

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, OCTOBER 27, 2016 (JFC)
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 Wednesday, November 9, 2016 at 10:00 A.M.

Minutes of the Meeting of Thursday, September 15, 2016 (AP)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR WEDNESDAY, NOVEMBER 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.

ALSO, THE COMMISSION HELD AN EXECUTIVE SESSION ON WEDNESDAY, OCTOBER 26, 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.

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

October 27, 2016

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2092655-OCM	M-2009-2092655	DUQUESNE LIGHT COMPANY - In an Order entered on 6/30/16 at this docket, the Commission approved the Electronic Data Exchange Working Group's (EDEWG) Web Portal Implementation Standards and directed those electric distribution companies (EDCs) with smart meter requirements to implement the Single User – Multiple Requests, System-to-System Rolling 10 Day and System-to-System Historical Interval Usage solutions no later than 11/3/16. The Commission also ordered those EDCs to submit implementation plans containing cost estimates and a proposed recovery mechanism within 30 days of that Order entry. RECOMMENDATION: That the Commission adopt the Final Order.
Vote 5-0.		
2092655-OCM	M-2009-2092655	METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY, AND WEST PENN POWER COMPANY - In an Order entered on 6/30/16 at this docket, the Commission approved the EDEWG's Web Portal Implementation Standards and directed those EDCs with smart meter requirements to implement the Single User – Multiple Requests, System-to-System Rolling 10 Day and System-to-System Historical Interval Usage solutions no later than 11/3/16. The Commission also ordered those EDCs to submit implementation plans containing cost estimates and a proposed recovery mechanism within 30 days of that Order entry. RECOMMENDATION: That the Commission adopt the Final Order.
Vote 5-0.		
2092655-OCM	M-2009-2092655	PPL ELECTRIC UTILITIES CORPORATION - In an Order entered on 6/30/16 at this docket, the Commission approved the EDEWG's Web Portal Implementation Standards and directed those EDCs with smart meter requirements to implement the Single User – Multiple Requests, System-to-System Rolling 10 Day and System-to-System Historical Interval Usage solutions no later than 11/3/16. The Commission also ordered those EDCs to submit implementation plans containing cost estimates and a proposed recovery mechanism within 30 days of that Order entry. RECOMMENDATION: That the Commission adopt the Final Order.
Vote 5-0.		

2468991-OCM M-2015-2468991

PHILADELPHIA GAS WORKS

Vote 5-0.

- Recommendation regarding the proposal of PGW to implement procedures facilitating natural gas suppliers' access to PGW customer account numbers in instances where the account number is not available from either the customer or the Eligible Customer List. OCMO recommends the approval of PGW's account number access mechanism plan per the directives outlined herein.

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>
2253750-OSA	C-2011-2253750 C-2011-2253787	CORE COMMUNICATIONS INC VS VERIZON PENNSYLVANIA LLC
Postponed until the Public Meeting of November 9, 2016.		<p>- On 7/22/11, Core filed two Formal Complaints against Verizon alleging that Verizon suddenly ceased payment for intercarrier compensation invoices that were issued by Core pursuant to interconnection agreements entered among the Parties and long-standing practice. On 7/11/13, ALJ Colwell's Initial Decision was issued. Exceptions were filed by both parties on 8/16/13. Replies to Exceptions were filed by both parties on 9/16/13. By Opinion and Order entered 5/28/15, the Commission remanded this proceeding, in part, to the OALJ. On 1/8/16, ALJ Colwell's Supplemental Initial Decision on Remand was issued. Exceptions on Remand were filed by both parties on 1/28/16. Replies to Exceptions on Remand were filed by both parties on 2/8/16.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>
2428514-OSA	C-2014-2428514	PUC - INVESTIGATION & ENFORCEMENT VS BEST RATE LIMOUSINE LLC
Vote 5-0.		<p>- Complaint filed on 7/1/14, alleging that the Petitioner failed to maintain evidence of insurance on file with the Commission. I&E stated that the Petitioner's authority was under suspension, effective 5/14/14, and requested a civil penalty of \$500 for the alleged violations. The Petitioner did not file an Answer to the Complaint. By a Secretarial Letter issued on 2/11/15, the Commission found that the allegations in the Complaint were deemed admitted. The Petitioner's Certificate of Public Convenience was cancelled, a \$500 civil penalty was assessed for failure to maintain evidence of insurance on file with the Commission, as well as a civil penalty of \$100 for failing to file an answer to the Complaint. On 3/1/16, the Petitioner filed a Petition to Rescind in response to the Secretarial Letter.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that denies the petition.</p>

2470550-OSA C-2015-2470550
(PP from 10/06/2016)

Motion by Commissioner Coleman.
Statement by Commissioner Sweet.
Vote 5-0.

