lived and for which she was never responsible. Evidentiary proceedings were conducted, and on 7/15/14, an Initial Decision of ALJ Dunderdale was issued which recommended sustaining the Complaint and imposing a civil penalty upon PECO. PECO filed Exceptions. By Order of 4/9/15, the Commission directed a limited remand and the issuance of a Supplemental Initial Decision. On 6/25/15 the Supplemental Initial Decision was issued which sustained the Complaint and imposed a civil penalty. On 7/15/15, PECO filed Exceptions to the Supplemental Initial Decision.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order, which denies the Exceptions of PECO and adopts the Supplemental Initial Decision, as modified, consistent with the discussion.

Vote 4-0

Vote 4-0

2453852-OSA

C-2014-2453852

SARAH BERNARDI VS WEST PENN POWER COMPANY

Vote 4-0

- Formal Complaint filed on 10/16/14, objecting to West Penn using herbicides on the transmission line right-of-way that crosses her property. On 12/9/14, West Penn filed an Answer denying the material allegations in the Complaint. A hearing was held on 6/3/15. By Initial Decision issued 11/3/15, ALJ Colwell sustained, in part, the Complaint. The Complainant filed Exceptions on 11/16/15. West Penn filed Replies to Exceptions on 12/3/15.

RECOMMENDATION:

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

2475767-OSA

A-2015-2475767

EXPRESS TAXI LLC

Vote 4-0

- Application filed on 3/16/15, for the right to transport as a common carrier by motor vehicle, persons in call or demand service from points in the Counties of Berks and Lancaster, to points in PA and return. Notice of the application was published in the Pa. Bulletin on 5/23/15. Autocab, Inc. and other parties filed timely protests. A hearing was held on 8/21/15. By Initial Decision issued on 11/3/15, ALJ Barnes recommended that the application be granted. Autocab filed Exceptions on 11/23/15. The applicant filed Replies to Exceptions 12/3/15.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2493919-OSA

C-2015-2493919

PUC - INVESTIGATION & ENFORCEMENT VS TAXICOW LLC

Vote 4-0

- On 7/27/15, the Secretary's Bureau served a Complaint filed by the Bureau of Investigation & Enforcement (I&E) in which I&E alleged that the Respondent failed to maintain evidence of bodily injury property damage liability insurance (Form E) on file with the Commission. The Respondent did submit correspondence on 7/30/15. However, the Respondent failed to file an acceptable answer as prescribed in 52 Pa. Code § 5.61(b). On 8/24/15, the Respondent's insurance carrier filed an acceptable Form E. By Secretarial Letter issued on 9/22/15, the Commission sustained the Complaint. On 9/28/15, the Respondent filed a Petition for Reconsideration of Staff Action. On 10/1/15, the Commission advised the Respondent that the petition was not verified. On 10/9/15, the Respondent provided the verification. No response to the petition has been filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants, in part, the petition.

**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>2505631-TUS</b>	<b>M-2015-2505631</b>	<b>PPL ELECTRIC UTILITIES CORPORATION</b> - Periodic Review of PPL's Long-Term Infrastructure Improvement Plan (LTIP). RECOMMENDATION: That the Commission adopt the proposed Opinion and Order finding that PPL's LTIP is designed adequately.
<div style="border: 1px solid red; padding: 2px; width: fit-content;">Vote 4-0</div>		
<b>2517744-TUS</b>	<b>A-2015-2517744</b>	<b>NATIONAL GAS &amp; ELECTRIC LLC</b> - Application filed on 12/14/15, 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.
<div style="border: 1px solid red; padding: 2px; width: fit-content;">Vote 4-0</div>		
<b>2519872-TUS</b>	<b>A-2015-2519872</b>	<b>GRID ENERGY LLC D/B/A DISTRIBUTED GRID</b> - Application filed on 12/22/15, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial, industrial, and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<div style="border: 1px solid red; padding: 2px; width: fit-content;">Vote 4-0</div>		
<b>2521376-TUS</b>	<b>A-2015-2521376</b>	<b>X5 OPCO LLC</b> - Application filed on 12/30/15, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA and Verizon North. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
<div style="border: 1px solid red; padding: 2px; width: fit-content;">Vote 4-0</div>		

<b>2522628-TUS</b>	<b>A-2016-2522628</b>	<b>DIVERSEGY LLC</b>
Vote 4-0		<p>- Application filed on 1/8/16, 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, 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>
<b>2527986-TUS</b>	<b>A-2016-2527986</b>	<b>SIMPLIFIED POWER INC</b>
Vote 4-0		<p>- Application filed on 2/9/16, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, large commercial and industrial 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>
<b>2534371-TUS</b>	<b>A-2016-2534371</b>	<b>CQI ASSOCIATES LLC</b>
Vote 4-0		<p>- Application filed on 3/11/16, 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 the electric distribution company service territories of Citizens Electric of Lewisburg, Met Ed, PECO, Pike County Light and Power, PPL, UGI, and Wellsboro Electric in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
<b>2535547-TUS</b>	<b>A-2016-2535547</b>	<b>APPLIED ENERGY PARTNERS LLC</b>
Vote 4-0		<p>- Application filed on 3/24/16, 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, 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>

**2538660-TUS**

**R-2016-2538660**

**C-2016-2540738**

**COMMUNITY UTILITIES OF PENNSYLVANIA INC**

**Vote 4-0**

- Supplement No. 1 to Tariff Water-Pa. P.U.C. No. 1 filed on 4/6/16, proposing an annual increase in revenues of \$427,817 (39.96%) for customers in Stroud and Pocono Townships, Monroe County and Hanover Township, Northampton County to become effective 6/5/16. On 4/19/16, the OCA filed a Formal Complaint.

**RECOMMENDATION:**

That the Commission adopt the proposed Order.