

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, OCTOBER 25, 2018 (JFC)
10:00 A.M.**

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

The Commission will act on various matters at today's meeting, which is open to the public. However, since adequate forums have been made available for public participation in cases before the Commission, there will be no opportunity for the public to address the Commission.

The attached agenda is complete at the time of issuance, but other items may be added and some stricken without further notice.

The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, its decision---except on routine, uncontested tariff filings---will be put in writing and served on the interested parties and made public at the time it is entered and served.

All public documents---such as orders, opinions, hearing transcripts, comments, initial and recommended decisions, and the like---relating to items on the agenda, may be examined in the Commission's File Room located in Room N-201, Second Floor, this Building.

The Commissioners seated on the bench are:

COMMISSIONER	VICE CHAIRMAN	CHAIRMAN	COMMISSIONER	COMMISSIONER
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, November 8, 2018 at 10:00 A.M.

Minutes of the Meeting of Thursday, September 20, 2018 (NK)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, NOVEMBER 8, 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, NOVEMBER 7, 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.**

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

October 25, 2018

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
3004556-AUD	D-2018-3004556	ANNUAL REPORT FOR FISCAL YEAR 2017-2018 – MANAGEMENT AUDITS/MANAGEMENT EFFICIENCY INVESTIGATIONS
Verbal Statement by Chairman Brown. Vote 5-0.		- Annual Report addressing the findings of all Management Audits and Management Efficiency Investigations, 66 PA C.S. 516 audits for fiscal year 2017-2018. RECOMMENDATION: That the Commission release the Annual Report to the public.

OFFICE OF COMPETITIVE MARKET OVERSIGHT

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2381742-OCM	I-2013-2381742	INVESTIGATION OF PENNSYLVANIA'S RETAIL NATURAL GAS SUPPLY MARKET
Vote 5-0.		<p>- Recommendation to continue the five-day waiting period when a customer chooses a natural gas supplier (NGS) or returns to natural gas distribution company (NGDC) service and, therefore, to maintain the waiver of the Commission's regulations at 52 Pa. Code §§ 59.93(2) (relating to customer contacts with NGSs) and 59.94 (relating to time frames for switching), to the extent necessary. Specifically, OCMO recommends that the waivers of this Commission's regulations at 52 Pa. Code §§ 59.93(2) and 59.94 be extended for an additional three years to allow for the potential revision of these regulations.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Tentative Order.</p>

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. **DOCKET NO.**
2520981-OSA **F-2015-2520981**

Motion by Commissioner Sweet.
Vote 5-0.

NAME AND SUBJECT

RICHARD ENSTROM VS PENNSYLVANIA ELECTRIC COMPANY

- Formal Complaint filed on 12/23/15, alleging, inter alia, that there were incorrect charges on his August 2015 and October 2015 Bills. On 1/22/16, Penelec filed an Answer and New Matter. A hearing was held on 4/28/16. In an Initial Decision issued 12/28/16, ALJ Watson sustained the Complaint, in part, and dismissed it, in part, and imposed a civil penalty on Penelec. Penelec filed Exceptions on 11/17/16. The Complainant filed Replies to Exceptions on 11/28/16.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Exceptions, in part, and denies them, in part, and directs a limited remand to the OALJ for such further proceedings as may be necessary.

2581006-OSA **C-2016-2581006**

Motion by Vice Chairman Place.
Vote 5-0.

MAYER KRAIN VS CHOICE ENERGY LLC

- Formal Complaint filed on 12/15/16, alleging that Choice Energy had been calling his home telephone daily for an extended period even after he requested that he be removed from their calling list. For relief, he requested that the telephone calls be stopped. An evidentiary hearing was held on 5/25/17. By Initial Decision issued on 12/26/17, ALJ Guhl sustained the Complaint, and assessed a penalty of \$1,000 on Choice Energy. Exceptions were filed by the Complainant and Choice Energy. Reply Exceptions were filed by the Complainant.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that denies the Complainant's Exceptions; grants, in part, and denies, in part, Choice Energy's Exceptions; and modifies the ALJ's Initial Decision.

2588064-OSA **F-2017-2588064**

Vote 5-0.

ARNE O FINBERG VS AQUA PENNSYLVANIA INC

- Formal Complaint filed on 2/6/17, alleging that Aqua was threatening to or had shut off his service, incorrect charges on his bill, and a reliability, safety, or quality problem with his service. Aqua filed an Answer and New Matter on 3/22/17. A telephonic hearing was conducted on 7/12/17. In an Initial Decision issued 10/2/17, ALJ Cheskis dismissed the Complaint. The Complainant filed Exceptions on 10/23/17. Aqua filed Replies to Exceptions on 11/16/17.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Initial Decision.