BONNIE ROBERTS VS VERIZON NORTH LLC

- Formal Complaint filed on 2/9/15, alleging an ongoing problem with her telephone service from Verizon North. On 11/17/15, the Commission issued ALJ Watson's Initial Decision sustaining the Complaint. The ALJ also ordered Verizon to pay a civil penalty of \$3,000 for various violations. On 12/8/15 Verizon North filed Exceptions. No Replies to Exceptions were filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2478642-OSA A-2015-2478642

Vote 5-0.

BURGITS ELECTRIC CITY TAXI INC

- Application filed on 4/15/15, to transport persons upon call or demand between points in the City of Scranton, Lackawanna County, and within 15 air miles from the limits thereof. Scranton Transportation, LLC t/a Yellow Cab of Lackawanna and McCarthy Flowered Cabs filed Protests on 6/1/15. Evidentiary hearings were held on 11/13/15 and 1/5/16. In an Initial Decision issued 3/29/16, ALJ Jandebour denied Burgit's application. Burgit's filed Exceptions on 4/19/16. McCarthy filed Replies to Exceptions on 5/6/16. Scranton Transportation filed Replies to Exceptions on 5/10/16.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Exceptions and reverses the Initial Decision.

2479970-OSA C-2015-2479970

Statement by Chairman Brown.
Vote 5-0.

PUC - INVESTIGATION & ENFORCEMENT VS PECO ENERGY COMPANY

- Complaint filed on 4/30/15, concerning a natural gas explosion that occurred on 7/17/14 when PECO was performing an uprating project in Coatesville, PA. I&E alleged various violations of the Code of Federal Regulations and the Commission's Regulations and requested a \$1.5 million civil penalty. On 5/26/15, PECO filed an Answer and New Matter denying it violated the Code of Federal Regulations or the Commission's Regulations. On 4/8/16, the parties filed a Joint Petition for Settlement to resolve all issues in this proceeding.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which approves the Joint Petition for Settlement.

2493095-OSA **C-2015-2493095** **MATTHEW AND TRACIE KOLAR VS WEST PENN POWER COMPANY**

Vote 5-0.

- Formal Complaint filed on 7/16/15, seeking a reasonable payment plan. On 8/5/15, West Penn filed an Answer and New Matter in response to the Complaint. On 10/21/15, a telephonic evidentiary hearing was held before ALJ Haas. On 11/24/15, the Commission issued the Initial Decision of ALJ Haas, which found that the Commission lacked the authority to order a payment arrangement and dismissed the Complaint. On 12/11/15, the Complainants filed Exceptions to the Initial Decision and on 12/23/15, West Penn filed Replies to the Complainant's Exceptions.

RECOMMENDATION:

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

2494331-OSA **C-2015-2494331** **PUC - INVESTIGATION & ENFORCEMENT VS ADVANCED MEDICAL EXPRESS AMBULANCE LLC**

Vote 5-0.

- Complaint filed on 7/23/15, alleging that the Respondent violated Section 510(c) of the Public Utility Code (Code), 66 Pa. C.S. § 510(c) by failing to pay the Commission's assessment of \$6,414 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 \$962 civil penalty be imposed on the Respondent if it did not respond. No Answer was filed. On 1/6/16, 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 \$6,414 for the 2014-2015 Fiscal Year and the \$962 civil penalty, for a total of \$7,376, 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.

2495043-OSA C-2015-2495043

PUC - INVESTIGATION & ENFORCEMENT VS HERBERT JEFFRIES

Vote 5-0.

- Complaint filed on 7/28/15, alleging that Respondent failed to pay his assessment amount for Fiscal Year 2014-2015. I&E requested that the Respondent be ordered to pay \$480 (consisting of the outstanding assessment balance of \$417 and a civil penalty of \$63) and that the Respondent's Certificate of Public Convenience be revoked if he failed to pay the assessment and civil penalty. On 8/21/15, the Commission returned a personal check submitted by the Respondent and requested a replacement check in the form of a certified check or money order. No further payment was made by the Respondent. On 2/1/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the assessment and the civil penalty are not 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.

