

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, SEPTEMBER 20, 2018 (NK)  
10:00 A.M.**

**MAIN HEARING ROOM NO. 1  
SECOND FLOOR COMMONWEALTH KEYSTONE BUILDING**

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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>Norman J. Kennard</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 4, 2018 at 10:00 A.M.

Minutes of the Meeting of Thursday, August 2, 2018 (JFC)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 4, 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, OCTOBER 3, 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.

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**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.**

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**FOR YOUR SAFETY, PLEASE TAKE NOTE OF THE EXITS, DOWN THE STAIRS ON EITHER SIDE OF THE HALLWAY OUTSIDE OF HEARING ROOM 1. IN A TRUE EMERGENCY, A PUC EMPLOYEE IN AN ORANGE VEST WILL BE THERE TO HELP THOSE WHO NEED ASSISTANCE. ONCE YOU MOVE DOWN THE STAIRS, PLEASE EXIT ONTO NORTH STREET. ALSO, FOR YOUR CONVENIENCE, RESTROOMS ARE LOCATED ON THE ATRIUM LEVEL NEAR THE CAFETERIA.**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**FINAL AGENDA**  
**September 20, 2018**

**BUREAU OF ADMINISTRATION**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2290882-ADM</b> <b>Vote 5-0.</b>		<b>PUC WEBSITE VENDOR SELECTION</b> - Vendor selection for PUC Website design. <b>RECOMMENDATION:</b> That the Commission approve the selected vendor.
<b>3004442-ADM</b> <b>Vote 5-0.</b>		<b>GENERAL ASSESSMENT UPON PUBLIC UTILITIES</b> - General Assessment upon Public Utilities and Supplemental Federal Shortfall Assessment on Gas Public Utilities for Fiscal Year 7/1/18 to 6/30/19. <b>RECOMMENDATION:</b> That the Commission approve the Assessments Section computation in accordance with Section 510 of the Public Utility Code, the amount of the General Assessment for the Fiscal Year 7/1/18 to 6/30/19.on each applicable utility.
<b>3004443-ADM</b> <b>Vote 5-0.</b>		<b>OCA GENERAL ASSESSMENT UPON PUBLIC UTILITIES</b> - Office of the Consumer Advocate (Attorney General's Office) General Assessment upon Public Utilities for Fiscal Year 7/1/18 to 6/30/19. <b>RECOMMENDATION:</b> that the Commission approve the Assessments Section computation in accordance with Act 15 of 1977 (§904-A.1(b)(2) of the Administrative Code), the amount of the General Assessment for the Fiscal Year 7/1/18 to 6/30/19 on each applicable utility.
<b>3004444-ADM</b> <b>Vote 5-0.</b>		<b>OSBA GENERAL ASSESSMENT UPON PUBLIC UTILITIES</b> - Office of the Small Business Advocate (Department of Community and Economic Development) General Assessment upon Public Utilities for Fiscal Year 7/1/18 to 6/30/19. <b>RECOMMENDATION:</b> That the Commission approve the Assessment Section computation in accordance with 73 P.S. §399-46, the amount of the General Assessment for the Fiscal Year 7/1/18 to 6/30/19 on each applicable public utility.

**3004445-ADM**

**Vote 5-0.**

**ACT 127 OF 2011 – ASSESSMENT OF PIPELINE OPERATORS**

- Assessment upon Pipeline Operators applicable under Act 127 of 2011 – Billing for Fiscal Year 7/1/18 to 6/30/19.

**RECOMMENDATION:**

That the Commission approve the Assessments Section computation in accordance with Act 127 of 2011 for the amount of the Assessment for the Fiscal Year 7/1/18 to 6/30/19 on each applicable pipeline operator.

**3004446-ADM**

**Vote 5-0.**

**ACT 155 OF 2014 – FEES ESTABLISHED FOR ELECTRIC GENERATION SUPPLIERS AND NATURAL GAS SUPPLIERS**

- Supplemental fees upon Generators of Electricity (EGS) and Suppliers of Natural Gas (NGS).

**RECOMMENDATION:**

That the Commission approve the Assessments Section computation in accordance with M-2014-2448825 for the amount of the supplemental fee for the Fiscal Year 7/1/18 to 6/30/19 on each applicable EGS and NGS.

