

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, JULY 21, 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.	David W. Sweet

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

The Next Public Meeting is Tentatively Scheduled for Thursday, August 11, 2016 at 10:00 A.M.

Minutes of the Meeting of Thursday, June 9, 2016 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, AUGUST 11, 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

July 21, 2016

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2237952-OCM	I-2011-2237952 L-2014-2409383	INVESTIGATION OF PENNSYLVANIA'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 the Final Order.
Vote 4-0.		
2468991-OCM (PP from 06/30/2016)	M-2015-2468991	PHILADELPHIA GAS WORKS - Recommendation regarding PGW's proposal to implement procedures facilitating natural gas supplier access to PGW customer account numbers in instances where the account number is not available from either the customer or the Eligible Customer List. RECOMMENDATION: That the Commission adopt the proposed Order.
Motion by Vice Chairman Place. Vote 4-0.		
2550226-OCM	P-2016-2550226 M-2015-2474802	VALLEY ENERGY INC - Recommendation to provide Valley Energy with a temporary exemption from including natural gas supplier (NGS) logos on customer bills. Valley Energy will be complying with the other joint bill features; specifically, the expansion of bill messaging space allotted to NGSs and the inclusion of a Shopping Information Box. RECOMMENDATION: That the Commission adopt the Final Order.
Vote 4-0.		

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2347584-OSA Vote 4-0.	C-2013-2347584 A-00119928, Fs. 1 & 2	PUC - INVESTIGATION & ENFORCEMENT VS BLUE & WHITE USA INC - Complaint alleging that Petitioner never submitted \$1,100 in civil penalties that it was directed to pay pursuant to a Commission Order entered 1/19/11, at Docket No. C-2010-2189008, for certain violations. I&E requested that the Commission issue an Order to revoke the Petitioner's Certificates of Public Convenience. The Petitioner did not file an Answer to the Complaint. By Secretarial Letter dated 3/18/16, the Commission cancelled the Petitioner's Certificates of Public Convenience and assessed an additional penalty of \$100 for failure to answer the Complaint and to pay the prior civil penalty amount of \$1,100. On 4/21/16, the Petitioner filed a petition requesting reinstatement of its Certificates. No Answer was filed. On 4/26/16, the Petitioner paid the \$1,100 civil penalty. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the petition on the conditions set forth in the proposed Opinion and Order.
2472600-OSA (PP from 06/30/2016) Vote 4-0.	C-2015-2472600	RUTH SANCHEZ VS PPL ELECTRIC UTILITIES CORPORATION - Complaint filed on 3/16/15, alleging, in part, that PPL terminated her service without sending a termination notice and despite having received her required payment. On 4/6/15, PPL filed an Answer denying the material allegations of the Complaint. A hearing was held on 6/26/15. In an Initial Decision issued on 10/26/15, ALJ Dunderdale sustained the Complaint, in part, pertaining to the claim of unreasonable service and assessed a civil penalty of \$2,000. PPL filed Exceptions on 11/16/15; no Replies to Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order granting the Exceptions, in part, and modifying the Initial Decision.
2487224-OSA Postponed until the Public Meeting of August 11, 2016.	F-2015-2487224	JAMES S KASHMER VS PPL ELECTRIC UTILITIES CORPORATION - Formal Complaint filed on 6/12/15, alleging that PPL was threatening to terminate his service or has already shut off his service. On 7/2/15, PPL filed an Answer to the Complaint. A hearing was held on 8/11/15. On 11/18/15, ALJ Cheskis issued an Initial Decision that sustained the Complaint. PPL filed Exceptions on 12/8/15. No Replies to Exceptions were filed by the Complainant. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Exceptions, in part, denies them, in part, and modifies the ALJ's Initial Decision, consistent with the Opinion and Order.

2487879-OSA C-2015-2487879
C-2015-2477331

Vote 4-0.

DAVID HATCHIGIAN VS PECO ENERGY COMPANY

- Formal Complaint filed on 4/10/15, alleging that PECO failed to allow him to move the electric facilities at the service address to a brick chimney. On 5/7/15, PECO filed an Answer to the Complaint. On 6/15/15, the Complainant filed another Formal Complaint against PECO concerning gas service at the service address. PECO filed an Answer to the second Formal Complaint on 7/6/15. On 9/3/15, ALJ Fordham issued a Prehearing Order consolidating the Formal Complaints. An evidentiary hearing convened on 9/29/15. In an Initial Decision, issued 1/21/16, ALJ Fordham dismissed both Complaints for lack of standing. The Complainant filed Exceptions on 2/10/16. PECO filed Replies to Exceptions on 2/23/16.