2499309-OSA C-2015-2499309

PUC – INVESTIGATION & ENFORCEMENT VS NU EXODUS INC T/A J & W AIRPORT TRANSPORTATION

Vote 5-0.

- Complaint filed on 8/19/15, alleging that Respondent failed to pay its assessment amount for Fiscal Year 2014-2015. I&E requested that the Respondent be ordered to pay \$1,665 (consisting of the outstanding assessment balance of \$1,332 and a civil penalty of \$333) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 1/28/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the assessment and the civil penalty are not 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.

2499405-OSA

C-2015-2499405

PUC - INVESTIGATION & ENFORCEMENT VS JANET LANDIS EBERLY

Vote 5-0.

- Complaint filed on 8/20/15, alleging that Respondent failed to pay her assessment amount for Fiscal Year 2014-2015. I&E requested that the Respondent be ordered to pay \$335 (consisting of the outstanding assessment balance of \$285 and a civil penalty of \$50) and that the Respondent's Certificate of Public Convenience be revoked if she failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 1/21/16, the Respondent filed an application for abandonment of service. On 2/19/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the civil penalty and direct the Bureau of Technical Utility Services to cancel the Respondent's Certificate if the assessment and the civil penalty are not paid. On 4/12/16, the Respondent's Certificate was cancelled. No Answer to the Motion was filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Motion, in part, and sustains the Complaint, in part.

2499472-OSA

C-2015-2499472

PUC - INVESTIGATION & ENFORCEMENT VS STEWART BUS LINE INC

Vote 5-0.

- Complaint filed on 8/20/15, alleging that Respondent violated Section 510(c) of the Public Utility Code (Code), 66 Pa. C.S. § 510(c) by failing to pay the Commission's assessment of \$3,532 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 \$530 civil penalty be imposed on the Respondent if it did not respond. No Answer was filed. On 1/28/16, 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 \$3,532 for the 2014-2015 Fiscal Year and the \$530 civil penalty, for a total of \$4,062, 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.

2503606-OSA F-2015-2503606 JOSEPH L RAGO VS PHILADELPHIA GAS WORKS
Vote 5-0. - Formal Complaint filed on 9/14/15, alleging that there were incorrect charges on his bill and that his service was terminated. On 10/05/15, PGW filed an Answer to the Complaint denying the allegations within the Complaint. An evidentiary hearing was held on 11/13/15. On 12/16/15, the Commission issued ALJ Fordham's Initial Decision which dismissed the Complaint. On 1/11/16, the Complainant filed Exceptions. Replies to Exceptions were filed by PGW on 1/19/16.
RECOMMENDATION:
That the Commission adopt the proposed Opinion and Order.

2505658-OSA A-2015-2505658 KEYSTONE TAXI SERVICE LLC
Vote 5-0. - Application filed on 9/17/15, for motor common carrier of persons in call or demand service. Notice of the Application was published in the Pa. Bulletin on 10/17/15. Keystone Cab Service filed a protest on 11/9/15. On 11/20/15, the Applicant filed a Motion to Dismiss relative to the protest. No answer to the Motion was filed. By Initial Decision issued on 2/8/16, ALJ Haas treated the Motion as Preliminary Objections and dismissed the protest for lack of standing. The Protestant filed a Petition for Reconsideration on 3/1/16. No answer to the Petition was filed.
RECOMMENDATION:
That the Commission adopt the proposed Opinion and Order that denies the Petition and refers the matter to the Bureau of Technical Utility Services.

2511723-OSA C-2015-2511723 BILLIE JO KNAPP VS PENNSYLVANIA ELECTRIC COMPANY
Statement by Vice Chairman Place.
Vote 5-0. - Formal Complaint filed on 10/30/15, requesting a payment arrangement and alleging that company threatened to terminate her service. On 11/25/15, Penelec filed an Answer and a New Matter to the Complaint. A hearing was held on 2/12/16. By Initial Decision issued on 4/7/16, ALJ Long dismissed the Complaint for failure of the Complainant to appear at the hearing. On 4/11/16, the Complainant filed a Petition to Reopen the Record. Penelec filed an Answer to the Petition on 5/12/16.
RECOMMENDATION:
That the Commission adopt the proposed Opinion and Order which grants the petition, vacates the Initial Decision, and remands the proceeding to the OALJ.

