

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, JANUARY 19, 2017 (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 Thursday, January 26, 2017 at 10:00 A.M.

Minutes of the Meeting of Thursday, December 8, 2016 (AP)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 26, 2017, 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 WILL HOLD AN EXECUTIVE SESSION ON THURSDAY, JANUARY 19, 2017, AT 11:00 AM 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.

**MOTIONS AND STATEMENTS OF THE CHAIRMAN
AND COMMISSIONERS WILL BE AVAILABLE
ON THE COMMISSION'S WEBSITE AT
WWW.PUC.PA.GOV AFTER PUBLIC MEETING.**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

January 19, 2017

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 AND VERIZON NORTH LLC - On 7/22/11, Core filed 2 Formal Complaints against Verizon alleging that Verizon suddenly ceased payment for intercarrier compensation invoices issued by Core pursuant to the parties' interconnection agreements 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. By Opinion and Order entered 12/23/16, the Commission granted the each party's Exceptions, in part, and denied them, in part. On 1/9/17, Core filed a Petition for Reconsideration and Clarification of the 12/23/16 Opinion and Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants Core's Petition pending review of and consideration on the merits.
Vote 5-0.		
2304324-OSA	C-2012-2304183 C-2012-2304324	SBG MANAGEMENT SERVICES INC/COLONIAL GARDEN REALTY CO LP AND SBG MANAGEMENT SERVICES INC/SIMON GARDEN REALTY CO LP VS PHILADELPHIA GAS WORKS - On 12/8/16, the Commission entered an Opinion and Order in the formal consolidated complaints against PGW. The Complaints raised substantially similar allegations, which challenged, inter alia, the accuracy of utility bills and the lawfulness of PGW's billing methodology for past due account balances for gas service. The cases were assigned to ALJ Vero and on 9/17/15 the Initial Decision of ALJ Vero was issued which sustained the complaints, in part. Exceptions were filed by PGW on 10/7/15 to which SBG filed Replies. On 12/23/16, PGW filed a Petition for Reconsideration, Clarification and/or Rehearing. An Opinion and Order granting the petition pending further review of, and consideration on, the merits was adopted by the Commission by notational vote on 12/28/16 and served on 12/28/16. RECOMMENDATION: That, consistent with 4 Pa. Code § 1.43(c), the 12/28/16 Notational Vote of the Commission be recorded and entered in the minutes of this public meeting.
Vote 5-0.		

2463308-OSA F-2015-2463308
(PP from 12/22/2016)

Motion by Commissioner Sweet.
Vote 5-0.

DEBRA VITALE VS PENNSYLVANIA ELECTRIC COMPANY

- Formal Complaint filed on 1/12/15, alleging incorrect charges on her electric bill. On 2/10/15, Penelec filed an Answer in response to the Complaint. On 8/4/15, a telephonic evidentiary hearing was convened before ALJ Dunderdale. On 11/19/15, the Commission issued the Initial Decision of ALJ Dunderdale, which sustained the Complaint. On 12/9/15, Penelec filed Exceptions to the Initial Decision. No Replies to Penelec's Exceptions were filed.

RECOMMENDATION:

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

2472503-OSA C-2015-2472503

Vote 5-0.

JERMAINE WALKER VS PECO ENERGY COMPANY

- Formal Complaint filed on 3/9/15, alleging that he was not responsible for an electric service bill. On 4/6/15, PECO filed an Answer to the Complaint. A hearing was held on 5/4/16. By Initial Decision issued on 5/31/16, ALJ Jones dismissed the Complaint for failure of the Complainant to appear at the hearing. Thereafter, the Complainant filed Exceptions and PECO filed Replies to Exceptions. On 12/9/16, the Complainant's Petition for Withdrawal of Complaint was filed. PECO filed an Answer to the Petition on 12/9/16.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which grants the petition, vacates the Initial Decision, and closes the proceeding.

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. On 12/22/16, the Commission entered an Opinion and Order denying Columbia's Exceptions, and adopting the Recommended Decision that denied the petition. On 1/6/17, Columbia filed a Petition for Reconsideration of the Commission's 12/22/16 Opinion and Order.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Petition for Reconsideration pending review of and consideration on the merits.

2537349-OSA R-2016-2537349 et al.
R-2016-2537352 et al.
R-2016-2537355 et al.
R-2016-2537359 et al.

