

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, MAY 19, 2016 (RP)
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	Andrew G. Place	Gladys M. Brown	John F. Coleman, Jr.	Vacant

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

The Next Public Meeting is Tentatively Scheduled for Thursday, June 9, 2016 at 10:00 A.M.

Minutes of the Meeting of Thursday, April 21, 2016 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JUNE 9, 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.

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 19, 2016

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2448094-AUD Vote 4 - 0.	D-2014-2448094	PPL ELECTRIC UTILITIES CORPORATION - Distribution System Improvement Charge (DSIC) for the 12 months ended 12/31/14 and the 6 months ended 12/31/13. The auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.
2490381-AUD Vote 4 - 0.	D-2015-2490381	UGI UTILITIES INC - ELECTRIC DIVISION - Default Generation Supply Service for the 12 month periods ended 5/31/15, 5/31/14, and 5/31/13. The auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2237952-OCM Vote 4 - 0.	I-2011-2237952	INVESTIGATION OF PA'S RETAIL ELECTRICITY MARKET - Recommendation to provide electric distribution companies (EDCs) with a 3-year waiver of the Commission's regulations at 52 Pa. Code § 57.173(2) in situations where a customer is requesting an instant connect. An instant connect is the initiation of supply service on the first day of new utility service, without the customer first having to go on EDC-provided default service. RECOMMENDATION: That the Commission adopt for comment the proposed Tentative Order.
2401126-OCM Vote 4 - 0.	M-2014-2401126	UGI UTILITIES INC- ELECTRIC DIVISION - Recommendation approving, with modifications, the plan of UGI for implementing seamless moves and instant connects in its service territory. RECOMMENDATION: That the Commission adopt the Final Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2167828-OSA	C-2010-2167828 M-2013-2381012	<p>RONALD CAB INC T/A COMMUNITY CAB, DEE DEE CAB INC T/A PENN-DEL CAB, SHAWN CAB INC T/D/B/A DELAWARE COUNTY CAB CO, AND SAWINK INC T/D/B/A COUNTY CAB CO VS OGED INC</p> <p>- Complaint filed on 3/31/10. On 3/29/12, the Commission entered an Opinion and Order that the Complainants appealed to the Commonwealth Court. In a decision issued 7/12/13, the Court remanded the case to the Commission to address specific issues. A hearing on remand was held on 2/26/15. In an Initial Decision on Remand issued 11/4/15, ALJ Fordham dismissed the Complaint. The Complainants filed Exceptions on 11/24/15. Oged filed Replies to Exceptions on 12/4/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants, in part, the Exceptions and modifies the Initial Decision.</p>
2273645-OSA	C-2011-2273645 C-2014-2444864	<p>JAY LARRY MOYER VS PPL ELECTRIC UTILITIES CORPORATION</p> <p>- On 1/9/14, the Commission issued an Opinion and Order that, inter alia, remanded the proceeding at Docket No. C-2011-2273645 to the OALJ. On 10/23/14, PPL was served with a second Formal Complaint at Docket No. C-2014-2444864 wherein the Complainant alleged issues regarding the accuracy of PPL's billing processes for his virtual net metering accounts. On 1/14/15, ALJ Fordham issued a Prehearing Order in which she, inter alia, consolidated the 2014 Complaint with the 2011 Complaint proceeding. On 10/9/15, the Commission issued the Initial Decision on Remand of ALJ Fordham, in which she dismissed the 2011 Complaint, in part, and sustained it, in part, and dismissed the 2014 Complaint. The Complainant filed Exceptions on 10/26/15. PPL Filed Replies to Exceptions on 11/9/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that denies the Exceptions, in part, finds them moot, in part, and adopts the Initial Decision on Remand, as modified.</p>

Vote 4 - 0.

Vote 4 - 0.