Statement by Chairman Brown.
Statement by Vice Chairman
Place.

Statement by Commissioner
Powelson.

Statement by Commissioner
Sweet.

Vote 5-0 with a Partial Dissent
by Vice Chairman Place and
Commissioner Powelson.

PPL ELECTRIC UTILITIES CORPORATION

- Petition filed on 1/29/16, seeking approval of its Default Service Plan IV effective 6/1/17. An evidentiary hearing was held on 6/16/16. On 7/19/16, the Settling Parties filed a Joint Petition for Approval of Partial Settlement reserving one issue for litigation. On 8/17/16, the Commission issued ALJ Colwell's Initial Decision wherein she recommended approval of the Partial Settlement, with one modification, approval of PPL's Petition, as modified by the Partial Settlement and recommended adoption of the Customer Assistance Program Standard Offer Program proposed by the Parties, with one modification. On 9/6/16, Exceptions were filed by PPL, the Retail Energy Supply Association and PPL Industrial Customer Alliance. Replies to Exceptions were filed by PPL, the Commission's Bureau of Investigation and Enforcement, the OCA and the Coalition for Affordable Utility Services and Energy Efficiency in PA on 9/16/16.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2490383-TUS Vote 5-0.	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.
2528322-TUS Vote 5-0.	P-2016-2528322	CITY OF BETHLEHEM - Petition filed on 2/8/16, for the approval of a water system Long-Term Infrastructure Improvement Plan (LTIIIP). The OCA filed comments on 3/9/16. An amended LTIIIP was subsequently filed on 4/5/16. The filing was not contested and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2542899-TUS Vote 5-0.	A-2016-2542899	CONSTELLATION ENERGY GAS CHOICE LLC - Application filed on 5/2/16, for approval 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 PECO, PGW, Peoples Natural Gas, Peoples Natural Gas - Equitable, Peoples TWP, and Columbia Gas. RECOMMENDATION: That the Commission adopt the proposed Order.
2548513-TUS Vote 5-0.	R-2016-2548513 A-00124199	BILLY L SANKEY D/B/A SANKEYS AMISH TRANSPORT - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 3 to become effective 10/31/16.
2548530-TUS Vote 5-0.	R-2016-2548530 A-00117413	HOMESTEAD TAXI LLC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Call or Demand Pa. PUC No. 5 to become effective 10/31/16.

2549989-TUS	A-2016-2549989	<p>N THERM LLC</p> <p>- Application filed on 6/6/16, for approval 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 territory of Columbia Gas.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2558401-TUS	A-2016-2558401	<p>LATTICE INCORPORATED D/B/A LATTICE INCORPORATED OF NEW JERSEY</p> <p>- Application filed 7/18/16, for approval to offer, render, furnish or supply telecommunications services as an Interexchange Toll Reseller (detariffed) throughout PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2560804-TUS	R-2016-2560804 A-00106294	<p>BLAIR CAB INC T/A YELLOW CAB & TRANSFER CO</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Call or Demand Pa. PUC No. 4 to become effective 10/31/16.</p>
Vote 5-0.		
2562535-TUS	A-2016-2562535	<p>CHRISLYNN ENERGY SERVICES INC</p> <p>- Application filed on 8/22/16, 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, UGI Central Penn Gas, UGI Penn Natural Gas, PECO, PGW, NFGD Corp., Peoples Natural Gas, Peoples TWP, Peoples Natural Gas - Equitable, and Columbia Gas.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2563877-TUS	R-2016-2563877 A-00108707	<p>GETTYSBURG TOURS INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Airport Transfer Pa. PUC No. 3 to become effective 10/31/16.</p>
Vote 5-0.		