**BUREAU OF AUDITS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2586262-AUD</b> <b>Vote 5-0.</b>	<b>D-2017-2586262</b>	PECO ENERGY COMPANY - Transmission Service Charge for the 12-month period ended 11/30/15 and 11/30/14. RECOMMENDATION: That the Commission release the Audit Report to the public
<b>2604383-AUD</b> <b>Vote 5-0.</b>	<b>D-2017-2604383</b>	PECO ENERGY COMPANY - Non By-passable Transmission Charge for the 6 months ended 11/20/15. RECOMMENDATION: That the Commission release the audit report to the public
<b>2627521-AUD</b> <b>Statement by Commissioner Sweet.</b> <b>Verbal Statement by Commissioner Kennard.</b> <b>Vote 5-0.</b>	<b>D-2017-2627521</b>	PHILADELPHIA GAS WORKS - Management Efficiency Investigation (MEI) evaluating the implementation of 65 of the 76 original recommendations from the 2015 Stratified Management and Operations Audit released in October 2015. PGW has effectively or substantially implemented 28 of the 65 prior recommendations reviewed and has taken some action on the remaining 37 recommendations. Additionally, Bureau Staff has made 47 follow-up recommendations. PGW indicated acceptance of 46 and rejection of one follow-up recommendations. The company indicated that it plans to complete a majority of the follow-up recommendations by the end of 2019. RECOMMENDATION: That the Commission makes the MEI report and the Company's Implementation Plan public.
<b>3001497-AUD</b> <b>Vote 5-0.</b>	<b>D-2018-3001497</b>	PENNSYLVANIA ELECTRIC COMPANY - Non-Utility Generation Charge for the 12-months ended 4/30/2018 RECOMMENDATION: That the Commission release the Audit Report to the public.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2304167-OSA</b>	<b>C-2012-2304167</b>	SBG MANAGEMENT SERVICES INC/ELREA GARDEN REALTY LP VS PHILADELPHIA GAS WORKS; SBG MANAGEMENT SERVICES INC/FAIRMONT MANOR REALTY CO LP VS PHILADELPHIA GAS WORKS; SBG MANAGEMENT SERVICES INC/MARSHALL SQUARE REALTY CO LP VS PHILADELPHIA GAS WORKS
	<b>C-2012-2304215</b>	
<b>Vote 5-0.</b>	<b>C-2012-2304303</b>	
		<p>- On 5/11/12, SBG, which is a designated real estate management company, filed Formal Complaints against PGW on behalf of three apartment complex owners under its management. The Complaints challenged, inter alia, the accuracy of utility bills and the lawfulness of PGW’s billing methodology for partial payments on past due account balances for gas service. The matters were assigned to ALJ Vero, and were consolidated. An Initial Decision was issued 11/23/15. Exceptions were filed by PGW, 12/14/15. SBG filed Replies to Exceptions. In a related decision re: SBG/Colonial Garden Realty, et al. v. PGW, the Commission entered a final Order on 12/8/16, and orders on reconsideration on 5/18/18, and 8/23/18, resolving substantially identical issues with an identity of parties to these Complaints. See Docket No. C-2012-2304324, et al.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order.</p>
<b>2485454-OSA</b>	<b>C-2015-2485454</b>	MARLENE BROMAN VS WEST PENN POWER COMPANY
<b>(PP from 08-23-2018)</b>		
<b><u>Motion by Commissioner Sweet.</u></b>		<p>- Complaint filed on 5/22/15, alleging, inter alia, that West Penn advised her that it was going to cut her privacy fence trees pursuant to FERC guidelines and West Penn’s Vegetation Program and requested that the Commission order West Penn to refrain from its “strong arm” tactics in its attempts to cut her trees. West Penn filed an Answer and New Matter on 6/22/15. A telephonic hearing was held on 10/6/15. In an Initial Decision, issued 11/4/16, ALJ Watson sustained the Complaint, in part, and dismissed it, in part. West Penn filed Exceptions on 11/28/16 and the Complainant filed Exceptions on 12/1/16. West Penn filed Replies to Exceptions on 12/8/16.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order which grants West Penn’s Exceptions, in part, and denies them, in part; denies the Complainant’s Exceptions; and modifies the Initial Decision.</p>
<b><u>Statement by Commissioner Coleman.</u></b>		
<b><u>Verbal Statement by Commissioner Kennard.</u></b>		
<b><u>Vote 3-2 with Commissioner Coleman and Commissioner Kennard Dissenting.</u></b>		

2513669-OSA P-2015-2513669  
P-2015-2501386

Vote 5-0.

KEYSTONE CAB SERVICE INC, EZ TAXI LLC, UNITED CAB LLC, GOOD CAB LLC, AMIGO TAXI LLC, DIAMOND TAXI LLC, AND DOLLAR TAXI LLC

- Joint Petitions filed on 8/21/15 and 11/17/15, requesting a finding that their use of vehicle and storage parts storage yards are reasonably necessary for the convenience of the public and exempt from local zoning requirements. The City of Harrisburg filed Answers with New Matter to the Joint Petitions on 6/17/16. In an Initial Decision issued on 8/2/16, ALJ Salapa granted the City's motions for summary judgment and dismissed the Joint Petitions. The Petitioners filed Exceptions on 8/22/16. On 9/2/16, the City filed Replies to Exceptions. By Order entered 4/6/17, the Commission granted the Exceptions, in part, denied them, in part, and remanded the matter for further proceedings. An evidentiary hearing was held on 10/5/17. In an Initial Decision on Remand issued on 12/18/17, ALJ Salapa denied the Joint Petitions. The Petitioners filed an Exception on 12/26/17 and the City filed a Reply to the Exception on 1/16/18.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2547322-OSA C-2016-2547322

Joint Motion by Vice Chairman Place and Commissioner Sweet.

Joint Statement by Commissioner Kennard and Commissioner Coleman.

Verbal Statement by Vice Chairman Place.

Vote 3-2 with Commissioner Kennard and Commissioner Coleman Dissenting.

ROBERT M MATTU VS WEST PENN POWER COMPANY

- Complaint filed on 4/26/16, alleging harmful effects to his wells and fish pond due to West Penn's use of spray herbicides on the right-of-way on his property. Initial and further hearings were held on 9/31/16 and 10/25/2016, respectively. On 3/29/17, the Initial Decision of ALJ Dunderdale denying the Complaint was issued. No Exceptions were filed. Pursuant to Section 332(h) of the Code a Tentative Order was entered on 7/14/17 reversing the ALJ's Initial Decision and seeking intervention by interested parties. No party filed for intervention and the 7/14/17 Order became final on 8/14/17. On 8/29/17, West Penn filed a Petition for Reconsideration of the 7/14/17 Order. No Answers were filed. On 8/31/17, an Order granting reconsideration on further review of the merits was entered. On 10/10/17 and 10/11/17, respectively, the Energy Association of Pa. and PPL Electric Utilities filed letters in support of the Petition.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants West Penn Power's Petition, in part, denies it, in part, and directs a limited remand to the OALJ for such further proceedings as may be necessary.