RECOMMENDATION:

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

2494327-OSA C-2015-2494327

Vote 4-0.

PUC - INVESTIGATION AND ENFORCEMENT VS FOUR SEASONS LIMOUSINE SERVICE INC

- Complaint filed on 7/23/15, alleging that Respondent violated Section 510(c) of the Public Utility Code, 66 Pa. C.S. § 510(c), by failing to pay the Commission's assessment of \$1,847 for the 2014-2015 Fiscal Year. I&E requested that the Respondent file an Answer within 20 days of service of the Complaint and that a \$277 civil penalty be imposed on the Respondent if it did not respond. No Answer was filed. On 12/30/15, I&E filed a Motion for Default Judgment requesting that the Commission enter a default Order against Respondent that, inter alia, directs the Respondent to pay its outstanding assessment of \$1,847 for the 2014-2015 Fiscal Year and the \$277 civil penalty, for a total of \$2,124, within 30 days of the Commission's Order, and that if the outstanding assessment and civil penalty are not paid, the Bureau of Technical Utility Services be directed to cancel the Respondent's Certificate.

RECOMMENDATION:

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

2494538-OSA C-2015-2494538

PUC - INVESTIGATION & ENFORCEMENT VS E & E CONSULTING LLC T/A E & E TRANSPORT

Vote 4-0.

- Complaint filed on 7/24/15, alleging that E & E Respondent failed to pay its assessment amount for Fiscal Year 2014-2015. I&E requested that the Respondent be ordered to pay the outstanding assessment balance of \$1,397, which is comprised of the outstanding assessment balance of \$1,215 and a civil penalty of \$182, and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment. The Respondent did not file an Answer to the Complaint. On 12/30/15, I&E filed a Motion for Default Judgment requesting that the Commission direct the Respondent to pay the outstanding assessment and direct the Bureau of Technical Utility Services to cancel its Certificate of Public Convenience and refer this matter to the PA Office of Attorney General for appropriate action if the assessment is not timely paid. No Answer to the Motion was filed.

RECOMMENDATION:

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

2500438-OSA F-2015-2500438
(PP from 06/30/2016)

ALAN COHICK VS PENNSYLVANIA ELECTRIC COMPANY

**Joint Motion by Vice
Chairman Place and
Commissioner Coleman.**
Vote 4-0.

- Formal Complaint filed on 8/20/15, alleging that there were incorrect charges on his electric bill, and that Penelec transferred an electric bill balance that was his tenant's balance to his electric account for his summer home. On 9/15/15, Penelec filed an Answer and a New Matter to the Complaint. A hearing was held on 11/3/15. On 3/2/16, Deputy Chief ALJ Hoyer issued an Initial Decision dismissing the Complaint. On 3/29/16, the Complainant filed a document labeled "APPEAL of Billing Dispute Decision." By Secretarial Letter dated 4/8/16, the Commission accepted the filing and treated it as a Petition for Reconsideration. The Secretarial Letter also granted Penelec an extension of time to file an Answer to the Petition. On 4/11/16, Penelec filed an Answer to the Petition.

RECOMMENDATION:

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

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2490383-TUS Vote 4-0.	M-2015-2490383	ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS - EGS license cancellations of companies with an expired financial security. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
2494779-TUS Vote 4-0.	A-2015-2494779 A-2012-2292048	SPRAGUE OPERATING RESOURCES LLC - Petition filed on 7/17/15, for approval to abandon its electric generation supplier license. RECOMMENDATION: That the Commission adopt the proposed Order, which approves the abandonment and recommends a fine.
2505105-TUS Vote 4-0.	M-2015-2505105	PEOPLES TWP LLC - Periodic Review of Peoples TWP's Long-Term Infrastructure Improvement Plan. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2516042-TUS Vote 4-0.	A-2015-2516042	LEGEND ENERGY ADVISORS LLC - Application filed on 12/4/15, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to 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 Columba Gas, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