2565241-TUS	R-2016-2565241	<p>VALLEY ENERGY INC</p> <p>- Supplement No. 41 to Tariff Gas Pa. P.U.C. No. 2 filed on 9/2/16, for approval to eliminate its migration rider, Rider D – Gas Cost Adjustment Charge, and the quarterly reporting language from Rider A – Gas Cost Rate.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2565899-TUS	R-2016-2565899 A-00119340	<p>PAULS CAB SERVICE INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Call or Demand Pa. PUC No. 3 to become effective 10/31/16.</p>
Vote 5-0.		
2565924-TUS	A-2016-2565924	<p>JOSCO ENERGY USA LLC</p> <p>- Application filed on 9/12/16, for approval to offer, render, furnish, or supply natural gas services as a supplier to residential, small commercial, large commercial, and industrial customers in the natural gas distribution company service territories of Valley Energy, UGI, UGI Central Penn, UGI Penn Natural, PECO, PGW, NFGD Corp., Peoples Natural Gas, Peoples TWP, Peoples Natural Gas - Equitable Division, and Columbia Gas.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2567683-TUS	A-2016-2567683	<p>BUDGET PREPAY INC</p> <p>- Application filed 9/16/16, seeking Commission approval for the discontinuance or abandonment of Competitive Local Exchange Carrier services to the public in PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2569035-TUS	R-2016-2569035 A-00107942, F.2, Am-A	<p>MAPLE CITY TRANSIT INC</p> <p>- Increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve Tariff Call or Demand Pa. PUC No. 4 to become effective 10/31/16.</p>
Vote 5-0.		

2570997-TUS

M-2016-2570997

QUARTERLY EARNINGS OF PENNSYLVANIA UTILITIES

**Oral Statement by Vice
Chairman Place.
Statement by Commissioner
Powelson.
Vote 3-2 with Commissioner
Powelson and Commissioner
Sweet Dissenting.**

- Bureau of Technical Utility Services (TUS) report to the Commission regarding quarterly earnings of Pennsylvania utilities for the quarter ended 6/30/16. TUS Staff has completed a report representing the earned and adjusted returns on rate base and common equity capital for Pennsylvania 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.

RECOMMENDATION:

That the Commission make the earnings report public.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2404361-LAW	L-2014-2404361	IMPLEMENTATION OF THE ALTERNATIVE ENERGY PORTFOLIO STANDARDS ACT OF 2004
<u>Statement by Chairman Brown.</u>		
Vote 5-0.		
		- Under its statutory duty to implement and enforce the Alternative Energy Portfolio Standards Act (AEPS Act) of 2004, the Commission seeks to revise its regulations pertaining to the net metering, interconnection and compliance provisions of the AEPS Act. The Commission finds that it is necessary to revise these regulations to comply with Act 129 of 2008, Act 35 of 2007 and to clarify certain issues of law, administrative procedure and policy.
		RECOMMENDATION:
		That the Commission adopt the proposed Order.
2505167-LAW	P-2015-2505167	BILLTOWN CAB CO INC
Vote 5-0.		
		- Billtown Cab filed a petition seeking a waiver of the vehicle mileage requirement so that it may operate its vehicles past 350,000 cumulative miles but no more than 425,000 cumulative miles until 1/19/18 so that it may continue to operate while it replaces higher mileage vehicles in its fleet.
		RECOMMENDATION:
		That the Commission adopt the proposed Order.
2507592-LAW	L-2015-2507592	RULEMAKING AMENDING 52 PA CODE CH 1, 3, 5, 23 & 29
(PP from 10/06/2016)		
<u>Joint Statement by Commissioner Powelson and Commissioner Coleman.</u>		
Vote 5-0.		
		- The Commission initiated a 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. Comments to the proposal were filed.
		RECOMMENDATION:
		That the Commission adopt the proposed Order.

2510230-LAW P-2015-2510230

NEUSTAR INC

Vote 5-0.

- On 10/23/15, the North American Numbering Plan Administrator, NeuStar, Inc., in its role as the neutral third party NPA Relief Planner for Pennsylvania, acting on behalf of the Pennsylvania telecommunications industry filed a petition with the Commission requesting approval of its plan for the 717 Numbering Plan Area (NPA). According to the petition, the industry reached a consensus to implement an all services distributed overlay for the geographic area covered by the 717 NPA which would create a new area code to service the area. By Order entered 3/10/16, the Commission, suspended taking action on the Petition and scheduled public input hearings in order in order to receive input from consumers and other interested parties involved regarding the appropriate form of area code relief that should be implemented for the 717 area code.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2543193-LAW M-2016-2543193

IMPLEMENTATION OF SECTION 1329 OF THE PUBLIC UTILITY CODE

Vote 5-0.