2547569-OSA C-2016-2547569

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS ROYAL TRANSPORTATION LLC

- On 11/2/16, the Bureau of Investigation and Enforcement (I&E) filed a Motion for Default Judgment requesting that the Commission direct Royal Transportation to pay its outstanding assessment amount of \$668 for Fiscal Year 2015-2016, and the associated civil penalty of \$167. Royal Transportation did not file an Answer to the Motion. By Commission Order entered 2/8/18, the Commission directed Royal Transportation to pay the outstanding assessment amount of \$668 and a civil penalty of \$100. On 2/23/18, I&E filed a Petition for Reconsideration in response to the 2/8/18 Order.

RECOMMENDATION:

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

2564338-OSA C-2016-2564338

Vote 5-0.

FARIDA B RAHMAN VS VERIZON PENNSYLVANIA LLC

- Formal Complaint filed on 8/24/16, alleging incorrect charges on her bills and improper termination of service. On 2/17/17, the Complaint was amended to include a claim that she was unable to make long-distance calls from her phone using calling cards. An evidentiary hearing was held on 3/24/17. By Initial Decision issued 6/9/17, ALJ Long sustained the Complaint, in part, and denied it in part. Exceptions and Replies were filed by the Complainant and Verizon. On 6/14/18, the Commission issued its Opinion and Order that denied the Complainant Exceptions. On 7/16/18, the Complainant filed a Petition for Reconsideration. On 7/20/18, Verizon filed an Answer to the Petition for Reconsideration.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the Complainant's Petition.

2589346-OSA C-2017-2589346

Motion by Commissioner Sweet.  
Vote 5-0.

WEST GOSHEN TOWNSHIP VS SUNOCO PIPELINE LP

- West Goshen Township filed a series of Complaints against Sunoco Pipeline regarding the parties' obligations under a prior Settlement Agreement, at Docket No. U-2015-2486071, concerning the location of a valve within the Township. Evidentiary hearings were held on 4/25/18 and 4/26/18. By Recommended Decision issued 7/19/18, ALJ Barnes granted the Complaint, in part, and denied the Complaint, in part. On 8/10/18, the Parties filed a Joint Petition for Settlement in Lieu of Exceptions requesting that the Commission: (1) grant the Joint Petition and approve the Joint Petition under 66 Pa. C.S. §507; (2) adopt the Recommended Decision without modification; and (3) stay the Exceptions period until twenty days after the entry of a Commission Opinion and Order regarding the Joint Petition.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.



**2601038-OSA C-2017-2601038**

**Vote 5-0.**

**A RAYMOND KOCHIS VS DUQUESNE LIGHT COMPANY**

- Formal Complaint filed on 4/26/17, alleging incorrect charges on his bill and that DLC was threatening or had shut off his utility service. As relief, the Complainant requested that the Commission order DLC not to charge him for electric use during the time he was absent from the service address. An evidentiary hearing was held on 10/4/17. The Initial Decision of ALJ Dunderdale was issued on 1/30/18. The Complainant filed Exceptions on 5/17/18. The Exceptions were deemed not timely filed and therefore will be considered as a Petition for Rescission. DLC filed a Motion to Quash on 5/24/18, which will be considered as an Answer to the Petition.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2610584-OSA C-2017-2610584**

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

**ROBERT G KUHN JR VS DUQUESNE LIGHT COMPANY**

- Formal Complaint filed on 5/30/17, alleging, inter alia, that DLC's proposed vegetation management practices on the Complainant's property constitute inadequate, unreasonable or unsafe service. On 7/11/17, DLC filed an Answer, New Matter and Preliminary Objections. On 7/19/17, the Complainant filed separate Answers to DLC's New Matter and Preliminary Objections. On 9/7/17, the Initial Decision of ALJ Salapa was issued, which granted the Preliminary Objection and dismissed the Complaint in its entirety. The Complainant filed Exceptions on 9/25/17. DLC filed Replies to Exceptions on 10/10/17.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2610587-OSA U-2017-2610587  
C-2017-2616962**

**Vote 5-0.**

**YORK WATER COMPANY**

- On 6/16/17, York Water filed an Application requesting that a proposed Interconnect Agreement by and between York Water and Dallastown-Yoe Water Authority be certified by the Commission consistent with Section 507 of the Public Utility Code. On 7/24/17, the Red Lion Municipal Authority filed a Formal Complaint. On 8/15/17, Red Lion filed a Petition to Intervene in the Application. On 8/18/17, Red Lion filed an Amended Complaint. On 9/7/17, York Water filed an Answer, a New Matter, as well as Preliminary Objections, in response to the Amended Complaint. On 9/18/17, Red Lion filed an Answer to the Preliminary Objections. An evidentiary hearing was held on 1/23/18. In a Recommended Decision issued 6/7/18, ALJ Cheskis granted approval of the Interconnect Agreement. On 7/6/18, Red Lion filed Exceptions and a Request for Clarification. Replies to Exceptions and a Request for Clarification was filed by York Water on 7/16/18.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2617558-OSA C-2017-2617558**

