

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, DECEMBER 22, 2016 (AP)
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, January 19, 2017 at 10:00 A.M.

Minutes of the Meeting of Wednesday, November 9, 2016 (DS)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 19, 2017, AT 10:00 A.M. IN MAIN HEARING ROOM #1, GROUND FLOOR, NORTH OFFICE BUILDING, 401 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, DECEMBER 21, 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

December 22, 2016

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2478371-AUD Vote 5-0.	D-2015-2478371	PECO ENERGY COMPANY - Transmission Service Charge for the 14 months ended 11/30/13 and the 11 months ended 9/30/12. RECOMMENDATION: That the Commission release the Audit Report to the public.
2500635-AUD Vote 5-0.	D-2015-2500635	PPL ELECTRIC UTILITIES CORPORATION - Act 129 Compliance Rider Phase 1 for the period 1/1/10 through 4/30/15. 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>
2577413-OCM	L-2016-2577413	<p>RULEMAKING TO AMEND THE PROVISIONS OF 52 PA CODE CHAPTER 59 REGULATIONS REGARDING STANDARDS FOR CHANGING A CUSTOMERS NATURAL GAS SUPPLIER</p> <p>- Advance Notice of Proposed Rulemaking Order to solicit comments about amending and adding to the Commission’s regulations at 52 Pa. Code §§ 59.91 – 59.99. These regulations address the process for transferring a customer's account from a default service provider to a competitive natural gas supplier, from one supplier to another supplier, and from a supplier to supplier of last resort service. The proposed regulatory changes are intended to accelerate this process while preserving safeguards to prevent the unauthorized switching of a customer's account, also known as slamming.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the Advance Notice of Proposed Rulemaking Order.</p>

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2133609-OSA Vote 5-0.	C-2009-2133609	CORE COMMUNICATIONS INC VS XO COMMUNICATIONS SERVICES INC - Formal Complaint filed on 9/23/09, regarding compensation for the termination by Core of ISP-bound traffic. After an evidentiary hearing, ALJ Melillo issued an Initial Decision on 5/18/12 that dismissed the Complaint in part and sustained it in part. The parties filed Exceptions on 6/7/12 and Replies to Exceptions on 6/18/12. On 11/23/16, the Commission issued an Opinion and Order addressing the parties' Exceptions. On 12/9/16, Core Communications filed a Petition for Reconsideration and Clarification of the 11/23/16 Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants reconsideration pending review of, and consideration on, the merits of the petition.
2396198-OSA Vote 5-0.	A-2013-2396198 A-2013-2397326 A-2013-2397328 R-2015-2496404	MOUNTAIN ENERGY LTD - On 9/12/16, Guy R. Hostutler filed a Petition for Relief of the Commission's Final Order entered on 7/21/16. On 10/17/16, the Bureau of Investigation and Enforcement, Mountain Energy, Ltd., and Leatherwood, Inc., each filed Answers opposing the petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the petition.
2488425-OSA Vote 5-0.	C-2015-2488425	PUC - INVESTIGATION AND ENFORCEMENT VS NASSER LIMOUSINE LLC - Complaint filed on 6/19/15, alleging various violations of the Code and the Commission's Regulations, including that Nasser Limousine unlawfully provided passenger transportation service for compensation outside of its certificated service area. I&E requested a civil penalty of \$50,500 for the alleged violations. On 6/20/16, the parties filed a Joint Settlement Petition to resolve this Complaint proceeding. The Settlement proposes a \$14,000 civil penalty and various remedial measures. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the Joint Settlement Petition.

2491223-OSA F-2015-2491223

Motion by Chairman Brown.
Joint Statement by
Commissioner Coleman and
Commissioner Powelson.
Vote 3-2 with Commissioner
Coleman and Commissioner
Powelson Dissenting.

ESTHER LENZNER VS PHILADELPHIA GAS WORKS

- Formal Complaint filed on 6/22/15, alleging that the company terminated her service after she made a payment and also charged her a reconnection fee. On 7/27/15, PGW filed an Answer to the Complaint. A hearing was held on 2/19/16. On 6/17/16, ALJ Fordham issued an Initial Decision dismissing the Complaint for failure to prosecute because the Complainant failed to appear for the hearing. The Complainant filed Exceptions on 7/6/16. No Replies to Exceptions were filed by PGW.