- 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. By Order entered 7/21/16, the Commission issued a Tentative Implementation Order wherein the Commission proposed procedures and guidelines to address the application process and carry out the ratemaking provisions of Section 1329. The Tentative Implementation Order also invited comments.

RECOMMENDATION:

That the Commission adopt the proposed Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2321059-ALJ Vote 5-0.	A-2012-2321059	NORFOLK SOUTHERN RAILWAY COMPANY AND MONTGOMERY COUNTY - Joint Application filed 8/24/12 seeking approval to abolish the rail-highway crossing (DOT # 589334M) where Old Reading Pike crosses above the tracks of NS Railway Co. in West Pottsgrove Township, Montgomery County, PA. A Joint Stipulation of Settlement was filed with the Commission on 5/13/16. On 9/19/16, a Petition to Reopen was granted and the affidavits of the adjacent property owners to the rail-highway crossing were admitted. COMMISSION REVIEW: That the Commission adopt ALJ Jones' Recommended Decision approving the Settlement.
2506941-ALJ Postponed until the Public Meeting of November 9, 2016.	C-2015-2506941	JOHN J ROUNCE VS PECO ENERGY COMPANY - Complaint filed 9/30/15, alleging that a reliability, safety or quality problem with electricity service. Complainant avers that in his 30 years as a PECO customer, he has experienced problems with numerous outages, surges, spikes and brownouts which have persisted despite his complaints to PECO. On 10/26/15, Respondent filed an answer denying the material allegations of the Complaint. A hearing was held on 2/1/16. COMMISSION REVIEW: That the Commission adopt ALJ Vero's Initial Decision denying the Complaint.
2515583-ALJ <u>Motion by Commissioner Coleman.</u> <u>Statement by Commissioner Coleman.</u> Vote 5-0.	C-2015-2515583	NEIL AND GILDA ALTMAN VS VERIZON PENNSYLVANIA LLC - Complaint filed 11/30/15 alleging a reliability, safety or quality problem with telephone service. Verizon filed its Answer on 12/21/15. A hearing was held on 3/3/16. COMMISSION REVIEW: That the Commission adopt ALJ Heep's Initial Decision sustaining the Complaint.

2523527-ALJ

F-2016-2523527

NICOLE DORSEY VS PECO ENERGY COMPANY

Vote 5-0.

- In a timely appeal of a BCS decision, a Complaint was filed 1/12/16 alleging PECO was threatening to shut off her service or had already shut it off and also sought a payment arrangement. She also stated that she has sickly children and therefore needs PECO services. PECO filed its Answer on 2/1/16. A hearing was held on 3/31/16.

COMMISSION REVIEW:

That the Commission adopt ALJ Heep's Initial Decision dismissing the Complaint.

2529660-ALJ

R-2016-2529660

COLUMBIA GAS OF PA INC

**Oral Statement
by Chairman
Brown.
Vote 5-0.**

C-2016-2535301

C-2016-2538051

C-2016-2541623

C-2016-2541753

C-2016-2538611

C-2016-2538843

C-2016-2547479

C-2016-2555931

- Columbia Gas filed its Tariff Gas – Pa. P.U.C. No. 9, Supplement No. 241 on 3/18/16, to become effective 5/17/16, seeking a general rate increase calculated to produce \$55.3 million (11.23%) in additional revenues. Complaints were filed. The Commission suspended the filing until 12/19/16. A Joint Petition for Settlement was filed on 9/2/16.

COMMISSION REVIEW:

That the Commission adopt ALJ Dunderdale's Recommended Decision approving the Settlement without modification.

2541626-ALJ

C-2016-2541626

MARIE KEETS VS UGI UTILITIES INC

**Motion by Commissioner
Sweet.
Vote 5-0.**

- Complaint filed 4/11/16 requesting a payment arrangement indicating Complainant is disabled and lives on a fixed income. UGI filed an Answer, New Matter and Preliminary Objections on 5/31/16. The Preliminary Objections assert the Commission lacks jurisdiction in the matter because the Complainant is no longer a customer of UGI. The Complainant did not file a reply to the Preliminary Objections.

COMMISSION REVIEW:

That the Commission adopt ALJ Guhl's Initial Decision sustaining UGI's Preliminary Objections and dismissing the Complaint without prejudice.