**JAMES QUIGLEY AND TERESA MENDEZ-QUIGLEY VS PECO ENERGY COMPANY**

**Vote 5-0.**

- Formal Complaint filed on 8/1/17, requesting, inter alia, to opt out of smart meter installation based on safety, health, and privacy concerns. On 8/11/17, PECO filed an Answer denying the material allegations in the Complaint. A hearing was held on 4/17/18 and 4/18/18. By Order dated 8/17/18, ALJ Heep granted PECO's Motion to Admit Counsel Thomas Watson Pro Hac Vice. On 8/27/18, the Complainants filed a Petition for Interlocutory Review and Answer to Material Question relating to the ALJ's 8/17/18 Order. PECO filed a Brief in Opposition to Complainants' Petition on 9/4/18.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order which declines to answer the Material Question and returns the matter to the OALJ.

**2637177-OSA M-2018-2637177**

**ARTESIAN WATER PENNSYLVANIA INC**

**Vote 5-0.**

- Application filed on 5/10/16, seeking Commission approval of two affiliated interest agreements by and between Artesian PA and its parent affiliate, Artesian Resources Corp. By Secretarial Letter dated 3/7/17, the Commission's Bureau of Technical Utility Services (TUS) rejected the application, without prejudice, advising Artesian PA to file a new application under Section 1102(a)(3) of the Public Utility Code. On 3/27/17, Artesian PA filed a Petition for Reconsideration of Staff Action. On 12/7/17, the Commission entered an Order that referred this matter to TUS for further review and also directed the Bureau of Investigation and Enforcement (I&E) to conduct a further review on the timing of the filing of the Agreements by Artesian PA. I&E initiated an informal investigation as directed in the 12/7/17 Order. On 7/5/18, I&E and Artesian PA submitted a Joint Petition for Settlement and Statements in Support of the Settlement.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order that issues the Settlement for comments.

**2638155-OSA C-2017-2638155**

**Vote 5-0.**

**PUC - INVESTIGATION AND ENFORCEMENT VS GATEWAY LIMOUSINE SERVICE, LLC**

- Complaint filed on 12/13/17, alleging that the Respondent failed to pay its assessment amount for Fiscal Year 2016-2017. I&E requested that the Respondent be ordered to pay \$5,429 (consisting of the outstanding assessment balance of \$4,776 and a civil penalty of \$716) 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 4/25/18, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the 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.

**2638362-OSA C-2017-2638362**

**Vote 5-0.**

**PUC - INVESTIGATION AND ENFORCEMENT VS T & S LIMOUSINES INC**

- Complaint filed on 12/14/17, alleging that the Respondent failed to file an assessment report for the 2015 calendar year and failed to pay its assessment amount for Fiscal Year 2016-2017. I&E requested that the Respondent be ordered to pay \$1,110 (consisting of the outstanding assessment balance of \$530 and a civil penalty of \$580) 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 4/18/18, the Respondent's Certificate was cancelled. On 4/26/18, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the remaining outstanding assessment and the 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, consistent with the Opinion and Order.

**2641740-OSA C-2018-2641740**

**Vote 5-0.**

**PUC - INVESTIGATION AND ENFORCEMENT VS JOHN S MYERS JR T/A J S MYERS HAULING**

- Complaint filed on 1/9/18, alleging that the Respondent failed to file an assessment report for the 2015 calendar year and failed to pay its assessment amount for Fiscal Year 2016-2017. I&E requested that the Respondent be ordered to pay \$331 (consisting of the outstanding assessment balance of \$31 and a civil penalty of \$300) 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 4/20/18, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the remaining outstanding assessment and the civil penalty. On 2/5/18, the Respondent's Certificate was cancelled. No Answer to the Motion was filed.

**RECOMMENDATION:**

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

**2641772-OSA C-2018-2641772**

**Vote 5-0.**

**PUC - INVESTIGATION AND ENFORCEMENT VS SHIMSHOCK INC**

- Complaint filed on 1/9/18, alleging that the Respondent failed to file an assessment report for the 2015 calendar year and failed to pay its assessment amount for Fiscal Year 2016-2017. I&E requested that the Respondent be ordered to pay \$429 (consisting of the outstanding assessment balance of \$129 and a civil penalty of \$300) 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 4/20/18, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the 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.

**2641885-OSA C-2018-2641885**

**Vote 5-0.**

**PUC - INVESTIGATION AND ENFORCEMENT VS PETER CUNDRO & ROBERT PARRELL COPT T/A P&R TRUCKING AND EXCAVATING**

- Complaint filed on 1/9/18, alleging that the Respondent failed to file an assessment report for the 2015 calendar year and failed to pay its assessment amount for Fiscal Year 2016-2017. I&E requested that the Respondent be ordered to pay \$347 (consisting of the outstanding assessment balance of \$47 and a civil penalty of \$300) 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 2/1/18, the Respondent paid the outstanding assessment balance of \$47. On 4/20/18, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the civil penalty. No Answer to the Motion was filed. On 8/30/18, the Respondent's Certificate was cancelled.