METROPOLITAN EDISON COMPANY, PENNSYLVANIA
ELECTRIC COMPANY, PENNSYLVANIA POWER
COMPANY, AND WEST PENN POWER COMPANY

- On 4/28/16, each of the individual First Energy Companies filed a request for a general base rate increase. An evidentiary hearing was held on 9/7/16. On 10/14/16, 4 unopposed Joint Petitions for Partial Settlement were filed to resolve most of the issues pertaining to the companies' rate increase requests. The only issue that was not resolved in the Partial Settlements was the treatment of Adjusted Deferred Income Tax (ADIT) in each company's DSIC Rider. By Recommended Decision, issued on 11/21/16, ALJ Long recommended that the Partial Settlements be approved without modification and that the contested ADIT issue be dismissed without prejudice. On 12/1/16, the OCA filed Exceptions to the Recommended Decision. Replies to Exceptions were filed by the companies on 12/8/16.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

Statement by Chairman Brown.
Statement by Vice Chairman Place.
Statement by Commissioner Sweet.
Vote 5-0 with a Partial Dissent by
Commissioner Sweet.

2576963-OSA A-2016-2576963

Vote 5-0.

UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC
D/B/A CENTURYLINK AND BCN TELECOM INC

- Joint Petition filed on 11/23/16, requesting approval of 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 12/10/16. No comments or protests were received.

RECOMMENDATION:

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

2577324-OSA A-2016-2577324

Vote 5-0.

VERIZON NORTH LLC AND BROADVOX-CLEC LLC

- Joint Petition filed on 11/23/16, 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 12/10/16. No comments were received.

RECOMMENDATION:

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

2577325-OSA

A-2016-2577325

VERIZON PENNSYLVANIA LLC AND BROADVOX-CLEC
LLC

Vote 5-0.

- Joint Petition filed on 11/23/16, 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 12/10/16. No comments 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>
2557458-TUS	A-2016-2557458	THE ENERGY LINK LLC - Application filed on 7/20/16, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to residential, small commercial, large commercial, industrial and governmental customers within PA. Energy Link failed to respond to Commission staff data requests concerning missing information. Energy Link has been given ample opportunity to respond/comply. Vote 5-0. RECOMMENDATION: That the Commission adopt the proposed Order.
2562526-TUS	A-2016-2562526	CORRECT SOLUTIONS LLC - Application filed 8/12/16, for approval to offer, render, furnish or supply telecommunications services as a detariffed Interexchange Carrier Reseller throughout PA. No protests were filed and no hearings were held. Vote 5-0. RECOMMENDATION: That the Commission adopt the proposed Order.
2566366-TUS	A-2016-2566366	GODADDY.COM LLC - Application filed 9/13/16, for approval to offer, render, furnish or supply telecommunication services as a detariffed Interexchange Carrier Reseller throughout PA. No protests were filed and no hearings were held. Vote 5-0. RECOMMENDATION: That the Commission adopt the proposed Order.
2574364-TUS	A-2016-2574364	ELITE ENERGY GROUP INC - Application filed on 11/7/16, for approval to offer, render, furnish, or supply natural gas services as a broker/marketer to small commercial, large commercial, and industrial 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, and Columbia Gas. Vote 5-0. RECOMMENDATION: That the Commission adopt the proposed Order.

2576092-TUS Vote 5-0.	A-2016-2576092 A-2016-2576161 S-2016-2576187	<p>ONVOY LLC AND NEUTRAL TANDEM-PENNSYLVANIA LLC</p> <p>- Applications filed on 11/17/16, for approval of a General Rule Transfer of Control for Onvoy and Neutral Tandem-PA, and for registration of a Securities Certificate. No protests were filed and no hearings were held. Neutral Tandem-PA requested consideration by 1/27/17.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the application and register the Securities Certificate consistent with the proposed Order.</p>
2576290-TUS Vote 5-0.	A-2016-2576290	<p>BENCHMARK SERVICES INC</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 broker/marketer 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>
2577555-TUS Vote 5-0.	A-2016-2577555 A-2016-2577621 A-2016-2577622 A-2016-2577623 A-2016-2577624 A-2016-2577625	<p>BUSINESS TELECOM LLC, CHOICE ONE COMMUNICATIONS OF PENNSYLVANIA INC, CTC COMMUNICATIONS CORP, DELTACOM LLC, EARTHLINK BUSINESS LLC, LIGHTSHIP TELECOM LLC, AND EARTHLINK HOLDINGS CORP AND WINDSTREAM HOLDINGS INC</p> <p>- Joint Application filed 11/29/16, for approval seeking approval of a general rule transaction through which Windstream Holdings, Inc. will acquire indirect control of EarthLink PA Utilities. Joint Applicants also request authority for EarthLink Business to transfer its equity interest in the other EarthLink PA Utilities to a to-be-formed intermediate holding company. The proposed transfer of control is filed in accordance with the requirements of Pa. Public Utility Code, 66 Pa. C.S. §§ 1102(a) and 1103.</p> <p>RECOMMENDATION:</p> <p>That the Commission approve the general rule transfer of control and the pro forma transfer of control.</p>
2578857-TUS Vote 5-0.	R-2016-2578857	<p>APPALACHIAN UTILITIES INC</p> <p>- Supplement No. 8 to Tariff Water – PA P.U.C. No. 2 filed on 12/7/16, proposing changes to "Section 11 - Bills Due and Payment" with an effective date of 2/6/17. No complaints were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

2580205-TUS

A-2016-2580205

AVIDXCHANGE INC

Vote 5-0.

