

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

**PUBLIC MEETING**

---

**THURSDAY, SEPTEMBER 21, 2017 (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:

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>David W. Sweet</b>	<b>Andrew G. Place</b>	<b>Gladys M. Brown</b>	<b>Vacant</b>	<b>John F. Coleman, Jr.</b>

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

The Next Public Meeting is Tentatively Scheduled for Thursday, October 5, 2017 at 10:00 A.M.

Minutes of the Meeting of Thursday, August 3, 2017 (JFC)

**\*\*\*ANNOUNCEMENTS\*\*\***

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 5, 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 HELD AN EXECUTIVE SESSION ON WEDNESDAY, SEPTEMBER 20, 2017, 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

\*\*\*\*\*

**MOTIONS AND STATEMENTS OF THE CHAIRMAN  
AND COMMISSIONERS WILL BE AVAILABLE  
ON THE COMMISSION'S WEBSITE AT  
[WWW.PUC.PA.GOV](http://WWW.PUC.PA.GOV) AFTER PUBLIC MEETING.**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

September 21, 2017

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2475776-OSA</b>  <b>Vote 4-0.</b>	<b>A-2015-2475776</b> <b>A-6317547</b>	<b>AMIGO CAB LLC</b>  - Application filed on 3/16/15, seeking approval to transport persons in call or demand service from points in the counties of Berks and Lancaster to points in PA and return. By a Secretarial Letter issued on 11/8/16, the Commission denied the Application. On 11/28/16, Amigo Cab filed a Petition for Reconsideration from Staff Action relating to the Secretarial Letter. No Answer to the Petition has been filed.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order that grants the Petition, rescinds the Secretarial Letter, and grants the Application.
<b>2494049-OSA</b>  <b>Vote 4-0.</b>	<b>C-2015-2494049</b>	<b>PUC - INVESTIGATION AND ENFORCEMENT VS DAVID C MILLARD T/A DAVID MILLARD TRUCKING</b>  - Complaint filed on 7/21/15, alleging that Respondent failed to file assessment reports for the 2012 and 2013 calendar years, and it failed to pay its assessment amounts for Fiscal Year 2013-2014 and Fiscal Year 2014-2015. On 9/2/15, I&E filed an Amended Complaint. I&E requested that the Respondent be ordered to pay \$3,765 (consisting of the outstanding assessment balance of \$612 and a civil penalty of \$3,153) 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 1/7/16, 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, as modified by the Opinion and Order.

2494494-OSA

C-2015-2494494

PUC - INVESTIGATION AND ENFORCEMENT VS GOLDEN TAXI LLC

**Vote 4-0.**

- Complaint filed on 7/24/15, alleging that Respondent failed to file an assessment report for the 2013 calendar year and also failed to pay its assessment amount for Fiscal Year 2014-2015. I&E requested that the Respondent be ordered to pay \$1,929 (consisting of the outstanding assessment balance of \$743 and a civil penalty of \$1,186) 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 1/6/16, 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. On 10/5/15, the Respondent's Certificate was cancelled for failure to file evidence of insurance with the Commission.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which grants the Motion, consistent with the discussion therein.

2495061-OSA

C-2015-2495061

PUC - INVESTIGATION & ENFORCEMENT VS HOFFMAN LANDSCAPING & TRUCKING LLP

**Vote 4-0.**

- Complaint filed on 7/28/15, alleging that Respondent failed to file an assessment report for the 2013 calendar year, and it failed to pay its assessment amount for Fiscal Year 2014-2015. I&E requested that the Respondent be ordered to pay \$1,644 (consisting of the outstanding assessment balance of \$515 and a civil penalty of \$1,129) 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 1/7/16, 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.

2543173-OSA

C-2016-2543173

PUC - INVESTIGATION AND ENFORCEMENT VS DAVID M SAUL

**Vote 4-0.**

- Complaint filed on 5/3/16, alleging that Respondent failed to file an assessment report for the 2014 calendar year and also failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$1,614 (consisting of the outstanding assessment balance of \$534 and a civil penalty of \$1,080) 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, as modified by the Opinion and Order.

2543351-OSA

C-2016-2543351

PUC - INVESTIGATION AND ENFORCEMENT VS M & S BLASTING LLC

**Vote 4-0.**

- Complaint filed on 5/4/16, alleging that Respondent failed to file an assessment report for the 2014 calendar year and also failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$1,324 (consisting of the outstanding assessment balance of \$282 and a civil penalty of \$1,042) 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, as modified by the Opinion and Order.