2530665-TUS	A-2016-2530665	UNIPER GLOBAL COMMODITIES NORTH AMERICA LLC
Vote 4-0.		<p>- Application filed on 2/25/16, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for residential, small commercial, large commercial, industrial, and governmental customers within PA. Uniper failed to fully respond to Commission staff data requests concerning missing information. Uniper has been given ample opportunity to respond/comply.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
2533036-TUS	A-2016-2533036	GOLD STAR ENERGY LLC
Vote 4-0.		<p>- Application filed on 3/9/16, 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 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>
2542114-TUS	A-2016-2542114	EARLY BIRD POWER LLC
Vote 4-0.		<p>- Application filed on 4/28/16, 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 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>
2542241-TUS	A-2016-2542241	GLOBAL TELECOM & TECHNOLOGY AMERICAS INC
Vote 4-0.		<p>- Application filed on 4/22/16, seeking approval for the Discontinuance and Abandonment of Interexchange Carrier Reseller and Competitive Access Provider services within PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

2544861-TUS	R-2016-2544861	<p>TEMPLETON WATER COMPANY INC</p> <p>- Supplement No. 10 to Tariff Water-Pa. P.U.C. No. 2 filed on 4/30/16, proposing an annual increase in revenues of approximately \$18,365 (50%) to become effective 8/1/16.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 4-0.		
2550657-TUS	A-2016-2550657	<p>ENERGY FOR A CAUSE INC</p> <p>- Application filed on 6/15/16, 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.		
2550917-TUS	A-2016-2550917	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Letter of Notification filed on 6/8/16, for approval to install approximately 0.20 miles of new 230 kV transmission line in Exeter Township, Luzerne 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 4-0.		
2551042-TUS	R-2016-2551042 A-00102219	<p>SUBURBAN TRANSIT NETWORK, INC. T/A TRANSNET</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Paratransit Pa. PUC No. 9 to become effective 7/25/16.</p>
Vote 4-0.		

2551071-TUS	A-2016-2551071	<p data-bbox="639 128 1045 163">ENERGY FOR A CAUSE INC</p> <p data-bbox="639 180 1539 359">- Application filed on 6/15/16, 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 all of the electric distribution company service territories throughout PA.</p> <p data-bbox="639 373 954 409">RECOMMENDATION:</p> <p data-bbox="639 424 1503 489">That the Commission adopt the proposed Order which approves the application.</p>
Vote 4-0.		
2552230-TUS	A-2016-2552230	<p data-bbox="639 632 1102 667">GLOBALINX ENTERPRISES INC</p> <p data-bbox="639 682 1539 783">- Application filed on 6/20/16, 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 data-bbox="639 798 954 833">RECOMMENDATION:</p> <p data-bbox="639 848 1255 877">That the Commission adopt the proposed Order.</p>
Vote 4-0.		
2555791-TUS	M-2016-2555791	<p data-bbox="639 1020 1463 1056">QUARTERLY EARNINGS OF PENNSYLVANIA UTILITIES</p> <p data-bbox="639 1071 1539 1318">- Bureau of Technical Utility Services report to the Commission regarding quarterly earnings of PA utilities for the quarter ended 3/31/16. The report represents the earned and adjusted returns on rate base and common equity capital for PA non-telephone fixed utilities with jurisdictional operating revenues of over \$10,000,000. Staff has included detailed, market-based analysis of the current cost of equity across industry-wide groups.</p> <p data-bbox="639 1333 954 1369">RECOMMENDATION:</p> <p data-bbox="639 1383 1333 1413">That the Commission make the earnings report public.</p>
Vote 4-0.		

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2508421-LAW	L-2015-2508421	<p>RULEMAKING TO AMEND THE PROVISIONS OF 52 PA CODE CHAPTER 56 TO COMPLY WITH THE AMENDED PROVISIONS OF 66 PA CS CHAPTER 14</p> <p>Vote 4-0.</p> <p>- Act 155 of 2014 reauthorized and amended Chapter 14 of the Public Utility Code (66 Pa. C.S. §§ 1401-1419), Responsible Utility Customer Protection. Chapter 56 of the Pennsylvania Code at 52 Pa. Code §§ 56.1 et seq., relating to standards and billing practices for residential utility service must be revised because amended Chapter 14 supersedes a number of Chapter 56 regulations, and the Commission is directed to revise Chapter 56 and promulgate regulations to administer and enforce Chapter 14.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order</p>