- Application filed on 12/16/16, for approval to offer, render, furnish, or supply natural gas services as a broker/marketer to large commercial and industrial 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, and Columbia Gas.

RECOMMENDATION:

That the Commission adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2494825-LAW	A-2015-2494825	PENNDOT - On 10/13/16, PennDOT filed a petition to transfer jurisdiction to the Court of Common Pleas of Indiana County pursuant to section 2704 of the Public Utility Code because PennDOT determined that Buffalo and Pittsburgh Railway, Inc. is entitled to just compensation for property appropriation of \$500.00. RECOMMENDATION: That the Commission adopt the proposed Order.
Vote 5-0.		
2510230-LAW	P-2015-2510230	NEUSTAR INC - On 10/23/15, the North American Numbering Plan Administrator, NeuStar, Inc, in its role as the neutral third party NPA Relief Planner for PA, acting on behalf of the PA telecommunications industry filed a petition with Commission requesting approval of its plan for the 717 Numbering Plan Area. According to the petition, the industry reached a consensus to implement an all services distributed overlay for the geographic area covered by 717 NPA which would create a new area code to service the area. By Order entered 10/27/16, Commission adopted the recommendation to implement an all services distributed overlay as the form of area code relief for 717 NPA and established a 9-month implementation schedule. On 11/14/16, a Petition for Reconsideration was filed against certain portions of the implementation schedule set forth in the 10/27/16 Order. By Order entered 12/8/16, the Commission, pursuant to Pa. RAP Rule 1701(b)(3), granted reconsideration, pending review of merits of the Petition for Reconsideration. RECOMMENDATION: That the Commission adopt the proposed Order.
Vote 5-0.		
2530610-LAW	A-2016-2530610	PENNDOT - On 12/2/16, PennDOT filed a petition to transfer jurisdiction to the Court of Common Pleas of Allegheny County pursuant to section 2704 of the Public Utility Code because PennDOT determined that CSX Transportation, Inc. is entitled to just compensation for property appropriation of \$7,400.00. RECOMMENDATION: That the Commission adopt the proposed Order.
Vote 5-0.		

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2510231-ALJ Vote 5-0.	R-2015-2510231 C-2015-2512860 P-00930715F1000 R-2015-2510233 C-2015-2512883 P-00001854F1000	VERIZON PENNSYLVANIA LLC AND VERIZON NORTH LLC - On 10/22/16 Verizon filed its 2016 Price Change Opportunity filing and associated revenue increase. In their filings, the companies sought an increase in noncompetitive rates of \$1,064,000 and \$206,000, respectively. On 11/10/15, OSBA filed separate complaints against the 2016 price change opportunity filings made both by Verizon PA and Verizon North on 10/22/15. In its complaints, the OSBA averred that the filings should be rejected because the proposed increases may be unjust, unreasonable and unduly discriminatory. By separate orders dated 12/3/15, the Commission allowed the rates to go into effect pending resolution of the OSBA complaints. The complaints were consolidated. The OCA formally intervened into the consolidated proceeding. A unanimous Settlement of all issues was filed on 11/22/16. COMMISSION REVIEW: That the Commission adopt ALJ Cheskis' Recommended Decision approving and adopting the Settlement in its entirety without modification.
2524540-ALJ	R-2016-2524540 C-2016-2534365 P-00951005F1000 R-2016-2524592 C-2016-2534366 P-00961024F1000	FRONTIER COMMUNICATIONS OF BREEZEWOOD LLC, CANTON LLC, LAKEWOOD LLC, OSWAYO RIVER LLC, AND PENNSYLVANIA LLC AND FRONTIER COMMUNICATIONS COMMONWEALTH TELEPHONE COMPANY - On 1/29/16, the 2016 Joint Price Stability Index/Service Price Index Report Filings and tariff supplements were filed. On 4/17/16, the proposed rates went into effect subject to the final outcome after litigation before OALJ. A Joint Petition for Settlement was filed on 11/23/16, wherein the parties agreed to accept the tariff filings unmodified; however, the parties agree to certain parameters regarding future PSI/SPI filings. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Recommended Decision approving and adopting the Settlement in its entirety without modification.

