

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, MARCH 28, 2019 (JFC)  
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>Andrew G. Place</b>	<b>David W. Sweet</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, April 11, 2019 at 10:00 A.M.

Minutes of the Meeting of Thursday, February 28, 2019 (NK)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, APRIL 11, 2019, 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 10, 2019, 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**  
**March 28, 2019**

**BUREAU OF AUDITS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2583671-AUD</b> <b>Vote 5-0.</b>	<b>D-2017-2583671</b>	PEOPLES NATURAL GAS COMPANY LLC - Universal Service for the 12-month periods ended 12/31/15 and 12/31/14. RECOMMENDATION: That the Commission release the audit report to the public.
<b>2583672-AUD</b> <b>Vote 5-0.</b>	<b>D-2017-2583672</b>	PEOPLES NATURAL GAS COMPANY LLC - Distribution System Improvement Charge for the 12-month periods ended 12/31/15 and 12/31/14. RECOMMENDATION: That the Commission release the audit report to the public.
<b>3003143-AUD</b> <b>Vote 5-0.</b>	<b>D-2018-3003143</b>	RASIER - PA LLC - Background Check Process Review. Rasier-PA LLC has submitted an Implementation Plan dated 2/22/19, indicating acceptance of two recommendations and partial acceptance of five recommendations. RECOMMENDATION: That the Commission release the audit report and implementation plan 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>1121115-OSA</b>	<b>M-00900239</b>	<b>PA RELAY SERVICE ADVISORY BOARD</b> - By Commission's Order of 5/29/90, the Commission established a Telecommunications Relay Service Advisory Board (TRS Advisory Board). The TRS Advisory Board By-Laws provide for seven public members who may serve on the TRS Advisory Board for two-year terms. The TRS Board supports the nomination of Ms. Amy S. Goldman to serve on the TRS Board as a public member for a two-year term that will expire on 1/31/21. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that appoints Ms. Amy S. Goldman to the TRS Advisory Board.
<b>Vote 5-0.</b>		
<b>1121115-OSA</b>	<b>M-00900239</b>	<b>PA RELAY SERVICE ADVISORY BOARD</b> - By Commission's Order of 5/29/90, the Commission established a Telecommunications Relay Service Advisory Board (TRS Advisory Board). In addition to public members who may serve on the TRS Advisory Board for two-year terms, the By-Laws provide for Unlimited Term Members. Unlimited Term Members who serve unlimited terms on the Board are from the following organizations: Relay Service Provider(s), Pennsylvania Telephone Association, Labor & Industry's Office for the Deaf and Hard of Hearing and the Commission. The TRS Board supports the nomination of Mr. Matthew Hrivnak of the Commission's Bureau of Consumer Services to serve on the TRS Board for an unlimited term. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that appoints Mr. Matthew Hrivnak to the TRS Advisory Board.
<b>Vote 5-0.</b>		
<b>2304183-OSA</b>	<b>C-2012-2304183</b> <b>C-2012-2304324</b>	<b>SBG MANAGEMENT SERVICES INC ET AL VS PHILADELPHIA GAS WORKS</b> - Petition filed on 9/25/18, for Stay of the Commission Orders (Orders) entered on 5/18/18, 8/23/18 and 12/8/16, in the consolidated proceedings at Docket Nos. C-2012-2304183 and C-2012-2304324. The Orders directed PGW to adopt billing practices in compliance with the Code and Commission regulations, reimburse SBG for unlawful billing amounts, and pay the penalties imposed due to PGW's failure to disclose its unlawful billing practices to its customers and the Commission. SBG filed an Answer in opposition to the request for Stay asserting that PGW failed to meet the standard applicable for granting a stay of Orders. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that denies the Petition.
<b>Vote 5-0.</b>		