2543193-LAW	M-2016-2543193	<p>IMPLEMENTATION OF SECTION 1329 OF THE PUBLIC UTILITY CODE</p> <p>Vote 4-0.</p> <p>- On 4/14/16, Governor Wolf signed into law Act 12 of 2016, which amended Chapter 13 of the Pennsylvania Public Utility Code by adding a new Section 1329 to the Code and which became effective 6/13/16. 66 Pa. C.S. § 1329. In particular, Section 1329 of the Code addresses the valuation of the assets of municipally and authority-owned water and wastewater systems that are acquired by investor-owned water and wastewater utilities or entities. This Tentative Implementation Order proposes the procedures and guidelines to address the application process and carry out the ratemaking provisions of Section 1329 and shall be in effect in the interim until a Final Implementation Order is issued.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
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OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2396198-ALJ	A-2013-2396198 A-2013-2397326 A-2013-2397328 A-2015-2507377 R-2015-2496404	MOUNTAIN ENERGY LTD - On 2/3/16, Peoples Natural Gas Co. filed a Joint Petition for Settlement executed by Mountain Energy, Peoples, Leatherwood, BIE and OCA. The Joint Petition was executed by the signatory parties to settle all of the proceedings that were consolidated for hearing and disposition. A hearing was held on 3/28/16. COMMISSION REVIEW: That the Commission adopt DCALJ Hoyer's Recommended Decision approving the Joint Petition for Settlement, with the exception of the PGC rate provisions.
Statement by Commissioner Powelson.		
Oral Statement by Chairman Brown.		
Oral Statement by Vice Chairman Place.		
Vote 4-0.		
2488903-ALJ	A-2015-2488903 A-2015-2488904 A-2015-2488905 G-2015-2488906 G-2015-2488907 G-2015-2489542 G-2015-2488543 G-2015-2488544 G-2015-2488545 G-2015-2488547 G-2015-2490801 G-2015-2490802	MID-ATLANTIC INTERSTATE TRANSMISSION LLC, METROPOLITAN EDISON COMPANY, AND PENNSYLVANIA ELECTRIC COMPANY - Joint Application filed on 6/19/15 to obtain the approval under Chapters 11, 21 and 28 of the Public Utility Code: (1) for Met-Ed and Penelec to contribute their existing transmission assets to MAIT; (2) for MAIT to be a certificated PA public utility; and (3) for approval of certain affiliated interest agreements. On 3/4/16, a Joint Petition for Settlement was filed which resolved disputes regarding the transfer. COMMISSION REVIEW: That the Commission adopt DCALJ Hoyer's and ALJ Long's Initial Decision approving the settlement without modification.
Motion by Commissioner Powelson.		
Vote 4-0.		
(PP from 05/19/2016)		
2526700-ALJ	R-2016-2526700 C-2016-2531350 C-2016-2532678 C-2016-2540049	PHILADELPHIA GAS WORKS - On 5/18/16, the settling parties filed a Settlement and Statements in Support of the Settlement. Although Philadelphia Industrial and Commercial Gas Users Group (PICGUG) and OSBA did not sign the Settlement, the settling parties indicated in the Settlement that both PICGUG and OSBA authorized them to state their non-opposition to the Settlement. The record closed on 5/31/16, the date that Ms. Anderson had to file any objections to the Joint Petition for Settlement. COMMISSION REVIEW: That the Commission adopt ALJ Guhl's Recommended Decision approving the Joint Petition for Settlement.
Vote 4-0.		

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

July 21, 2016

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 - Petition for Reconsideration filed on 7/8/16, of the Commission's Order entered 6/23/16. RECOMMENDATION: That the Commission adopt the proposed Order.
Oral Statement by Commissioner Powelson. Vote 4-0.		
2556598-LAW	P-2016-2556598	RASIER-PA LLC - Rasier requests an emergency order permitting it to temporarily use vehicles 15 model years and newer in its Experimental Service in Bucks, Chester, Delaware, and Montgomery Counties. Commission regulations at 52 Pa. Code § 29.314(c) require that vehicles operated in taxi service must be no older than 10 model years and must have no more than 350,000 miles on the odometer. RECOMMENDATION: That the Commission adopt the proposed Order.
Oral Statement by Commissioner Powelson. Vote 4-0.		