<p><b>2591326-OSA</b></p> <p><b>Vote 4-0.</b></p>	<p><b>R-2017-2591326</b>  <b>C-2017-2592396</b>  <b>C-2017-2593189</b></p>	<p><b>COLUMBIA GAS OF PENNSYLVANIA INC</b></p> <p>- Supplement No. 258 to Tariff Gas – Pa. P.U.C. No. 9 filed on 3/31/17, in accordance with Section 1307(f) of the Public Utility Code to become effective on 10/1/17. Both the OCA and the OSBA filed Complaints to Columbia's filing. An evidentiary hearing was held on this matter on 6/8/17. On 6/30/17, a Joint Petition for Settlement was filed to resolve all litigated issues. On 8/2/17, the Commission issued ALJ Dunderdale's Recommended Decision. On 8/14/17, Columbia and the Pennsylvania State University filed Exceptions. On 8/21/17, Columbia filed Replies to Exceptions.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order.</p>
<p><b>2617298-OSA</b></p> <p><b>Vote 4-0.</b></p>	<p><b>A-2017-2617298</b></p>	<p><b>WINDSTREAM PENNSYLVANIA LLC, WINDSTREAM D&amp;E INC, WINDSTREAM BUFFALO VALLEY INC, WINDSTREAM CONESTOGA INC AND AIRBUS DS COMMUNICATIONS INC</b></p> <p>- Joint Petition filed on 8/2/17, seeking 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. No comments or protests were received.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order that grants the Joint Petition</p>
<p><b>2619281-OSA</b></p> <p><b>Vote 4-0.</b></p>	<p><b>A-2017-2619281</b></p>	<p><b>VERIZON NORTH LLC AND AIRBUS DS COMMUNICATIONS INC</b></p> <p>- Joint Petition filed on 8/15/17, seeking 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. No comments or protests were received.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.</p>

2619304-OSA

A-2017-2619304

VERIZON PENNSYLVANIA LLC AND AIRBUS DS  
COMMUNICATIONS INC

**Vote 4-0.**

- Joint Petition filed on 8/15/17, seeking 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. No comments or protests were received.

RECOMMENDATION:

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

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2584781-TUS</b> <b>Vote 4-0.</b>	<b>M-2017-2584781</b>	<b>ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS</b>  - EGS cancellations of companies with an expired financial security or insufficient financial security amount. The Commission's regulations at 52 Pa. Code §54.40(a) state that an EGS license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. 52 Pa. Code §54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained. As of 9/12/17, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code §54.40(a) and (d).  <b>RECOMMENDATION:</b>  That the Commission adopt the proposed Tentative Order.
<b>2589101-TUS</b> <b>Vote 4-0.</b>	<b>A-2017-2589101</b>	<b>PENNDOT</b>  - Application for approval to alter the public at-grade crossing by replacing the existing warning devices where State Route 2008 (Berry Road) crosses a single track of the Buffalo & Pittsburgh Railroad, Inc. (DOT 148 725 P) as part of an adjacent bridge replacement project for SR 2008 in Henderson Township, Jefferson County; and the allocation of costs incident thereto.  <b>RECOMMENDATION:</b>  That the Commission adopt the proposed Order approving the application as amended.
<b>2602917-TUS</b> <b>Vote 4-0.</b>	<b>P-2017-2602917</b> <b>P-2012-2338282</b>	<b>COLUMBIA GAS OF PENNSYLVANIA INC</b>  - Petition filed on 5/5/17, for approval of a major modification to its existing Long-Term Infrastructure Improvement Plan (LTIIIP) and for approval of its Second LTIIIP.  <b>RECOMMENDATION:</b>  That the Commission adopt the proposed Opinion and Order.



2613121-TUS	A-2017-2613121	AURORA ENERGY ADVISORS LLC
<b>Vote 4-0.</b>		<p>- On 7/11/17, the Commission accepted Aurora’s application 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 territory of PECO Energy in PA. The license application is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809. Aurora Energy Advisors, LLC requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c).</p>
		RECOMMENDATION:
		That the Commission adopt the proposed Order.
2614282-TUS	A-2017-2614282	MID ATLANTIC INTERSTATE TRANSMISSION LLC
<b>Vote 4-0.</b>		<p>- Letter of Notification filed on 7/11/17, for approval to rebuild existing structures on the Farmers Valley-Ridgway 115 kV Transmission Line in Keating Township, McKean County, PA. No protests were filed and no hearings were held.</p>
		RECOMMENDATION:
		That the Commission adopt the proposed Order.
2615686-TUS	S-2017-2615686	PENNSYLVANIA AMERICAN WATER COMPANY
<b>Vote 4-0.</b>		<p>- Securities certificate filed on 7/24/17, with respect to the issuance of debt in principal amount not to exceed \$103,440,000. No protests were filed and no hearings were held. The consideration period was voluntarily extended to 9/22/17.</p>
		RECOMMENDATION:
		That the Commission register the securities certificate consistent with the proposed Order.
2616428-TUS	R-2017-2616428	COLUMBIA GAS OF PENNSYLVANIA INC
<b>Vote 4-0.</b>		<p>- Supplement No. 262 to Tariff Gas PA. P.U.C. No. 9 filed on 7/28/17, to be effective 9/26/17. The filing proposes to add a new sub-section to Section 2.7 Distribution Nomination, concerning the Rules Applicable to Distribution Service. This proposed addition would limit nominations to designated pipeline scheduling points under certain qualifying circumstances, and allow shippers, at their option, to deliver additional volumes above the nomination limitation to an alternate delivery point.</p>
		RECOMMENDATION:
		That the Commission adopt the proposed Order.