Statement by Chairman Brown.
Vote 4-0 with Chairman Brown
Recusing.

2524581-ALJ P-2016-2524581

PPL ELECTRIC UTILITIES CORPORATION

Statement by Vice Chairman Place.

- On 1/15/16, PPL filed a Petition for Approval to use the Remote Service Switch in its meters for Involuntary Service Terminations. On 2/4/16, OCA filed an Answer, Notice of Intervention, and Public Statement. On 2/11/16, CAUSE-PA filed a Petition to Intervene. On 3/7/16, OSBA filed a Public Statement, Verification, and Notice of Intervention. A Joint Petition for Approval of Settlement was filed on 8/5/16.

COMMISSION REVIEW:

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

2547165-ALJ F-2016-2547165

LISA TUCKER-PHILLIPS VS PHILADELPHIA GAS WORKS

Joint Statement by Chairman Brown and Vice Chairman Place.
Verbal Statement by Commissioner Sweet.
Verbal Statement by Commissioner Coleman.
Vote 3-2 with Chairman Brown and Vice Chairman Place Dissenting.

- Complaint filed on 5/20/16, alleging PGW threatened to shut off gas service or has already shut off service. Complainant also requested a payment agreement. On 6/13/16, PGW filed an Answer admitting that on 5/5/16 it issued a shut-off notice with a termination date of on or up to 60 days after 5/16/16. PGW further indicated that the Complainant has entered and broken 4 payment agreements. PGW requested that the Commission find against the Complainant and dismiss the Complaint. A hearing was held on 8/4/16.

COMMISSION REVIEW:

That the Commission adopt Deputy Chief ALJ Pell's Initial Decision denying the complaint.

2562263-ALJ C-2016-2562263
(PP from 12/22/2016)

KIMEKIA MAYO VS PHILADELPHIA GAS WORKS

Postponed until the Public Meeting of February 9, 2017.

- 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 PGWs Preliminary Objections, dismissing the Complaint and closing the docket.

2564750-ALJ

R-2016-2564750
P-00981410F1000
C-2016-2568275

Vote 5-0.

UNITED TELEPHONE CO OF PA D/B/A CENTURYLINK

- On 9/1/16, CenturyLink filed its 2016 Annual Price Stability Index/Service Price Index Report and Supplement No. 152 to Tariff Telephone Pa. P.U.C. No. 27 with the Commission. On 9/20/16, OSBA filed a formal complaint against CenturyLink's filing. On 9/21/16, OCA filed its notice of intervention and public statement. On 10/6/16, the Commission entered an Order approving the proposed rates set forth in CenturyLink's filing, subject to refund. On 11/22/16, CenturyLink filed a Joint Petition for Settlement.

COMMISSION REVIEW:

That the Commission adopt ALJ Salapa's Recommended Decision approving and adopting the Settlement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

January 19, 2017

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2569975-OSA	R-2016-2569975 C-2016-2580526	PPL ELECTRIC UTILITIES CORPORATION - On 10/5/16, PPL filed Supplement 213, proposing an increase in distribution revenues contained in its Rate Schedule LPEP, to become effective 1/1/17. On 12/19/16, National Railroad Passenger Corporation (Amtrak) filed a Complaint regarding Supplement 213. On 12/22/16, PPL filed an Answer and New Matter, as well as Preliminary Objections to Amtrak's Complaint. Amtrak filed an Answer to PPL's Preliminary Objections on 1/3/17. On 12/22/16, the Commission entered an Order that suspended Supplement 213 until 6/1/17 and assigned the case to the OALJ for hearings and the issuance of a Recommended Decision. The 12/22/16 Order was amended by Errata Notice issued 1/3/17 to change the suspension date of Supplement 213 to 7/1/17. By Petition filed on 1/3/17 and updated on 1/4/17, Amtrak requested that the Commission amend the 12/22/16 Order to remove or change the suspension date of Supplement 213. On 1/5/17, PPL filed an Answer to Amtrak's Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants, in part, and denies, in part, Amtrak's Petition.

Vote 5-0.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2093383-LAW	M-2009-2093383	ACT 129 ALTERNATIVE ENERGY SOURCES IMPLEMENTATION - In July 2016 the Commission determined that during the time Clean Power Markets, Inc. (a subsidiary of Comverge, Inc.) (CPM) was Alternative Energy Credits (AEC) Administrator, there was a calculation error in determining the quarterly adjustments to the nonsolar Tier I AEC requirements under the terms specified in the Commission's 5/28/09 Final Order. The Commission and CPM wish to resolve this matter. RECOMMENDATION: That the Commission approve the Settlement Agreement.

Vote 5-0.