2637855-OSA P-2017-2637855
P-2017-2637857
et al.
P-2017-2637858
P-2017-2637866

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

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

- On 12/11/2017, the companies filed a joint petition for the approval of default service and procurement programs covering the period from 6/1/19 through 5/31/23. 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 the Retail Energy Supply Association (RESA). On 9/17/18, the OCA and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) each filed a Petition for Reconsideration. On 9/19/18, the companies filed a Petition for Reconsideration. On 9/20/18, the Commission entered an Opinion and Order granting the Petitions for Reconsideration of OCA and CAUSE-PA, pending further review of, and consideration on, the merits. RESA filed an Answer to the Petitions on 9/27/18. On 10/4/2018, the Commission granted the Petition for Reconsideration of the Companies pending further review of, and consideration on, the merits.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2641683-OSA C-2018-2641683

Vote 5-0.

PUC - INVESTIGATION AND ENFORCEMENT VS CITYCAR
SERVICES OF NJ LLC T/A TOC CHAUFFEURED
TRANSPORTATION

- Complaint filed on 1/8/18, 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 \$5,423 (consisting of the outstanding assessment balance of \$4,716 and a civil penalty of \$707) and that the Respondent's Certificates 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 4/26/18, 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2590179-TUS (PP from 10-04-2018) Vote 5-0.	A-2017-2590179	NETSPEED LLC - Application filed on 2/16/17, for approval to offer, render, furnish or supply telecommunications services to the public as a Competitive Access Provider throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2640827-TUS Vote 5-0.	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 10/16/18, 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.
2643835-TUS Vote 5-0.	A-2018-2643835	AQUA PENNSYLVANIA INC - Application filed on 1/22/18, for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Rice Township, Luzerne County, PA. No protests were filed, and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2643837-TUS Vote 5-0.	A-2018-2643837	AQUA PENNSYLVANIA WASTEWATER INC - Application filed on 1/22/18, for approval to begin to offer, render, furnish and supply wastewater service to the public in an additional portion of Rice Township, Luzerne County, PA. RECOMMENDATION: That the Commission adopt the proposed Order.

3001503-TUS	R-2018-3001503	<p>VENANGO WATER COMPANY</p> <p>- Supplement No. 23 to Tariff Water - Pa. P.U.C. No. 3 filed on 7/26/18, for approval to propose a total annual increase in operating revenues of approximately \$23,207, or 17.99%, to become effective 11/15/18.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
3001505-TUS	R-2018-3001505	<p>BLAINE E RHODES SEWER COMPANY</p> <p>- Supplement No. 12 To Sewer - Pa. P.U.C. No. 2 filed on 7/26/18, for approval to propose a total annual increase in operating revenues of approximately \$14,228, or 18.14%, to become effective 11/15/18.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
3001506-TUS	R-2018-3001506	<p>SUGARCREEK WATER COMPANY</p> <p>- Supplement No. 10 To Water - Pa. P.U.C. No. 3 filed on 7/26/18, for approval to propose a total annual increase in operating revenues of approximately \$7,038, or 20.96%, to become effective 11/15/18.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
3001507-TUS	R-2018-3001507	<p>WEST HICKORY WATER COMPANY</p> <p>- Supplement No. 8 To Water - Pa. P.U.C. No. 3 filed on 7/26/18, for approval to propose a total annual increase in operating revenues of approximately \$18,393, or 31.18%, to become effective 11/15/18.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		
3003638-TUS	A-2018-3003638	<p>ENERGY LINK I LLC</p> <p>- Application filed on 7/26/18, 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 the electric distribution company service territories of Duquesne, PECO, and Penn Power in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0.		

3004320-TUS	A-2018-3004320	TVC ALBANY INC D/B/A FIRSTLIGHT FIBER
Vote 5-0.		<p>- Application filed on 8/17/18, for approval for expanded authority to offer, render, furnish or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the service territories of Frontier Communications Commonwealth Telephone Company; Frontier Communications of Pennsylvania, LLC; Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC.; Frontier Communications of Lakewood, LLC; and Frontier Communications of Oswayo River, LLC.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
3004325-TUS	A-2018-3004325	BIG BANG ENERGY GROUP LLC
Vote 5-0.		<p>- Application filed on 9/4/18, 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>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
3004377-TUS	A-2018-3004377	CSD ENERGY ADVISORS LLC
Vote 5-0.		<p>- Application filed on 8/30/18, 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>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
3005004-TUS	S-2018-3005004	METROPOLITAN EDISON COMPANY
Vote 5-0.		<p>- Securities Certificate filed on 9/26/18, for approval of the proposed issuance and sale of debt securities and/or credit facilities in a principal amount not to exceed \$500 million. 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>

3005325-TUS M-2018-3005325

Statement by Vice Chairman Place.