**2617261-TUS**

**A-2017-2617261**

**PPL ELECTRIC UTILITIES CORPORATION**

**Vote 4-0.**

- Letter of Notification filed on 8/1/17, for approval to rebuild approximately 9.8 miles of the Siegfried-Jackson #1 and #2 138 kV Transmission Line in Chestnuthill, Jackson and Polk Townships, Monroe County, PA. No protests were filed and no hearings were held.

**RECOMMENDATION:**

That the Commission adopt the proposed Order.

**2620414-TUS**

**A-2017-2620414**

**GOLD STAR ENERGY LLC**

**Vote 4-0.**

- On 8/21/17, the Commission accepted Gold Star Energy's application 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 the electric distribution company service territories throughout PA. The license application is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809. Gold Star Energy, LLC requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c).

**RECOMMENDATION:**

That the Commission adopt the proposed Order.

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2505167-LAW</b>  <b>Vote 4-0.</b>	<b>P-2015-2505167</b>	<b>BILLTOWN CAB CO INC</b>  - Billtown Cab seeks a third 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 1/19/19 so that it may continue to operate while it replaces higher mileage vehicles in its fleet. Billtown Cab seeks to have the Commission amend its 10/27/16 Order wherein the Commission announced that no further vehicle mileage waivers would be granted to Billtown Cab.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>2596198-LAW</b>  <b>Vote 4-0.</b>	<b>P-2017-2596198</b> <b>P-2017-2596108</b>	<b>HAMILTON RELAY INC</b>  - The Hamilton companies seek partial temporary waivers consistent with partial temporary waivers the FCC has granted relative to interstate Telecommunications Relay Service (TRS) and Captioned Telephone Voice-Carry-Over Relay Services (CTRS) service. No answers or objections have been filed.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>2609367-LAW</b>  <b>Vote 4-0.</b>	<b>P-2017-2609367</b> <b>R-2017-2591056</b>	<b>SUSQUEHANNA VALLEY TAXI SERVICE INC</b>  - Petition for approval to use an alternative device to traditional mechanical meters in its vehicles, as permitted by 52 Pa. Code § 29.314(b)(9), and for approval to use flexible rates in its taxi service, pursuant to 52 Pa. Code § 29.316(a)(2).  RECOMMENDATION:  That the Commission adopt the proposed Order.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1193895-ALJ</b>  <b>Vote 4-0.</b>	<b>C-20054822</b>	<b>WHITEHALL TOWNSHIP VS RJ CORMAN RAILROAD</b>  - On 6/19/17, PennDOT filed a petition requesting a hearing for the purpose of allocating future maintenance and costs associated with construction work previously performed on a retaining wall located in Whitehall Township. Lehigh County and the Commission's Bureau of Investigation and Enforcement (I&E) intervened. On 7/24/17, PennDOT, Whitehall Township, Lehigh County and I&E filed a Joint Stipulation of Settlement seeking to resolve the issues associated with future maintenance and costs.  COMMISSION REVIEW:  That the Commission adopt ALJ Cheskis' Recommended Decision approving the Settlement without modification.
<b>2471423-ALJ</b>  <b>Vote 4-0.</b>	<b>P-2015-2471423</b> <b>C-2015-2476587</b>	<b>PECO ENERGY COMPANY</b>  - On 10/22/15, the Commission approved PECO's Petition for Approval of its Long-Term Infrastructure Improvement Plan (LTIIP) and to Establish a Distribution System Improvement Charge (DSIC) for its Electric Operations. The Commission concurrently referred two issues relative to the DSIC to the OALJ. The issues are: 1) Whether customers taking service at transmission voltage rates should be included under the DSIC charge; and 2) If revenues associated with the riders in PECO's tariff are properly included as distribution revenues. A Joint Petition for Complete Settlement was filed on 5/8/17.  COMMISSION REVIEW:  That the Commission adopt ALJ Heep's Recommended Decision approving the Settlement.