**RECOMMENDATION:**

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

**2641933-OSA C-2018-2641933**

**Vote 5-0.**

**PUC - INVESTIGATION AND ENFORCEMENT VS PATTS EXCAVATING LLC**

- Complaint filed on 1/10/18, alleging that the Respondent failed to file an assessment report for the 2015 calendar year and failed to pay its assessment amount for Fiscal Year 2016-2017. I&E requested that the Respondent be ordered to pay \$726 (consisting of the outstanding assessment balance of \$414 and a civil penalty of \$312) 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 2/1/18, the Respondent paid the outstanding assessment balance of \$414. On 4/20/18, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the 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.

**3003590-OSA A-2018-3003590**

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

FRONTIER COMMUNICATIONS COMMONWEALTH  
TELEPHONE COMPANY AND ONVOY LLC

- Joint Petition filed on 7/24/18, 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. No comments or protests were received.

RECOMMENDATION:

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

**3003593-OSA A-2018-3003593**

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

CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK INC, FRONTIER COMMUNICATIONS OF BREEZEWOOD LLC, FRONTIER COMMUNICATIONS OF CANTON LLC, FRONTIER COMMUNICATIONS OF LAKEWOOD LLC, FRONTIER COMMUNICATIONS OF OSWAYO RIVER LLC, AND FRONTIER COMMUNICATIONS OF PENNSYLVANIA LLC AND ONVOY LLC

- Joint Petition filed on 7/24/18, 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. 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>2625214-TUS</b> <b>Vote 5-0.</b>	<b>A-2017-2625214</b>	<b>MID-ATLANTIC INTERSTATE TRANSMISSION LLC</b>  - Application filed on 9/15/17, for approval to locate and construct the Lackawanna-North Meshoppen 230 kV Transmission Line in Blakely and Archbald Boroughs and Scott, North Abington, and Benton Townships, Lackawanna County; Clinton, Nicholson, Lemon, Washington, and Meshoppen Townships, Wyoming County; and Auburn Township, Susquehanna County, PA.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>2640827-TUS</b> <b>Vote 5-0.</b>	<b>M-2018-2640827</b>	<b>ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS</b>  - 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 9/11/18, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code §54.04(a) and (d).  RECOMMENDATION:  That the Commission adopt the proposed Tentative Order.
<b>2645573-TUS</b> <b>Vote 5-0.</b>	<b>A-2018-2645573</b> <b>U-2017-2636119</b>	<b>PENNSYLVANIA-AMERICAN WATER COMPANY - WASTEWATER DIVISION</b>  - Application filed on 2/1/18, for approval of the right to acquire nutrient credits from Dover Township (Dover) and Dover Township Sewer Authority (DTSA), Nunc pro tunc; and the request for a Certificate of Filing for the Agreement of Sale between PAWC-WD and Dover and DTSA for the purchase of 2017 nutrient credits.  RECOMMENDATION:  That the Commission adopt the proposed Order.

3000648-TUS	A-2018-3000648	BRADLEY R LEWIS
<b>Vote 5-0.</b>		<p>- Application filed on 3/23/18, for approval to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas, NFGD Corp., PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI, and Valley Energy within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
3001076-TUS	<b>A-2018-3001076</b> <b>A-2018-3001077</b> <b>A-2018-3001078</b> <b>A-2018-3001079</b>	<p>SOUTHERN LIGHT LLC D/B/A UNITI FIBER PA LLC</p> <p>- Application filed on 4/11/18, for approval to offer, render, furnish or supply telecommunications services as a: (1) Competitive Local Exchange Carrier in the service territories of Verizon PA; Verizon North, The United Telephone Company of PA d/b/a CenturyLink, Frontier Communications of PA, Commonwealth Telephone Co. d/b/a Frontier Communications Commonwealth Telephone Co., Frontier Communications of Breezewood, Frontier Communications of Canton, Frontier Communications of Lakewood, and Frontier Communications of Oswayo River; (2) Facilities-Based Interexchange Carrier (detariffed) throughout PA; (3) Interexchange Carrier Reseller (detariffed) throughout PA; and (4) as a Competitive Access Provider throughout PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>Vote 5-0.</b>		
3001363-TUS	A-2018-3001363	<p>PENNSYLVANIA-AMERICAN WATER COMPANY</p> <p>- Application filed on 4/19/18, for approval to offer, render, furnish or supply water service to the public in an additional portion of Lower Pottsgrove Township, Montgomery County, PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>Vote 5-0.</b>		
3001477-TUS (PP from 08-23-2018)	A-2018-3001477	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- On 4/20/18, PPL filed a Petition for Waiver and a Letter of Notification for approval to rebuild approximately 6.9 miles of 138/69 kV transmission line in Washington Township, Lehigh County and the Borough of Palmerton and Lower Towamensing and East Penn Townships, Carbon County, PA. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b><u>Motion by Vice Chairman Place.</u></b> <b><u>Joint Statement by Commissioner</u></b> <b><u>Kennard and Commissioner</u></b> <b><u>Coleman.</u></b> <b>Vote 3-2 with Commissioner Kennard</b> <b>and Commissioner Coleman</b> <b>Dissenting.</b>		



