

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, MARCH 15, 2018 (DS)
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
David W. Sweet	Andrew G. Place	Gladys M. Brown	Norman J. Kennard	John F. Coleman, Jr.

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

The Next Public Meeting is Tentatively Scheduled for Thursday, April 5, 2018 at 10:00 A.M.

Minutes of the Meeting of Thursday, February 8, 2018 (AP)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, APRIL 5, 2018, 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.

THE COMMISSION WILL HOLD ITS NEXT EXECUTIVE SESSION ON WEDNESDAY, APRIL 4, 2018, 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 REGARDING INFORMATION AND STRATEGY IN CONNECTION WITH CURRENT OR POTENTIAL LITIGATION.
3. DISCUSSING MATTERS RELATED TO THE INITIATION AND CONDUCT OF INVESTIGATIONS, AND QUASI-JUDICIAL DELIBERATIONS.
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

March 15, 2018

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2606106-AUD Vote 5-0.	D-2017-2606106	THE YORK WATER COMPANY - Management Efficiency Investigation (MEI) examining the progress in implementing 15 of the 16 original recommendations of the 2015 Focused Management and Operations Audit. York has effectively or substantially implemented 10 of the 15 prior recommendations and has taken some action on the remaining 5 recommendations. Additionally, audit staff made 8 follow-up recommendations for improvement. York Water submitted an Implementation Plan on 3/1/18 indicating acceptance of all 8 follow-up recommendations and indicated it plans to complete a majority of the follow-up recommendations by October 2018. RECOMMENDATION: That the Commission make the MEI report and the Implementation Plan public.
2608083-AUD Vote 5-0.	D-2017-2608083	PPL ELECTRIC UTILITIES CORPORATION - Generation Supply Charge-1 for the 12-month periods ended 3/31/17 and 3/31/16. The auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.
2608084-AUD Vote 5-0.	D-2017-2608084	PPL ELECTRIC UTILITIES CORPORATION - Generation Supply Charge-2 for the 12-month periods ended 3/31/17 and 3/31/16. the auditor's report did not disclose any adverse findings. RECOMMENDATION: That the Commission release the Audit Report to the public.