Statement by Commissioner Kennard.

Vote 3-2 with Vice Chairman Place and Commissioner Kennard Dissenting.

QUARTERLY EARNINGS REPORT OF JURISDICTIONAL UTILITIES

- Bureau of Technical Utility Services report to the Commission regarding quarterly earnings of Pennsylvania utilities for the quarter ended 6/30/18.

RECOMMENDATION:

That the Commission make the earnings report public.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2422519-LAW Vote 5-0.	A-2014-2422519	BROKER ONLINE EXCHANGE LLC - Petition for Reconsideration filed 8/6/18, seeking (1) reconsideration of the Commission's Final Order entered on 6/12/18, cancelling its license to serve as a broker/marketer of electric generation supply service in the Commonwealth and (2) reinstatement of its license. Broker Online Exchange's license was cancelled due to its failure to maintain a valid bond with the Commission as required by the Public Utility Code, 66 Pa. C.S. § 2809(c)(1)(i), and Commission regulations, 52 Pa. Code § 54.40. RECOMMENDATION: The Commission adopt the proposed Order.
2613820-LAW Vote 5-0.	A-2017-2613820	GLOBAL CONNECTION INC OF AMERICA D/B/A STAND UP WIRELESS, GLOBAL CONNECTION HOLDINGS CORPORATION, AND ODIN MOBILE LLC - On 5/26/17, the parties filed their Joint Petition and captioned it as a Transfer of Control. On 8/15/18, the parties filed a Supplement Petition requesting to modify their caption as a Renewal of Eligible Telecommunications Carrier (ETC) Designation in light of the transfer. The FCC approved Global Connection's Joint Section 214 transfer application on 6/15/18. On 8/15/18, the FCC approved Global Connection's joint wireline and wireless compliance plan. RECOMMENDATION: That the Commission adopt the proposed Order.
2641242-LAW Vote 5-0.	M-2018-2641242	TAX CUTS AND JOBS ACT OF 2017 - On 12/22/17, the Tax Cuts and Jobs Act was signed into law. By Secretarial Letter issued 3/2/18, the Commission initiated an investigation into to effects of the Act on Pennsylvania telecommunications carriers for 2018 and future years. In May 2018, several rural incumbent local exchange carriers (RLECs) filed their respective annual Chapter 30 Price Stability Index/Service Price Index reports. Subsequently, the OCA filed formal complaints against each of these filings. In response to the Commission's 8/9/18 Secretarial Letter staying its investigation pending the parties' litigation regarding the RLECs' Chapter 30 plans' exogenous events provisions. On 8/24/18, the RLECs, along with other members of the Pennsylvania Telephone Association, petitioned the Commission to rescind the 8/9/18 Secretarial Letter and discontinue the stay. The OCA filed an Answer on 9/6/18. RECOMMENDATION: That the Commission adopt the proposed Order.

3004948-LAW L-2018-3004948

Statement by Vice Chairman Place.
Verbal Statement by
Commissioner Sweet.
Verbal Statement by
Commissioner Kennard.
Verbal Statement by Commissioner
Coleman.
Vote 4-1 with Vice Chairman Place
Dissenting.

**RULEMAKING REGARDING COMMISSION'S REGULATION
GOVERNING THE CONSUMER ADVISORY COUNCIL**

- Chapter 91 of the Commission's regulations, adopted 4/15/77, established the Consumer Advisory Council to advise the Commission upon matters relating to the protection of consumer interests. These regulations were last reviewed in 1994. Based upon further experience, the Commission is interested in exploring potential changes in order to improve its efficiency as an advisory body and to clarify its duties and role.