2543309-ALJ R-2016-2543309
C-2016-2544958
C-2016-2548840

Statement by Vice Chairman Place.
Statement by Commissioner Sweet.
Vote 5-0.

UGI UTILITIES INC - GAS DIVISION

- On 6/1/16, UGI submitted its definitive purchased gas cost filing, pursuant to section 1307(f) of the PA PUC Code, 66 Pa. C.S. §1307(f), proposing a purchased gas cost rate of \$4.8003 per Mcf for PGC 1 and \$4.7623 per Mcf for PGC 2. On 8/16/16, a Stipulation in Settlement of Section 1307(f) Rate Investigation was filed by the parties.

COMMISSION REVIEW:

That the Commission adopt ALJ Haas' Recommended Decision approving the Joint Petition for Settlement.

2543311-ALJ R-2016-2543311
C-2016-2544964
C-2016-2548845

Statement by Vice Chairman Place.
Statement by Commissioner Sweet.
Vote 5-0.

UGI CENTRAL PENN GAS INC

- On 6/1/16, UGI CPG submitted its definitive purchased gas cost filing, pursuant to section 1307(f) of the PA PUC Code, 66 Pa. C.S. §1307(f), proposing a purchased gas cost rate of \$3.2229 per Mcf. On 8/16/16, a Stipulation in Settlement of Section 1307(f) Rate Investigation was filed by the parties.

COMMISSION REVIEW:

That the Commission adopt ALJ Haas' Recommended Decision approving the Joint Petition for Settlement.

2543314-ALJ R-2016-2543314
C-2016-2544985
C-2016-2548847

Statement by Commissioner Sweet.
Vote 5-0.

UGI PENN NATURAL GAS INC

- On 6/1/16, UGI PNG submitted its definitive purchased gas cost filing, pursuant to section 1307(f) of the PA PUC Code, 66 Pa. C.S. §1307(f), proposing a purchased gas cost rate of \$3.0248 per Mcf. On 8/16/16, a Stipulation in Settlement of Section 1307(f) Rate Investigation was filed by the parties.

COMMISSION REVIEW:

That the Commission adopt ALJ Haas' Recommended Decision approving the Joint Petition for Settlement.

2543638-ALJ C-2016-2543638
F-2016-2539314

Vote 5-0.

CATHY GATTO VS COLUMBIA GAS OF PA INC

- In a timely appeal of a BCS decision, a Complaint was filed 3/29/16 requesting a payment arrangement regarding the same account number in both Complaints. Columbia filed its Answers on 5/2/16 and 5/25/16. A hearing was held on 7/11/16.

COMMISSION REVIEW:

That the Commission adopt ALJ Barnes' Initial Decision dismissing both Complaints.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

October 27, 2016

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1087149-TUS	A-00111016 C-00913256	CONSOLIDATED RAIL CORPORATION - Joint Petition filed on 6/8/16, for modification of the Commission Order entered 10/9/97. In the Joint Petition, the parties agree, in part, that the stone bridge at Crossing No. 10 shall be permitted to remain in place and that the Township agrees to assume ownership and all future maintenance responsibility for the stone bridge structure, perform an environs-only inspection of the bridge once every two years, relocate, install and maintain all signage, and maintain the concrete drainage facilities. No Answer to the Joint Petition was filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
Statement by Commissioner Sweet. Vote 5-0.		
2196773-TUS	A-2010-2196773 A-00115982	PENNDOT - Application for approval to alter the public crossing (DOT 532 110 E) by the replacement of the existing bridge where SR 0322 (Conchester Road) crosses above grade, the track of SEPTA located in Concord Township, Delaware County, and the allocation of costs incident thereto. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
Vote 5-0.		

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2544151-ALJ	A-2016-2544151	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 5/5/16, seeking approval of the purchase of the wastewater collection and treatment system assets of the Borough of New Cumberland, the right to provide wastewater service in the Borough and to three residential customers in Lower Allen Township, and requesting that the Commission issue Certificates of Filing for the Asset Purchase Agreement between PAWC and the Borough and all other agreements with municipal corporations identified as either having been entered into or to be entered into or assumed by PAWC. A Joint Petition for Approval of Unanimous Settlement of all Issues was filed by the parties on 9/2/16. COMMISSION REVIEW: That the Commission adopt ALJs Barnes and Haas' Recommended Decision approving the Settlement without modification.
Vote 5-0.		