<b>3002875-TUS</b>	<b>A-2018-3002875</b>	INTEGRITY COMMUNICATIONS OF OHIO LTD
<b>Vote 5-0.</b>		<p>- Application filed on 6/21/18, 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 Columbia Gas, NFGD Corp., PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable, Peoples Gas, PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI, and Valley Energy, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3003386-TUS</b>	<b>A-2018-3003386</b>	EDGE INSIGHTS INC
<b>Vote 5-0.</b>		<p>- Application filed on 7/13/18, for approval to offer, render, furnish, or supply natural gas services as a broker/marketer to small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas, NFGD Corp., PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable, Peoples Gas, PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI, and Valley Energy, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3003480-TUS</b>	<b>A-2018-3003480</b>	SOLUTION ENERGY LLC
<b>Vote 5-0.</b>		<p>- Application filed on 7/18/18, 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 Columbia Gas, NFGD Corp., PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable, Peoples Gas, PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI, and Valley Energy, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3003524-TUS</b>	<b>S-2018-3003524</b>	PITTSBURGH WATER AND SEWER AUTHORITY
<b>Vote 5-0.</b>		<p>- Securities Certificate filed on 7/17/18, for approval to the incurrence of indebtedness in an amount up to \$150 million under an unsecured, revolving credit agreement. No protests were filed and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission register the securities certificate consistent with the proposed Order.</p>

<p><b>3003558-TUS</b> <b>Vote 5-0.</b></p>	<p><b>R-2018-3003558</b> <b>C-2018-3004331</b> <b>R-2018-3003561</b> <b>C-2018-3004331</b></p>	<p>AQUA PENNSYLVANIA INC AND AQUA PENNSYLVANIA WASTEWATER INC</p> <p>- Tariff Water-Pa P.U.C. No. 2 filed on 8/17/18, proposing a total annual increase in operating revenues of approximately \$66,372,833, or 15.39%, to become effective 10/16/18. Also, filed on 8/17/18 was Tariff Sewer-Pa P.U.C. No. 2 proposing a total annual increase in operating revenues of approximately \$5,396,000, or 40.14%, to become effective 10/16/18. On 8/28/18, the OCA filed a Formal Complaint.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p><b>3003567-TUS</b> <b>Vote 5-0.</b></p>	<p><b>R-2018-3003567</b></p>	<p>COLUMBIA GAS OF PENNSYLVANIA INC</p> <p>- Supplement No. 278 to Tariff Gas Pa. P.U.C. No. 9 filed on 7/23/18, to be effective 9/21/18, for approval to propose to implement Tariff provisions to govern the use of the Historical Usage Portal.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<p><b>3003592-TUS</b> <b>Vote 5-0.</b></p>	<p><b>A-2018-3003592</b></p>	<p>COMPETITIVE ENERGY SERVICES LLC</p> <p>- Application filed on 7/24/18, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to 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>
<p><b>3003764-TUS</b> <b>Vote 5-0.</b></p>	<p><b>A-2018-3003764</b></p>	<p>COMPETITIVE ENERGY SERVICES LLC</p> <p>- Application filed on 8/1/18, for approval to offer, render, furnish, or supply natural gas services as a broker/marketer to small commercial, large commercial, industrial, and governmental customers in the natural gas distribution company service territories of Columbia Gas, NFGD Corp., PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable, Peoples Gas, PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI, and Valley Energy, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

<b>3003774-TUS</b>	<b>A-2018-3003774</b>	<p><b>PREMIERE MARKETING LLC D/B/A TRANSPARENT ENERGY</b></p> <p>- Application filed on 8/1/18, for approval to offer, render, furnish, or supply natural gas services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers in the natural gas distribution company service territories of Columbia Gas, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable, Peoples Gas, PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI, and Valley Energy, within PA.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>
<b>Vote 5-0.</b>		
<b>3003887-TUS</b>	<b>A-2018-3003887</b>	<p><b>TYBEC ENERGY MANAGEMENT SPECIALISTS INC</b></p> <p>- Application filed on 8/8/18, 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><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>
<b>Vote 5-0.</b>		
<b>3003896-TUS</b>	<b>A-2018-3003896</b>	<p><b>U S ENERGY BIDDERS LLC</b></p> <p>- Application filed on 8/8/18, 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><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>
<b>Vote 5-0.</b>		
<b>3003902-TUS</b>	<b>S-2018-3003902</b>	<p><b>AQUA PENNSYLVANIA INC</b></p> <p>- Securities Certificate filed on 8/7/18, for approval to the issuance of long-term debt in a principal amount not to exceed \$125 million. No protests were filed and no hearings were held.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission register the securities certificate consistent with the proposed Order.</p>
<b>Vote 5-0.</b>		

**3004031-TUS**

**S-2018-3004031**

**S-2018-3004033**

**S-2018-3004035**

CITIZENS ELECTRIC COMPANY OF LEWISBURG PA,  
WELLSBORO ELECTRIC COMPANY, AND VALLEY ENERGY  
INC

**Vote 5-0.**

- Securities Certificates filed on 8/13/18, for approval to amend and extend the guarantee of indebtedness under its Master Letter of Credit.