<p><b>2475023-OSA</b></p> <p><b>Vote 5-0.</b></p>	<p><b>C-2015-2475023</b></p>	<p><b>MARIA POVACZ VS PECO ENERGY COMPANY</b></p> <p>- Formal Complaint filed on 3/28/15 that was subsequently amended on 4/8/16, alleging that PECO was threatening to shut off her service after she refused the installation of a Smart Meter at her home. PECO filed its Answer on 4/29/16. Hearings were held on 6/7&amp;8/16. On 3/20/18, the Commission issued the Initial Decision (I.D.) of ALJ Heep, which granted the complaint in part and denied the complaint in part. On 5/14/18, both the complainant and PECO filed Exceptions to the ALJ's I.D. The complainant filed Reply Exceptions on 5/24/2018. PECO filed Reply Exceptions on 6/4/18.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the Proposed Opinion and Order.</p>
<p><b>2601990-OSA</b></p> <p><b>Vote 5-0.</b></p>	<p><b>F-2017-2601990</b></p>	<p><b>NIRA AND ROBERT ECKSTEIN VS PECO ENERGY COMPANY</b></p> <p>-Petition for Limited Remand (Petition) was filed on 3/1/19, to reopen the record and remand this matter to the Office of Administrative Law Judge, for the limited purpose of addressing the pro hac vice admission of Thomas Carl Watson, Esquire. No Answer to the Petition was filed.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order that grants the Petition.</p>
<p><b>2616249-OSA</b></p> <p><b>Vote 5-0.</b></p>	<p><b>C-2017-2616249</b></p>	<p><b>THERESA GAVIN VS PECO ENERGY COMPANY</b></p> <p>- Petition for Limited Remand (Petition) was filed on 3/1/19, to reopen the record and remand this matter to the Office of Administrative Law Judge for the limited purpose of addressing the pro hac vice admission of Thomas Carl Watson, Esquire, in this proceeding. No Answer to the Petition was filed.</p> <p><b>RECOMMENDATION:</b></p> <p>That the Commission adopt the proposed Opinion and Order that grants the Petition.</p>

**2617335-OSA**      **M-2018-2617335**      PUC – BUREAU OF INVESTIGATION & ENFORCEMENT VS GREAT AMERICAN POWER LLC

**Vote 5-0.**

- Informal investigation due to marketing and sales practices as an electric generation supplier (EGS) in PA in response to allegations that during the period October 2015 through June 2017, sales agents on behalf of Great American were going door-to-door attempting to sell electricity in Millersburg, PA, and other municipalities, without the required solicitation permits and without properly notifying the Commission’s Bureau of Consumer Services about such activities. As a result of the investigation, Bureau of Investigation & Enforcement (I&E) determined that Great American may have violated provisions of Chapter 111 of the Commission’s Regulations. On 10/29/18, the Parties submitted a Settlement Agreement (Settlement) to resolve this matter. I&E and Great American also filed Statements in support of the proposed Settlement.

RECOMMENDATION:

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

**2634030-OSA**      **C-2017-2634030**      PUC – BUREAU OF INVESTIGATION AND ENFORCEMENT VS R JEAN RYAN T/A SCOTTY TAXI

**Vote 5-0.**

- Motion for Default Judgement (Motion) filed on 4/25/18, requesting that the Commission direct R. Jean Ryan t/a Scotty Taxi (Scotty Taxi) to pay its outstanding assessment amount of \$1,259 for fiscal year 2016-2017, and the associated civil penalty of \$1,315. Scotty Taxi did not file an Answer to the Motion. By Commission Order entered 8/23/18, the Commission directed Scotty Taxi to pay the outstanding assessment amount of \$1,259 and a civil penalty of \$1,315. On 9/13/18, Scotty Taxi filed the instant Petition for Rescission or Amendment (Petition) of the 8/23/18 Order. No Answer to the Petition has been filed.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

3003563-OSA C-2018-3003563

**Vote 5-0.**

ELCHANAN AND ESTHER ABERGEL VS PHILADELPHIA GAS WORKS

- Formal Complaint filed on 7/6/18, alleging, inter alia, a billing dispute. The Commission previously entered a Final Opinion and Order on the same matter on a prior Formal Complaint on 5/22/18, at Docket F-2016-2547528 (May 22 Order). The Complainants also alleged that the May 22 Order was rendered based on PGW's Exceptions and without providing the Complainants an opportunity to file Replies to the Exceptions. On 8/07/18, PGW filed an Answer denying the material allegations of the Complaint and an accompanying Motion for Judgment on the Pleadings. By Initial Decision issued 9/25/18, ALJ Salapa granted PGW's Motion and dismissed the Complaint as barred by res judicata. On 10/14/18, Complainants filed Exceptions. On 10/18/18 PGW filed Replies to the Exceptions. On 1/02/19, Complainants filed a letter in reply to PGW's Replies to the Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which denies the Exceptions and adopts the ALJ's Initial Decision.

3007536-OSA A-2019-3007536

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

COMMONWEALTH TELEPHONE COMPANY LLC AND SOUTHERN LIGHT LLC

- On 1/30/19, a Joint Petition 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 Pennsylvania Bulletin on 2/9/19. No comments or protests were received.