OFFICE OF EXECUTIVE DIRECTOR

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
3000261-DIR	M-2018-3000261	DAMAGE PREVENTION COMMITTEE APPOINTMENTS - On 10/30/17, Governor Wolf signed into law Act 50 of 2017, assigning duties and responsibilities associated with Pennsylvania's One Call System to the PUC. The Commission is to appoint 13 individuals to serve as members of the Damage Prevention Committee (DPC) in accordance with Section 7.8(a) of Act 50. RECOMMENDATION: That the Commission adopt the proposed Order approving the appointments.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2579564-OSA <u>Motion by Commissioner Sweet.</u> <u>Vote 5-0.</u>	C-2016-2579564	RYAN INGHAM VS PECO ENERGY COMPANY - Formal Complaint filed on 12/9/16, asking, inter alia, to “opt out” of the smart meter installation program and for the Commission to delay his service termination to his account due to his refusing PECO’s access to install a smart meter. On 12/14/16, PECO filed an Answer. On 12/15/16, PECO filed a Preliminary Objection, averring that the Complaint should be dismissed because it is legally insufficient. No Answer was filed to PECO’s Preliminary Objections. On 9/5/17, the Initial Decision of ALJ Heep was issued, which granted PECO’s Preliminary Objection and dismissed the Complaint. On 9/25/17, the Complainant filed Exceptions to the Initial Decision. On 10/26/17, PECO filed a Motion to File Reply Exceptions Nunc Pro Tunc, along with its Replies to Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2589346-OSA <u>Statement by Chairman Brown.</u> <u>Statement by Vice Chairman Place.</u> <u>Vote 4-1 with Vice Chairman Place</u> <u>Dissenting.</u>	C-2017-2589346	WEST GOSHEN TOWNSHIP VS SUNOCO PIPELINE LP - On 3/30/17, West Goshen Township filed a Complaint against Sunoco Pipeline seeking enforcement of a Settlement Agreement at Docket No. U-2015-2486071. By Order entered 10/26/17, the Commission enjoined Sunoco from, inter alia, constructing Valve 344 on the Janiec 2 Tract and conducting horizontal directional drilling on the Janiec 2 Tract. By Order entered 1/9/18, the Commission discontinued the injunction in the 10/26/17 Order. On 1/24/18, the Township filed a Petition for Reconsideration or, in the Alternative, Amendment seeking: (1) reconsideration of the 1/9/18 Order and (2) certification of the 1/9/18 Order to the Commonwealth Court. Sunoco filed an Answer Opposing the Petition on 2/5/18. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2589346-OSA <u>Vote 5-0.</u>	C-2017-2589346	WEST GOSHEN TOWNSHIP VS SUNOCO PIPELINE LP - On 3/30/17, West Goshen Township filed a Complaint against Sunoco Pipeline seeking enforcement of a Settlement Agreement at Docket No. U-2015-2486071. On 10/19/17, Sunoco filed a Motion to Modify the Procedural Schedule. By Order dated 11/14/17, ALJ Barnes denied the Motion to Modify. On 11/17/17, Sunoco filed the instant Petition for Interlocutory Review and Answer to Material Questions relating to the ALJ’s 11/14/17 Order. On 12/4/17, Sunoco filed a Brief in Support of the Petition, and the Township filed a Brief in Opposition to the Petition. 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>
2629980-TUS	A-2017-2629980	DUQUESNE LIGHT COMPANY - Application filed on 10/19/17, for approval of future sale or acquisition of property under the Regional Equipment Sharing for Transmission Outage Restoration Agreement. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
Vote 5-0.		
2632063-TUS	R-2017-2632063	ELVERSON WATER COMPANY INC - Supplement No. 6 to Tariff Water - PA P.U.C. No. 2 filed on 10/30/17, for approval to add provisions for a PENNVEST Surcharge on its water customer's bills to become effective 1/1/18. On 12/20/17, the consideration period for Supplement No. 6 was voluntarily extended to 4/1/18, by Elverson's filing of Supplement No. 7 To Tariff Water - Pa. P.U.C. No. 2. No formal complaints were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
Withdrawn by the Bureau of Technical Utility Services.		
2640827-TUS	M-2018-2640827	ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS - 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 3/6/18, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code §54.40(a) and (d). RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
Vote 5-0.		

2640951-TUS	A-2018-2640951	LIVE ENERGY INC
Vote 5-0.		<p>- On 1/4/18, the Commission accepted Live Energy's application 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 Columbia Gas, NFGD Corp., PECO Energy, Peoples Natural Gas Co., Peoples Natural Gas Co. - Equitable Division, Peoples Gas Co., PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI Utilities, and Valley Energy, within PA. The license application was filed pursuant to Section 2208 of the Natural Gas Choice and Competition Act and Title 52, Chapter 62, Subchapter D.</p>
		RECOMMENDATION:
		That the Commission adopt the proposed Order.
2641199-TUS	A-2018-2641199 G-2018-2641205	PPL ELECTRIC UTILITIES CORPORATION
Vote 5-0.		<p>- Application filed on 1/2/18, for approval of future sale or acquisition of property under the Regional Equipment Sharing for Transmission Outage Restoration Agreement and granting approval of the Regional Equipment Sharing for Transmission Outage Restoration Agreement as an Affiliated Interest Agreement.</p>
		RECOMMENDATION:
		That the Commission approve the application and affiliated interest agreement consistent with the proposed Order.
2641973-TUS	A-2018-2641973 A-2018-2641935 A-2018-2641937 A-2018-2641954	TVC ALBANY INC D/B/A FIRSTLIGHT FIBER
Vote 5-0.		<p>- Application filed on 1/10/18, for approval to offer, render, furnish or supply telecommunications services as a: (1) Competitive Local Exchange Carrier in the service areas of Verizon PA LLC and Verizon North LLC; (2) a Competitive Access Provider throughout PA; (3) an Interexchange Carrier Reseller (detariffed) throughout PA; and (4) a Facilities-Based Interexchange Carrier (detariffed) throughout PA. No protest were filed and no hearings were held.</p>
		RECOMMENDATION:
		That the Commission adopt the proposed Order.
2642206-TUS	A-2018-2642206	MID-ATLANTIC INTERSTATE TRANSMISSION LLC
Vote 5-0.		<p>- Letter of Notification filed on 1/5/18, for approval to site and construct the Conemaugh-Hunterstown 500 kV Transmission Line Loop in Jackson Township, Cambria County, PA. No protests were filed and no hearings were held.</p>
		RECOMMENDATION:
		That the Commission adopt the proposed Order.