RECOMMENDATION:

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

2521993-OSA P-2016-2521993

Vote 5-0.

COLUMBIA GAS OF PENNSYLVANIA INC

- Petition filed on 12/31/15, requesting waiver of Section 1358(a) of the Code, 66 Pa. C.S. § 1358(a) for the purpose of increasing the Distribution System Improvement Charge (DSIC) cap from 5% to 10% of billed distribution revenues in order to possibly extend the time between future base rate filings. An evidentiary hearing was held on 5/10/16. Main and Reply Briefs were filed by the parties. On 10/13/16, the Commission issued the Recommended Decision of ALJ Johnson, who recommended that the petition be denied. Exceptions were filed by Columbia on 11/1/16. Replies to Exceptions were filed by the OCA on 11/10/16, and by the OSBA and the Commission's Bureau of Investigation and Enforcement on 11/14/16.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the Exceptions.

2543161-OSA C-2016-2543161

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS
MOUNTAIN HIGH TRANSPORTATION GROUP INC

- Complaint filed on 5/3/16, alleging that Respondent failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$494 (consisting of the outstanding assessment balance of \$395 and a civil penalty of \$99) 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 7/12/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and civil penalty. No Answer to the Motion was filed.

RECOMMENDATION:

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

2545045-OSA C-2016-2545045

PUC - INVESTIGATION AND ENFORCEMENT VS RAPID TRANSIT INC

Vote 5-0.

- Complaint filed on 5/13/16, alleging that Respondent failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$68 (consisting of the outstanding assessment balance of \$59 and a civil penalty of \$9) 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 8/12/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and civil penalty. No Answer to the Motion was filed.

RECOMMENDATION:

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

**2572294-OSA A-2016-2572294
(PP from 12/08/2016)**

VERIZON PENNSYLVANIA LLC AND GLOBAL CROSSING LOCAL SERVICES INC

Vote 5-0.

- Joint Petition filed on 10/20/16, requesting approval of Amendment No. 4 to an 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 11/5/16. No comments or protests were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

2572820-OSA A-2016-2572820

VERIZON PENNSYLVANIA LLC AND ONVOY LLC

Vote 5-0.

- Joint Petition filed on 10/25/16, seeking approval of Amendment No. 1 to an 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 11/5/16. No comments were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

2572825-OSA

A-2016-2572825

VERIZON NORTH LLC AND ONVOY LLC

Vote 5-0.

- Joint Petition filed on 10/25/16, seeking approval of Amendment No. 1 to an 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 11/5/16. No comments were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

2573160-OSA

A-2016-2573160

UNITED TELEPHONE COMPANY OF PENNSYLVANIA D/B/A CENTURYLINK AND LEVEL 3 COMMUNICATIONS LLC

Vote 5-0.

- Joint Petition filed on 10/27/16, seeking approval of an Amendment to an 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 11/12/16. No comments or protests were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

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.
2507969-TUS Vote 5-0.	A-2015-2507969	PENNSYLVANIA AMERICAN WATER COMPANY – WASTEWATER DIVISION - Application filed on 10/13/15, for approval of the right to offer, render, furnish or supply wastewater service to the public in an additional portion of West Caln Township, Chester County, PA. PAWC-WD submitted proofs of publication and service to appropriate entities. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2547313-TUS Vote 5-0.	A-2016-2547313	PEERLESS NETWORK OF PENNSYLVANIA LLC - Application filed 5/20/16, for expanded authority to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of Windstream PA, LLC; Windstream Conestoga, Inc.; Windstream D&E, Inc.; Windstream Buffalo Valley, Inc.; Commonwealth Telephone Co. LLC d/b/a Frontier Communications Commonwealth Telephone Co.; and Marianna & Scenery Hill Telephone Co. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2552403-TUS Vote 5-0.	A-2016-2552403	THE YORK WATER COMPANY - WASTEWATER - Application filed on 6/6/16, for approval of: (1) York to acquire certain wastewater facilities from West York Borough; and (2) for York Water to begin to offer or furnish wastewater service to the public in West York Borough, York County, PA. York Water submitted proofs of publication and service to appropriate entities. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.