2407338-OSA	A-2014-2407338 A-8913963	JANITORIAL RESOURCES INC T/A NORTH SHORE SHUTTLES LLC
Vote 4 - 0.		<p>- Application filed on 2/14/14, seeking to acquire all rights authorized under the Certificates of Public Convenience issued to Harry Williams t/a Eagle Taxi. By Order entered 8/21/14, the Commission approved the application. On 11/9/15, Harry Williams, Jr., Administrator of the Estate of Harry Williams, Sr., the former owner of Eagle Taxi, filed a Petition for Rescission or Amendment of the August 2014 Order. The Applicant filed an Answer to the Petition on 11/19/15.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which denies the Petition for Rescission or Amendment.</p>
2439492-OSA	M-2015-2439492	PUC – INVESTIGATION AND ENFORCEMENT VS PUBLIC POWER LLC
Vote 4 - 0.		<p>- In 9/20/14, I&E instituted an informal investigation regarding allegations that Public Power, as a result of its billing and/or marketing actions, may have violated provisions of Chapters 54 and 57 of the Commission's Regulations at 52 Pa Code, among other statutes and regulations, concerning the standards regarding the marketing and sales practices of an electric generation supplier. On 10/21/15, the parties submitted a proposed Settlement Agreement and Statements in Support of the Settlement Agreement to resolve this matter. By Order entered 12/17/15, the Commission issued the Settlement for comments. On 1/6/16, Public Power filed comments. No reply comments were filed.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that approves the Settlement Agreement</p>
2479258-OSA	C-2015-2479258	IVAN YOTOV VS DUQUESNE LIGHT COMPANY
Vote 4 - 0.		<p>- Formal Complaint filed on 4/28/15, alleging that the company refused to remove a hazardous tree next to its electric lines near his house. On 5/18/15, Duquesne filed an Answer to the Complaint. A hearing was held on 7/29/15. On 11/13/15, ALJ Cheskis's Initial Decision dismissing the Complaint was issued. The Complainant filed Exceptions on 11/24/15. Duquesne filed Replies to Exceptions on 12/1/15.</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.</p>

2503724-OSA

C-2015-2503724

THOMAS MCCAREY VS PECO ENERGY COMPANY

Vote 4 - 0.

- Formal Complaint filed on 9/8/15, objecting to PECO's attempts to install a smart meter at his residence. On 10/7/15, PECO filed an Answer and New Matter, as well as Preliminary Objections, seeking dismissal of the Complaint on res judicata grounds. By Initial Decision, issued 11/18/15, ALJ Salapa treated the Preliminary Objections as a Motion for Judgment on the Pleadings, granted the Motion and dismissed the Complaint with prejudice. The Complainant filed Exceptions on 11/28/15. PECO filed Replies to Exceptions on 12/14/15.

RECOMMENDATION:

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

2539380-OSA

A-2016-2539380

UNITED TELEPHONE CO OF PA LLC D/B/A CENTURYLINK AND DISHNET WIRELINE LLC

Vote 4 - 0.

- Joint Petition filed on 4/12/16, requesting approval of a Resale 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 4/23/16. 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>
2490383-TUS	M-2015-2490383	ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS
Vote 4 - 0.		<p>- The Commission's regulations at 52 Pa. Code §54.40(a) state that an EGS license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. 52 Pa. Code §54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained. As of 5/10/16, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code §54.40(a) and (d).</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Tentative Order.</p>
2522493-TUS	M-2016-2522493 M-00900239	PA TELECOMMUNICATIONS RELAY SERVICE (TRS) SURCHARGE
Vote 4 - 0.		<p>- The Commission has completed its annual recalculation of the PA TRS Surcharge and hereby notifies the LECs that the monthly residential and business monthly wireline access line surcharge to be applied from 7/1/16, through 6/30/17, will be set at \$0.08 per access line. This surcharge recalculation factors in cost estimates for TRS, TDDP, and PMASP operations.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
2530633-TUS	A-2016-2530633	TITAN GAS LLC D/B/A TITAN GAS AND POWER
Vote 4 - 0.		<p>- Application filed on 2/16/16, 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>

2531857-TUS	A-2016-2531857	<p>TELCO PROS INC D/B/A TPI EFFICIENCY CONSULTING</p> <p>- Application filed on 3/2/16, 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>
Vote 4 - 0.		
2533833-TUS	A-2016-2533833	<p>RPA ENERGY INC</p> <p>- Application filed on 3/14/16, 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 UGI Utilities., UGI Central Penn Gas, UGI Penn Natural Gas, and PECO, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application.</p>
Vote 4 - 0.		
2538603-TUS	A-2016-2538603	<p>CURAGO ENERGY LLC D/B/A CURAGO ENERGY</p> <p>- Application filed on 3/15/16, 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 4 - 0.		
2538605-TUS	S-2016-2538605	<p>PENNSYLVANIA-AMERICAN WATER COMPANY</p> <p>- Securities Certificate filed on 4/6/15, with respect to the issuance of debt in principal amount not to exceed \$53,000,000. No protests were filed and no hearings were held. The company voluntarily extended the consideration period to 5/20/16.</p> <p>RECOMMENDATION:</p> <p>That the Commission register the securities certificate consistent with the proposed Order.</p>
Vote 4 - 0.		