RECOMMENDATION:

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

## LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2543193-LAW</b> <b>Statement by Commissioner Kennard.</b> <b>Verbal Statement by Commissioner Sweet.</b> <b>Vote 5-0.</b>	<b>M-2016-2543193</b>	<b>IMPLEMENTATION OF SECTION 1329 OF THE PUBLIC UTILITY CODE</b>  - On 4/14/16, Governor Wolf signed into law Act 12 of 2016, which amended Chapter 13 of the Pennsylvania Public Utility Code by adding a new Section 1329 to the Code and which became effective 6/13/16. 66 Pa. C.S. § 1329. Section 1329 addresses the valuation of municipal and authority-owned water and wastewater systems acquired by water and wastewater utilities or entities regulated by the Commission. The Commission issues this Tentative Supplemental Implementation Order based on experience adjudicating Section 1329 applications such that our procedures and guidelines can be improved to ensure that the adjudication process is both fair and efficient, improve the quality of fair market valuations, and ultimately to reduce litigation regarding final Commission determinations.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>2589340-LAW</b>  <b>Vote 5-0.</b>	<b>A-2017-2589340</b>	<b>PENNDOT</b>  - On 8/15/18, PennDOT filed a Petition to transfer jurisdiction to the Court of Common Pleas of Columbia County pursuant to Section 2704 of the Public Utility Code because the Norfolk Southern Railway Co. has not accepted PennDOT's determination that the company is entitled to just compensation of \$655.00 for the property appropriation.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>2608078-LAW</b> <b>(PP from 08-23-2018)</b> <b>Statement by Vice Chairman Place.</b> <b>Vote 5-0.</b>	<b>P-2017-2608078</b>	<b>RETAIL ENERGY SUPPLY ASSOCIATION</b>  - Petition to simplify the process for EGSs to seek a reduction in the financial security requirements in accordance with 52 Pa. Code § 54.40.  RECOMMENDATION:  That the Commission adopt the proposed Order.

<p><b>3000942-LAW</b></p> <p><b>Vote 5-0.</b></p>	<p><b>R-2018-3000942</b> <b>M-2018-2641242</b></p>	<p><b>TAX CUTS AND JOBS ACT OF 2017 - PIKE COUNTY LIGHT &amp; POWER COMPANY</b></p> <p>- On 6/14/18, the Commission granted reconsideration of Pike’s petition seeking reconsideration of the Commission's Orders entered 5/17/18, pending review of, and consideration on, the merits of the petition and any responses thereto.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>
<p><b>3002392-LAW</b></p> <p><b>Vote 5-0.</b></p>	<p><b>P-2018-3002392</b></p>	<p><b>SUPERIOR WATER COMPANY INC</b></p> <p>- Petition filed on 5/25/18, for waiver of the Commission's regulation at 52 Pa. Code § 121.6(c) requiring it to file a petition for modification (due to an alleged major modification defined in 52 Pa. Code § 121.2) to an existing Long-Term Infrastructure Improvement Plan under 66 Pa. C.S. 1350 et seq. Superior also requests an extension of the consideration period for review of its Annual Asset Optimization Plan (AAOP) under 52 Pa. Code § 121.6(e) until the Commission rules on this subject Petition. The request to extend the consideration period for review of the Company’s AAOP was granted by Secretarial Letter dated 6/5/18.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>
<p><b>3004086-LAW</b></p> <p><b>Vote 5-0.</b></p>	<p><b>P-2018-3004086</b></p>	<p><b>PECO ENERGY COMPANY</b></p> <p>- Petition filed on 8/15/18, pursuant to 52 Pa. Code § 5.41, requesting that the Commission approve a waiver of the use of its standardized interconnection and application agreement forms for proposed interconnection projects. PECO seeks a waiver from using the Commission adopted standardized interconnection forms in order to accommodate the Department of Conservation and Natural Resources’ request to modify the existing standardized terms and conditions in the interconnection agreement.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Order.</p>

**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>2537154-ALJ</b>	<b>A-2016-2537154</b>	<b>PREMIUM TAXI LLC</b>
<b><u>Motion by Commissioner Sweet.</u> <u>Vote 5-0.</u></b>		<p>- Application filed on 3/21/16 for the right to begin to transport, as a common carrier, by motor vehicle, persons, in call or demand service, in Bethlehem Township, Northampton County, and the City of Bethlehem in the Counties of Lehigh and Northampton. Two protests were filed with the Commission. A hearing was held on 7/14/16.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Guhl’s Initial Decision granting the Motion to Dismiss the Application filed by Protestant, Yourway Transport Inc.</p>
<b>2634526-ALJ</b>	<b>C-2017-2634526</b>	<b>CALVIN E HAYES VS PHILADELPHIA GAS WORKS</b>
<b><u>Motion by Commissioner Sweet.</u> <u>Vote 5-0.</u></b>		<p>- Formal Complaint filed 11/17/17 alleging “[t]he utility is threatening to shut off my service or has already shut off my service,” “I would like a payment agreement,” and “[i]ncorrect charges are on my bill.” On 12/11/17 PGW filed an Answer. A hearing was held on 2/22/18.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Pell’s Initial Decision denying the Complaint.</p>
<b>3001582-ALJ</b>	<b>A-2018-3001582</b>	<b>AQUA PENNSYLVANIA WASTEWATER INC</b>
<b><u>Vote 5-0.</u></b>		<p>- Application filed on 5/15/18 pursuant to Sections 1102 and 1329 of the Public Utility Code seeking, among other things, approval of: (1) the acquisition of the wastewater system assets of East Bradford Township, (2) the right of Aqua to begin providing wastewater service to the public in the requested territory, and (3) an order approving the acquisition that includes the ratemaking rate base of the East Bradford Township wastewater system assets was accepted as complete by the Commission. A Joint Petition for Approval of Settlement was filed on 8/6/18.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJs Vero and Guhl’s Recommended Decision approving the Joint Petition for Approval of Settlement.</p>