2557255-TUS	A-2016-2557255	<p>PENNSYLVANIA AMERICAN WATER COMPANY</p> <p>- Application filed 7/18/16, for approval of the right to offer, render, furnish and supply water service in an additional portion of Oakland Township, Butler County, PA. PAWC submitted proofs of publication and service to the appropriate entities. 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.		
2562453-TUS	A-2016-2562453	<p>TENNY JOURNAL COMMUNICATIONS INC</p> <p>- Application filed 8/15/16, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service territories of Verizon PA LLC and Verizon North LLC. Amendments to the application were filed 11/4/16. 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.		
2565285-TUS	A-2016-2565285	<p>SUSAN INDYK MENOZZI</p> <p>- Application filed on 9/8/16, 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 Duquesne Light, Penelec, Penn Power and West Penn Power, in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2567893-TUS	R-2016-2567893	<p>ANDREASSI GAS COMPANY</p> <p>- Supplement No. 85 to Tariff Gas – Pa. P.U.C. No. 2 filed on 9/23/16, proposing an annual increase in rates of \$67,700 to become effective 11/25/16. The Tariff Supplement was voluntarily postponed to 12/22/16 via Supplement No. 86.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		

2569541-TUS	A-2016-2569541	VISTA ENERGY MARKETING LP
Vote 5-0.		<p>- Application filed on 10/4/16, for approval to offer, render, furnish, or supply natural gas services as a supplier to residential, small commercial, and large commercial customers in the natural gas distribution company service territories of 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.</p>
2569778-TUS	A-2016-2569778	YES ENERGY INC
Vote 5-0.		<p>- Application filed on 10/5/16, 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.</p>
2569804-TUS	A-2016-2569804	VISTA ENERGY MARKETING LP
Vote 5-0.		<p>- Application filed on 10/5/16, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, and large commercial customers in all of the electric distribution company service territories throughout PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
2569975-TUS	R-2016-2569975	PPL ELECTRIC UTILITIES CORPORATION
Vote 5-0.		<p>- Supplement No. 213 to Tariff 201 filed on 10/5/16, proposing to increase the monthly distribution charge from \$126,323.59 to \$319,671.00 applicable to its sole LPEP customer, National Railroad Passenger Corp. (Amtrak), to be effective 1/1/17. On 12/19/16, Amtrak filed a formal complaint.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

2570927-TUS	A-2016-2570927	<p>NRG ENERGY CENTER PITTSBURGH LLC</p> <p>- Application filed on 10/6/16, for approval seeking a Certificate of Public Convenience to expand its service territory for steam, hot water, and chilled water service into a certain portion of the Uptown Corridor of the City of Pittsburgh, PA. A protest was filed on 11/7/16, and withdrawn on 11/28/16. No hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2571359-TUS	A-2016-2571359	<p>ALLIANCE GROUP SERVICES INC</p> <p>- Application filed on 10/11/16, seeking Commission approval for the discontinuance and abandonment of Interexchange Carrier Reseller services to the public within 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.		
2574299-TUS	A-2016-2574299	<p>PENNSYLVANIA ELECTRIC COMPANY</p> <p>- Letter of Notification filed on 11/1/16, pursuant to 52 Pa. Code Chapter 57.72 (d)(1)(vi), for approval for the Cambria Slope-Johnstown 115 kV Transmission Line Tap to REA Energy Cooperative, Inc., Mariner Substation Project, Cambria Township, Cambria County, 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.		
2574720-TUS	R-2016-2574720 P-00001854F1000	<p>VERIZON NORTH LLC</p> <p>- 2017 Annual Price Change Opportunity Filing filed on 11/1/16, requesting a \$103,800 increase in rates.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
2574743-TUS	R-2016-2574743 P-00930715F1000	<p>VERIZON PENNSYLVANIA LLC</p> <p>- 2017 Annual Price Change Opportunity Filing filed on 11/1/16. 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.		