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>
3001631-ALJ	R-2018-3001631 C-2018-3001820 C-2018-3001826	UGI CENTRAL PENN GAS INC - UGI CPG filed its 1307(f) Purchased Gas Cost Rates Filing on 6/1/18. OCA and OSBA filed complaints and CPGLUG filed a Petition to Intervene. A hearing was held on 7/30/18. The parties submitted a Stipulation in Settlement of Section 1307(f) Rate Investigation and statements in support of the Settlement on 8/10/18. OSBA and CPGLUG filed letters in which they stated they do not oppose the settlement. COMMISSION REVIEW: That the Commission adopt ALJs Haas and Calvelli's Recommended Decision approving the Settlement of Section 1307(f) Rate Investigation without modification.
<u>Statement by Vice Chairman Place.</u> <u>Vote 5-0.</u>		
3001632-ALJ	R-2018-3001632 C-2018-3001822 C-2018-3001827	UGI PENN NATURAL GAS INC - UGI PNG filed its 1307(f) Purchased Gas Cost Rates Filing on 6/1/18. OCA and OSBA filed complaints. A hearing was held on 7/30/18. The parties submitted a Stipulation in Settlement of Section 1307(f) Rate Investigation and statements in support of the Settlement on 8/10/18. OSBA filed documentation stating it does not oppose the settlement. COMMISSION REVIEW: That the Commission adopt ALJs Haas and Calvelli's Recommended Decision approving the Settlement of Section 1307(f) Rate Investigation without modification.
<u>Statement by Vice Chairman Place.</u> <u>Vote 5-0.</u>		
3001633-ALJ	R-2018-3001633 C-2018-3001806 C-2018-3001825	UGI UTILITIES INC – GAS DIVISION - UGI filed its 1307(f) Purchased Gas Cost Rates Filing on 6/1/18. OCA and OSBA filed complaints. On 6/12/18, UGIII filed a Petition to Intervene. A hearing was held on 7/30/18. The parties submitted a Stipulation in Settlement of Section 1307(f) Rate Investigation and statements in support of the Settlement on 8/10/18. OSBA and UGIII do not oppose the settlement. COMMISSION REVIEW: That the Commission adopt the ALJs. Haas and Calvelli's Recommended Decision approving the Settlement of Section 1307(f) Rate Investigation without modification.
<u>Statement by Vice Chairman Place.</u> <u>Vote 5-0.</u>		

3002437-ALJ

A-2018-3002437

PENNSYLVANIA-AMERICAN WATER COMPANY -
WASTEWATER

Vote 5-0.

- Application filed on 6/19/18, pursuant to Section 1102(a) of the PA Public Utility Code, 66 Pa. C.S. § 1102(a), and Section 1329 of the Code, 66 Pa. C.S. § 1329, requesting that the Commission (1) issue Certificates of Public Convenience to PAWC for the transfer to PAWC, by sale, of substantially all of the assets, properties and rights of Sadsbury Township related to Sadsbury's wastewater collection system and (2) set the fair market value of the acquisition for rate-base ratemaking purposes. A Joint Petition for Approval of Settlement of All Issues and Statements in Support were filed on 9/14/18.

COMMISSION REVIEW:

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

3002839-ALJ

C-2018-3002839

RICHARD WENDELL VS DUQUESNE LIGHT COMPANY

Motion by Commissioner Sweet.
Vote 5-0.

- Complaint filed 6/5/18 alleging DLC submitted a proposal in its base rate filing at R-2018-3000124 concerning its plans for vegetation management which did not include an environmental component. Complainant requested the Commission require DLC to submit a revised proposal that includes a constructive environmental vision for the future that enhances the environment. On 7/10/18, DLC filed an Answer and New Matter generally denying the allegations. DLC also filed Preliminary Objections on the grounds that Complainant lacked standing and failed to allege DLC violated a statute or regulation.

COMMISSION REVIEW:

That the Commission adopt ALJ Dunderdale's Initial Decision granting the preliminary objections and dismissing the Complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

October 25, 2018

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

2610587-OSA

Vote 5-0.

DOCKET NO.

U-2017-2610587

C-2017-2616962

NAME AND SUBJECT

YORK WATER COMPANY

- On 6/16/17, York Water filed an application requesting certification of a proposed Emergency Interconnect Agreement by and between York Water and the Dallastown - Yoe Water Authority. On 7/24/17, Red Lion Municipal Authority filed a Formal Complaint alleging, inter alia, that the agreement violated its Commission-approved tariff. The Complaint was later amended. The matter was assigned to ALJ Cheskis. On 6/7/18, the Commission issued the ALJ's Initial Decision that dismissed the Complaint. Exceptions were filed by Red Lion and Reply Exceptions were filed by York Water. On 9/20/18, an Order was entered that denied the Exceptions. On 10/10/18, Red Lion filed a Petition for Reconsideration and Stay. On 10/15/18, York Water filed its Answer. On 10/15/18, an Order granting the Petition pending further review of and consideration on the merits, was adopted unanimously by the Commission via notational vote that ended on 10/19/18. The Order was served on 10/19/18.

RECOMMENDATION:

That, consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the minutes of this public meeting.