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

September 20, 2018

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2637855-OSA  <b>Vote 5-0.</b>	P-2017-2637855 P-2017-2637857, et al. P-2017-2637858 P-2017-2637866	METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY, AND WEST PENN POWER COMPANY  - Joint Petition filed on 12/11/17, for approval of Default Service and Procurement Programs (DSPs) covering the period 6/1/19 through 5/31/23. A Partial Settlement was filed on 5/15/18, along with reply briefs. No objections to the Settlement were filed. On 6/28/18, Exceptions to the Recommended Decision of ALJ Long, were filed by OCA and Retail Supply Association (RESA). The Bureau of Investigation and Enforcement, Respond Power, the Met-Ed Industrial Users Group, the Penelec Industrial Customer Alliance, and the Coalition for Affordable Utility Services and Energy Efficiency (CAUSE-PA) filed Replies to Exceptions on 7/9/18. On 9/4/18, the Commission entered an Opinion and Order modifying the Recommended Decision, granting in part and denying in part, the Exceptions of the OCA and RESA. On 9/17/18, the OCA and CAUSE-PA each filed a Petition for Reconsideration.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order that grants the Petitions pending review of and consideration on the merits.
2645278-OSA  <b>Statement by Vice Chairman Place.</b> <b>Vote 5-0.</b>	R-2018-2645278 C-2018-3000494 C-2018-3000567 R-2018-3000236 C-2018-3000496 C-2018-3000573	PEOPLES NATURAL GAS COMPANY LLC AND PEOPLES NATURAL GAS COMPANY LLC – EQUITABLE DIVISION  - On 3/2/18, Peoples made its PGC 30-day pre-filing with the Commission for both divisions of the company. Petitions to Intervene and Protests were filed by various parties. An evidentiary hearing was held on 6/4/18. Main and Reply Briefs were filed by the parties. On 6/22/18, a Joint Petition for Partial Settlement was filed by the parties. On 7/25/18, the Commission issued the Recommended Decision of ALJ Watson in which he recommended approval of the Partial Settlement excluding the issue involving Peoples' proposal to charge conventional gas producers a retainage charge. On 8/2/18, the Pennsylvania Independent Oil & Gas Association (PIOGA) filed Exceptions. Replies to Exceptions were filed by Peoples, the OCA and the OSBA on 8/8/18. On 8/17/18, PIOGA filed a Motion to Strike certain statements of fact made in Peoples' Replies. On 8/27/18, Peoples filed an Answer to the Motion to Strike.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order.



2645296-OSA      R-2018-2645296  
                         C-2018-3000574  
                         C-2018-3000497

PEOPLES GAS COMPANY LLC

- On 3/2/18, Peoples Gas made its Purchased Gas Cost (PGC) 30-day pre-filing with the Commission. Petitions to Intervene and Protests were filed by various parties. An evidentiary hearing was held on 6/4/18. Main and Reply Briefs were filed by the parties. On 6/22/18, a Joint Petition for Partial Settlement was filed by the parties. On 7/25/18, the Commission issued the Recommended Decision of ALJ Watson, which recommended approval of the Partial Settlement excluding the issue involving Peoples Gas' proposal to charge conventional gas producers a retainage charge. On 8/3/18, the Pennsylvania Independent Oil & Gas Association (PIOGA) filed Exceptions. Replies to Exceptions were filed by Peoples Gas, the OCA and the OSBA on 8/8/18. On 8/17/18, PIOGA filed a Motion to Strike certain statements of fact made in Peoples Gas' Replies. On 8/27/18, Peoples Gas filed an Answer to the Motion to Strike.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

**Statement by Vice Chairman Place.**  
**Vote 5-0.**

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
3000943-TUS  <b>Vote 5-0.</b>	M-2018-3000943 M-2018-3000947 M-2018-3000948 M-2018-3000949	METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY, AND WEST PENN POWER COMPANY  - On 4/10/18, via Secretarial Letter, the Commission initiated the Periodic Review of the FirstEnergy Companies' Long-Term Infrastructure Improvement Plans (LTHIIPs) as required by the Public Utility Code. The FirstEnergy companies filed comments on 5/10/18.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and Order.
3002126-TUS  <b>Vote 5-0.</b>	P-2018-3002126	CITY OF LANCASTER  - Petition of the City of Lancaster for approval of its Long-Term Infrastructure Improvement Plan (LTIIP) filed on 5/15/18. The OCA filed comments on 6/11/18.  RECOMMENDATION:  That the Commission adopt the proposed Opinion and 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>3000381-ALJ</b>	<b>A-2018-3000381 A-2018-3000382 A-2018-3000383</b>	UGI UTILITIES INC, UGI PENN NATURAL GAS INC, AND UGI CENTRAL PENN GAS INC  - On 3/8/18, UGI filed a merger application seeking all approvals and certificates appropriate, customary, or necessary under the Public Utility Code to carry out the transactions contemplated in the merger application in a lawful manner. On 7/20/18, the Joint Applicants filed a Joint Petition for Settlement seeking the approval of settlement of all issues.  COMMISSION REVIEW:  That the Commission adopt ALJ Myers and DC ALJ Cheskis' Recommended Decision approving the Joint Petition for Settlement without modification.

**Motion by Chairman Brown.**  
**Vote 4-1 with Commissioner Kennard**  
**Dissenting.**

**COMMISSIONERS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>3004734-CMR</b>		FAILURE TO APPEAR BY PRO SE COMPLAINANTS -MOTION OF CHAIRMAN BROWN

**Motion by Chairman Brown.**  
**Vote 5-0.**