2575221-TUS	A-2016-2575221	<p>TELEUNO INC</p> <p>- Application filed 10/25/16, seeking Commission approval for the discontinuance and abandonment of Interexchange Carrier Reseller services to the public within the 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.		
2575822-TUS	A-2016-2575822	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Letter of Notification filed on 11/14/16, for approval to site and reconstruct approximately 4.5 miles of transmission line in Allen Township, Northampton County, and North Whitehall Township, Lehigh County, PA, to interconnect new Siegfried Substation 230 kV and 69 kV switchyards to the electric grid. 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.		
2576325-TUS	A-2016-2576325	<p>PSEG ENERGY SOLUTIONS LLC</p> <p>- Application filed on 11/18/16, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to 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.</p>
Vote 5-0.		

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2525790-LAW	P-2016-2525790 M-2009-2123948 P-2015-2497267	DUQUESNE LIGHT COMPANY - On 6/23/16, the Commission denied Duquesne's request for waivers of Sections 57.20(e) and 57.21(f). Duquesne seeks reconsideration of an interpretation of the Commission's 6/24/09 Smart Meter Procurement and Installation Order at Docket No. M-2009-2092655. RECOMMENDATION: That the Commission adopt the proposed Order.

**Joint Statement by Chairman
Brown and Vice Chairman Place.
Vote 5-0.**

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2540640-ALJ	A-2016-2540640 G-2016-2539979 G-2016-2539970 G-2016-2539961	UGI UTILITIES INC - GAS DIVISION - Application filed on 4/14/16, for approval, pursuant to 66 Pa.C.S. § 1102(a)(3), of the transfer of certain facilities used for gas control activities to UGI Central Gas Control, LLC, and by the UGI distribution companies for approval pursuant to 66 Pa.C.S. § 2102(b) of associated affiliated interest arrangements. On 9/6/16, the Retail Energy Supply Association filed a Protest and Petition to Intervene Out of Time. A Joint Petition for Approval of Settlement of All Issues was filed on 10/7/16. COMMISSION REVIEW: That the Commission adopt ALJs Joel H. Cheskis and Andrew M. Calvelli's Initial Decision approving the Settlement without modification and approving the Application of UGI.
<u>Motion by Commissioner Sweet.</u> Vote 5-0.		
2543140-ALJ	P-2016-2543140	DUQUESNE LIGHT COMPANY - Petition filed on 5/2/16, for approval of the company's eighth Default Service Plan (DSP VIII) to establish the terms and conditions under which it will acquire and supply default service during the period from 6/1/17 through 5/31/21, and for certain approvals related to potential affiliated interest transactions associated with the DSP VIII. On 9/23/16, a Joint Petition for Approval for a Non-Unanimous Settlement was filed. COMMISSION REVIEW: That the Commission adopt ALJ Johnson's Recommended Decision adopting the Settlement.
<u>Joint Statement by Chairman Brown and Commissioner Sweet.</u> <u>Statement by Vice Chairman Place.</u> <u>Joint Statement by Commissioner Coleman and Commissioner Powelson.</u> Vote 3-2 with Chairman Brown and Commissioner Sweet Dissenting.		
2553231-ALJ	C-2016-2553231 (PP from 12/08/2016)	JACQUELINE FIELDER VS VERIZON PENNSYLVANIA LLC - Complaint filed 6/24/16 alleging incorrect charges on her bill and also avers an erroneous termination of phone service. Complainant requested Verizon be directed to port Complainant's phone numbers and refund her \$306.82 plus any other incorrect charges. The Complainant also requests Verizon be directed to remove two credit inquiries from her credit profile. Verizon filed an Answer, New Matter and Preliminary Objections with a Notice to Plead on 7/18/16. The Preliminary Objections allege that the complaint raises issues that are outside the Commission's jurisdiction. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Initial Decision sustaining the Preliminary Objections and dismissing the Complaint with prejudice for lack of jurisdiction.
<u>Motion by Vice Chairman Place.</u> Vote 5-0.		

2562263-ALJ C-2016-2562263

**Postponed until the Public
Meeting of January 19, 2017.**

KIMEKIA MAYO VS PHILADELPHIA GAS WORKS

- Complaint filed on 8/12/16, alleging a billing dispute. On 9/7/16, PGW filed its Answer with New Matter and Preliminary Objections. The New Matter asserts that the Complaint is barred by the statute of limitations at 66 Pa.C.S. § 3314.

COMMISSION REVIEW:

That the Commission adopt ALJ Salapa's Initial Decision sustaining PGW's Preliminary Objections, dismissing the Complaint and closing the docket.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

December 22, 2016

OFFICE OF EXECUTIVE DIRECTOR

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2579322-DIR

RATIFICATION OF APPOINTMENT TO BUREAU OF AUDITS

Vote 5-0.