2642777-TUS R-2018-2642777
P-00961024F1000

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

COMMONWEALTH TELEPHONE COMPANY D/B/A
FRONTIER COMMUNICATIONS COMMONWEALTH
TELEPHONE COMPANY

- 2018 Price Stability Index/Service Price Index Report Filing filed on 2/1/18, and accompanying tariff supplement requesting a rate increase of \$281,620. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2642826-TUS R-2018-2642826
P-00971182F1000

Vote 5-0.

IRONTON TELEPHONE COMPANY

- 2018 Price Stability Index/Service Price Index Report filing filed on 2/1/18. No tariffs were filed. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order that approves this filing.

2643411-TUS A-2018-2643411

Vote 5-0.

PPL ELECTRIC UTILITIES CORPORATION

- Letter of Notification filed on 1/16/18, for approval to rebuild the approximately 3.2-mile Bartonsville 138 kV Transmission Tap in Pocono and Stroud Townships, Monroe County, PA. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2643439-TUS A-2018-2643439

Vote 5-0.

HANOVER MUNICIPAL WATERWORKS

- Application filed on 1/19/18, for approval to begin to offer, render, furnish or supply water service to the public in a portion of Heidelberg Township, York County, PA.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2644326-TUS

S-2018-2644326

S-2018-2644374

Vote 5-0.

PIKE COUNTY LIGHT & POWER COMPANY

- Securities Certificate filed on 1/23/18, for the approval of the issuance of a term loan in an aggregate principal amount not to exceed \$11,200,000. On 2/18/18, the Company voluntarily agreed to extend the consideration period to 3/16/18. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission register the securities certificate consistent with the proposed Order.

2645950-TUS

A-2018-2645950

Joint Motion by Chairman Brown and Commissioner Sweet.

Vote 5-0 with Vice Chairman Place Concurring in Result Only.

DISHNET WIRELINE LLC

- Application filed on 2/5/18, seeking Commission approval for the discontinuance and abandonment of Competitive Local Exchange Carrier and Interexchange Carrier Reseller services to the public in PA. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order.

2646180-TUS

A-2018-2646180

Vote 5-0.