2538609-TUS Vote 4 - 0.	A-2016-2538609	<p>CURAGO ENERGY LLC D/B/A CURAGO ENERGY</p> <p>- Application filed on 3/15/16, 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>
2538853-TUS Vote 4 - 0.	R-2016-2538853	<p>PENNSYLVANIA-AMERICAN WATER COMPANY</p> <p>- Supplement No. 299 to Tariff Water - Pa. P.U.C. No. 4 filed on 4/8/16, to revise tariff language as it applies to cross connections. No complaints were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
2539634-TUS Vote 4 - 0.	A-2016-2539634	<p>COAST INTERNATIONAL INC</p> <p>- Application filed on 4/13/16, for approval for the discontinuance and abandonment of Interexchange Carrier Reseller (IXC-R) 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>
2541247-TUS Vote 4 - 0.	A-2016-2541247	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Letter of Notification filed on 4/15/16, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(vi), for approval to relocate and replace approximately 800 feet of a 230 kV transmission line in Freemansburg Borough, Northampton 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>

2541931-TUS

A-2016-2541931

PENNSYLVANIA ELECTRIC COMPANY

Vote 4 - 0.

- Letter of Notification filed on 4/21/16, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(iii), with respect to the Penn Mar-Rockwood 115 kV HV Transmission Line Loop to High Point Substation in Addison Township, Somerset County, PA. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order which approves the application.

2543615-TUS

M-2016-2543615

QUARTERLY EARNINGS REPORT

Vote 4 - 0.

- Bureau of Technical Utility Services report to the Commission regarding quarterly earnings of Pennsylvania utilities for the quarter ended 12/31/15.

RECOMMENDATION:

That the Commission make the earnings report public.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1177743-LAW	M-00031715	STATEWIDE SUSTAINABLE ENERGY BOARD - On 2/11/16, the Pennsylvania Sustainable Energy Board (PASEB) amended and approved changes to its bylaws by a unanimous vote. During the prior year, the PASEB voted to amend its bylaws to address some housekeeping details involving deleting the Project Matrix requirement, removing the Join Petitioner notice, and revising the process for amendments. These changes were precipitated by a desire to update the bylaws to conform to the current practice of the PASEB. RECOMMENDATION: That the Commission adopt the proposed order.

Vote 4 - 0.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2511333-ALJ	P-2015-2511333 P-2015-2511351 P-2015-2511355 P-2015-2511356	METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY, AND WEST PENN POWER COMPANY - Joint Petition filed by FirstEnergy on 11/3/15, for approval of their Default Service Programs for the period beginning 6/1/17 through 5/31/19. Hearings were conducted 2/24/16 and 2/25/16. On 4/1/16, FirstEnergy filed a Joint Petition for Settlement and attachments on behalf of the Joint Petitioners. ALJ Salapa issued a Recommended Decision approving the Joint Petition for Settlement and marking the petitions closed. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision approving the settlement and marking the petitions closed.
	<u>Statement - Chairman Brown</u> Vote 4 - 0.	
2525128-ALJ	R-2016-2525128 C-2016-2533052	THE COLUMBIA WATER COMPANY - Supplement No. 76 to Tariff–Water Pa. P.U.C. No 7 filed on 1/12/16, to become effective on 3/11/16. On 3/9/16, OCA filed a Complaint against Supplement No. 76. On 4/7/16, Columbia filed a Joint Petition for Settlement. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision approving and adopting the settlement and closing the dockets.
	Vote 4 - 0.	

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

May 19, 2016

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2515691-OSA	M-2015-2515691	PECO ENERGY COMPANY
Vote 4 - 0.		- Petition filed on 11/30/15, requesting that the Commission approve its Phase III Energy Efficiency and Conservation Plan. On 2/17/16, the parties filed a Joint Petition for Settlement. By Order entered 3/17/16, the Commission granted, in part, PECO's petition and the settlement, subject to the condition that no party exercised the right to withdraw from the settlement. The Commission also directed PECO to file a Revised Plan and a revised Phase III Energy Efficiency and Conservation Program Charge (EEPC) tariff. No parties withdrew from the settlement. PECO filed a Revised Plan and a revised EEPC tariff on 3/31/16.
		RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2525790-LAW	P-2016-2525790 M-2009-2123948	DUQUESNE LIGHT COMPANY
Joint Motion by Chairman Brown and Vice Chairman Place. Vote 4 - 0 with Commissioner Powelson concurring in result only.		- Petition filed on 1/25/16, seeking a waiver and suspension of certain periodic and statistical sample meter testing obligations related to legacy meters (i.e., not smart meters) being phased out of service. No one filed an answer to the petition. Duquesne Light raised this issue outside of its Smart Meter proceeding.
		RECOMMENDATION: That the Commission adopt the proposed Order.