- It is recommended that the Commission ratify the appointment of Kelly Monaghan to the position of Director, Bureau of Audits, effective 12/31/16.

RECOMMENDATION:

That the Commission ratify the appointment.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2410772-OSA

C-2014-2410772

PUC - INVESTIGATION AND ENFORCEMENT VS ZECH'S TOWING & RECOVERY LLC

Vote 5-0.

- Complaint filed on 3/10/14, alleging that Respondent failed to file assessment reports for the 2010, 2011, and 2012 calendar years. I&E requested that Zech's be ordered to pay a civil penalty of \$3,000 and that Zech's Certificate of Public Convenience be revoked if it failed to pay the civil penalty. Because Zech's did not file an Answer to the Complaint, on 7/25/14, I&E filed a Motion for Default Judgment. By Order entered 1/16/15, the Commission granted the Motion and sustained the Complaint. On 6/9/16, Zech's filed a Petition for Rescission or Amendment of the 1/16/15 Order. No Answer to the Petition has been filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the Petition for Rescission or Amendment.

2534980-OSA

P-2016-2534980

PECO ENERGY COMPANY

Vote 5-0.

- Petition filed on 3/17/16, seeking approval of its Default Service Plan IV, effective 6/1/17. On 7/28/16, the settling parties filed a Joint Petition for Partial Settlement. On 10/4/16, the Recommended Decision of ALJ Fordham was issued, wherein she, inter alia, recommended approval of the Partial Settlement without modification and deferred the issue of Customer Assistance Program shopping to a separate proceeding. Exceptions were filed on 10/14/16 and Replies to Exceptions were filed on 10/21/16. By Order entered 12/8/16, the Commission, inter alia, adopted the ALJ's Recommended Decision. On 12/19/16, a Joint Petition for Reconsideration and/or Clarification of the 12/8/16 Opinion and Order was filed by the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania and the Tenant Union Representative Network and the Action Alliance of Senior Citizens of Greater Philadelphia, and a Petition for Reconsideration and/or Clarification was filed by the OCA.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants reconsideration pending review of, and consideration on, the merits of the petition.

2535279-OSA

A-2016-2535279

XO HOLDINGS AND VERIZON COMMUNICATIONS INC

Postponed until the Public Meeting of January 19, 2017.

- Joint Application filed on 3/18/16, seeking Commission approval of the transfer of control of XO Communications from XO Holdings to Verizon. On 4/25/16, Core Communications and the OSBA each filed a Petition to Intervene and Protest. On 5/16/16, the Joint Applicants filed an Answer to each Petition to Intervene and Protest. On 7/27/16, a hearing was held in this matter. On 8/12/16, Windstream Services filed an amicus curiae main brief. On 11/8/16, the Commission issued the Initial Decision of Deputy Chief ALJ Hoyer in which he recommended approval of the Joint Application without conditions. On 11/28/16, Core and the OSBA each filed Exceptions. On 11/29/16, the Joint Applicants filed Reply Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2576951-OSA

A-2016-2576951
A-2016-2559380
A-6419043

NIAZH INC T/A SAIVA MEDICAL TRANSPORTATION

Vote 5-0.

- On 11/22/16, Niazh filed an Application for Emergency Temporary Authority. A hearing was held on 12/9/16. By Recommended Decision issued 12/12/16, ALJ Guhl recommended that the application be denied. On 12/13/16, the Applicant filed Exceptions to the Recommended Decision.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

LAW BUREAU

AGENDA NO.

2560140-LAW

Vote 5-0.

DOCKET NO.

P-2016-2560140

NAME AND SUBJECT

PPL ELECTRIC UTILITIES CORPORATION

- PPL's existing temporary partial waiver of 52 Pa. Code § 56.97(a) to allow customers to establish payment agreements online or through an automated interactive voice response system expires 12/31/16. PPL requested that waiver be made permanent. OCA and PPL agreed to conditions applicable to a further renewal of the temporary partial waiver, and PPL amended its request to a 6-year waiver.

RECOMMENDATION:

That the Commission adopt the proposed Order