AMERICAN TRANSMISSION SYSTEMS INC

- Letter of Notification filed on 1/30/18, for approval to site and construct the Cranberry Pine No. 1 138 kV transmission line tap to Brush Creek substation in Pine Township, Allegheny County, PA. No protests were filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2619610-LAW Vote 5-0.	A-2017-2619610	BUSINESS DISCOUNT PLAN INC - On 7/11/17, a copy of BDP's 2016 Assessment Report was returned to the Commission via U.S. Mail with a note stating that the company was closed. Two Secretarial Letters, dated 8/24/17, and 9/20/17, were sent to BDP advising it to file an application for abandonment and submit the associated filing fee. To date, BDP has filed no response to the Secretarial Letters. BDP has not filed an Application for Abandonment, nor the associated filing fee or any request to waive the filing fee. RECOMMENDATION: That the Commission adopt the proposed Order.
2640802-LAW Statement by Commissioner Kennard. Verbal Statement By Commissioner Coleman. Verbal Statement by Chairman Brown. Vote 5-0.	M-2018-2640802	IMPLEMENTATION OF CHAPTER 32 OF THE PUBLIC UTILITY CODE RE PITTSBURGH WATER & SEWER AUTHORITY - On 12/21/17, Governor Wolf signed Act 65 of 2017 amending the Public Utility Code to add Chapter 32 whereby the provision of utility water, wastewater, and stormwater service by entities created by Pennsylvania cities of the second class under the Municipal Authorities Act would be subject to Commission jurisdiction. The Commission issued a Tentative Implementation Order on 1/18/18, and after receipt and consideration of comments, issues this Final Implementation Order to direct methods by which the Commission and affected entities may carry out the provisions of Chapter 32. 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>
2613845-ALJ (PP from 03-01-2018) <u>Motion by Chairman Brown.</u> <u>Statement by Vice Chairman Place.</u> <u>Statement by Commissioner Kennard.</u> <u>Vote 4-1 with Commissioner Kennard Dissenting.</u>	F-2017-2613845	MARTA ABRANTES VS PHILADELPHIA GAS WORKS - Formal Complaint filed 6/30/17, alleging that Complainant's gas bills increased as a result of a gas leak that she reported to PGW on 12/1/16. Complainant further alleged that PGW investigated her concerns and declared her home safe, only to come to her home in 2/2017 in response to her high bill concerns, at which time PGW determined she did have a leak. Complainant requested that PGW adjust her bills to account for the leak that should have been fixed in 12/2016. PGW filed an Answer on 8/1/17. A hearing was held on 10/6/17. COMMISSION REVIEW: That the Commission adopt DCALJ Pell's Initial Decision dismissing the complaint with prejudice for failure to appear at the hearing.

COMMISSIONERS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2604382-CMR	M-2017-2604382	THIRD PARTY ELECTRIC VEHICLE CHARGING – RESALE/REDISTRIBUTION OF UTILITY SERVICE TARIFF PROVISIONS - MOTION OF CHAIRMAN GLADYS M BROWN

**Motion by Chairman Brown.
Verbal Statement by
Commissioner Kennard.
Verbal Statement by Vice
Chairman Place.
Vote 5-0.**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

March 15, 2018

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2597039-LAW Vote 5-0.	F-2017-2597039	JAMES E ELLIOTT JR VS PENNSYLVANIA ELECTRIC COMPANY - On 11/16/18, the Secretary's Bureau records indicated service by electronic service (eService), the Initial Decision of ALJ Hoyer, dated 10/27/17. On 3/8/18, the parties informed the Commission that they never received service of ALJ Hoyer's Initial Decision. The Commission investigated and found that eService to the Counsel for the Respondent was successful, but eService to the Complainant was unsuccessful. Commission records indicating eService for the Complainant were in error. RECOMMENDATION: That the Commission adopt the proposed Order.
2641242-LAW Vote 5-0.	M-2018-2641242	TAX CUTS AND JOBS ACT OF 2017 - By Secretarial Letter issued 2/12/18, the Commission initiated a proceeding to determine the effects of the Tax Cuts and Jobs Act on the tax liabilities of Commission-regulated public utilities for 2018 and future years. The Secretarial Letter required the utilities listed in Attachment A to respond to data requests and to also submit certain financial data. Further, the Secretarial Letter invited public comment on the tax rate changes. The data and comments were due on or before 3/9/18. RECOMMENDATION: That the Commission adopt the proposed Order.
3000281-LAW Vote 5-0.	P-2018-3000281	SUNOCO PIPELINE LP A/K/A ENERGY TRANSFER PARTNERS - On 3/7/18, the Commission issued an Emergency Order pursuant to 52 Pa. Code §§ 3.1-3.4. 52 Pa. Code §3.3(c) requires ratification of emergency orders at "the next scheduled public meeting after issuance of the order." RECOMMENDATION: That the Commission adopt the proposed Order.