2540645-ALJ

C-2016-2540645

F-2016-2545083

GUAN HUI REN VS PHILADELPHIA GAS WORKS; GUAN HUI REN (APPELLEE) VS PHILADELPHIA GAS WORKS (APPELLANT)

**Motion by Commissioner Sweet.  
Vote 4-0.**

- On 2/10/16, an informal complaint was filed alleging PGW terminated service at Complainant's rental unit and removed the gas meter for an unknown reason. PGW appealed a BCS decision that was in favor of Guan Hui Ren. On 4/14/16, a formal Complaint was filed. On 4/21/16, Appellant/Respondent filed a Formal Complaint against Appellee/Complainant. Although the Appellant/Respondent sustained its burden of proof that the meter was tampered causing unauthorized usage, the Appellant/Respondent did not prove by the preponderance of the evidence that the unauthorized usage was during the period that it alleged. The Appellee/Complainant filed a separate Formal Complaint against the Appellant/Respondent. The Appellee/Complainant's allegation of terminated gas service in error was denied but the Appellee/Complainant's allegation of incorrect bills was sustained. Thus, this decision denies the Appellee/Complainant's Complaint in part and sustains it in part.

COMMISSION REVIEW:

That the Commission adopt ALJ Jones' Initial Decision granting the appeal of the Appellant/Respondent in part and modifying the alleged period of unauthorized usage. Also, denying the Appellee/Complainant's Complaint in part and sustains it in part.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

September 21, 2017

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2171090-OSA	A-2010-2171090	PENNDOT - Application filed on 4/20/10, seeking Commission approval for the alteration of the crossing where Frazer Street crosses, at grade, (DOT #517 620 V) two tracks of Norfolk Southern in Goldsboro Borough, York County. On 6/9/10, the Commission issued a Secretarial Letter approving the Application. On 5/31/16, the Commission issued a Secretarial Letter closing the case. By Secretarial Letter issued on 2/16/17, the Commission rescinded the 5/31/16 Letter and reopened the proceeding. On 3/7/17, PennDOT and Norfolk Southern filed a Joint Petition for Reconsideration of Staff Action of the 2/16/17 Letter. On 4/11/17, the Bureau of Investigation and Enforcement filed an Answer to the Reconsideration Petition. Thereafter, on 6/1/17, PennDOT filed a Petition to Modify its Application. No Answers to the Petition to Modify have been filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2369268-OSA	A-2013-2369268 C-2016-2545045	RAPID TRANSIT INC - Complaint filed on 5/13/16, for failure to pay its 2015-2016 Fiscal Year assessment to the Commission. On 8/12/16, I&E filed its Motion for Default Judgement stating that the 20-day time frame for Rapid Transit to file an Answer to the Complaint had expired. On 12/22/16, the Commission entered an Order granting I&E's Motion. On 4/24/17, the Bureau of Technical Utility Services issued a Secretarial Letter notifying Rapid Transit that its Certificate had been cancelled. On 5/1/17, Rapid Transit filed a notification of business address change with the Commission and sent a certified check in the amount of \$68 to the Commission to pay its past-due assessment and civil penalty. On 6/20/17, Rapid Transit filed a Petition for Rescission in response to the 12/22/16 Order and the 4/24/17 Secretarial Letter. On 6/29/17, I&E filed a letter stating that it does not oppose the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Petition for Rescission, rescinds the Commission's 12/22/16 Order and the 4/24/17 Secretarial Letter, and reinstates Rapid Transit, Inc.'s Certificate of Public Convenience.

**Vote 4-0.**

**Vote 4-0.**

2537609-OSA

P-2016-2537609

UGI CENTRAL PENN GAS INC

**Vote 4-0.**

- Petition filed on 3/31/16, requesting a waiver of Section 1358(a) of the Public Utility 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. An evidentiary hearing was held on 9/8/16. By Recommended Decision issued 12/5/16, ALJ Jones granted the petition, in part. The parties filed Exceptions and Replies to Exceptions. By Order entered 5/10/17, the Commission, inter alia, permitted UGI-CPG to increase its maximum allowable DSIC up to 7.5% of billed distribution revenues. On 5/25/17, the OSBA filed a Petition for Reconsideration of the 5/10/17 Order. 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 5/30/17 and served on 6/2/17. Answers to the petition were filed by the Commission's Bureau of Investigation and Enforcement and UGI-CPG on 6/5/17.

RECOMMENDATION:

That the Commission adopt a proposed Opinion and Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

2605601-TUS

A-2017-2605601

LEVEL 3 COMMUNICATIONS LLC

**Vote 4-0.**

- Application filed on 5/19/17, for expanded authority to offer, render, furnish or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the service territory of TDS Telecom/Mahanoy and Mahantango Telephone Company. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order.