RECOMMENDATION:

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

3007860-OSA A-2019-3007860

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

CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK INC ET AL

- Joint Petition filed on 2/13/19, 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 Pennsylvania 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>3005146-TUS</b> <b>Vote 5-0.</b>	<b>A-2018-3005146</b>	<b>EAST COAST POWER &amp; GAS OF NEW JERSEY LLC D/B/A EAST COAST POWER &amp; GAS</b>  - Application filed on 10/4/18, for the approval to offer, render, furnish, or supply natural gas services as a supplier to residential, small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas, NFGDC, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, UGI, and Valley Energy, within PA.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>3005154-TUS</b> <b>Vote 5-0.</b>	<b>A-2018-3005154</b>	<b>EAST COAST POWER GAS OF NEW JERSEY LLC D/B/A EAST COAST POWER &amp; GAS</b>  - Application filed on 10/4/18, for the approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories, within PA.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>3005302-TUS</b> <b>Vote 5-0.</b>	<b>A-2018-3005302</b>	<b>INFINITE ENERGY INC</b>  - Application filed on 10/12/18, for the approval to offer, render, furnish, or supply natural gas services as a supplier to small commercial, large commercial, and industrial customers in the natural gas distribution company service territories of Columbia Gas, NFGDC, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, and UGI, within PA.  RECOMMENDATION:  That the Commission adopt the proposed Order.
<b>3006332-TUS</b> <b>Vote 5-0.</b>	<b>A-2018-3006332</b>	<b>PENNSYLVANIA AMERICAN WATER COMPANY</b>  - Application filed on 12/3/18, for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Lancaster Township, Butler County, PA.  RECOMMENDATION:  That the Commission adopt the proposed Order.



<b>3006473-TUS</b>	<b>A-2018-3006473</b>	CIMA ENERGY SOLUTIONS LLC
<b>Vote 5-0.</b>		<p>- Application filed on 12/12/18, for the approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial, and industrial customers in all of the electric distribution company service territories, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3006865-TUS</b>	<b>M-2019-3006865</b>	ELECTRIC GENERATION SUPPLIER LICENSE CANCELLATIONS
<b>Vote 5-0.</b>		<p>- As of 3/19/19, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code §54.40(a) and (d).</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Tentative Order.</p>
<b>3007102-TUS</b>	<b>A-2019-3007102</b>	TRANSPARENCE ENERGY SERVICES LLC
<b>Vote 5-0.</b>		<p>- Application filed on 1/16/19, for the 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 MetEd, PECO, and PPL, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3007149-TUS</b>	<b>A-2019-3007149</b>	EMPLOYERS' ENERGY ALLIANCE OF PENNSYLVANIA INC
<b>Vote 5-0.</b>		<p>- Application filed on 1/16/19, for the 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, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

<b>3007262-TUS</b> <b>Vote 5-0.</b>	<b>A-2019-3007262</b>	<p>MID-ATLANTIC INTERSTATE TRANSMISSION LLC</p> <p>- Application filed on 1/14/19, for the approval to relocate the Farmers Valley-Ridgway 115 kV Transmission Line in Keating Township, McKean 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>3007457-TUS</b> <b>Vote 5-0.</b>	<b>A-2019-3007457</b>	<p>EZ ENERGY SERVICES LLC</p> <p>- Application filed on 1/24/19, for the 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 the electric distribution company service territories of MetEd, PECO, and PPL, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3007488-TUS</b> <b>Vote 5-0.</b>	<b>A-2019-3007488</b>	<p>BOLLINGER ENERGY CORPORATION</p> <p>- Application filed on 1/25/19, for the 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, NFGDC, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, UGI, and Valley Energy, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3007506-TUS</b> <b>Vote 5-0.</b>	<b>A-2019-3007506</b>	<p>EZ ENERGY SERVICES LLC</p> <p>- Application filed on 1/29/19, for the 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 PECO and PGW, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

<b>3007579-TUS</b>	<b>A-2019-3007579</b>	SOUTH BAY ENERGY CORP
<b>Vote 5-0.</b>		<p>- Application filed on 2/1/19, for the approval to offer, render, furnish, or supply natural gas services as a supplier 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 Division, Peoples Gas, PGW, and UGI, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3007701-TUS</b>	<b>R-2019-3007701</b>	DUQUESNE LIGHT COMPANY
<b>Vote 5-0.</b>		<p>- On 2/6/19, Duquesne Light filed Supplement No. 194 to Tariff Electric Pa. P.U.C. No. 24 to be effective on 4/8/19. The filing proposes to add language to the tariff regarding smart meter installation and relocation.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3007815-TUS</b>	<b>A-2019-3007815</b>	NATIONAL UTILITY SERVICE INC
<b>Vote 5-0.</b>		<p>- Application filed on 2/11/19, for the approval to offer, render, furnish, or supply natural gas services as a broker/marketer to large commercial and industrial customers in the natural gas distribution company service territories of Columbia Gas, NFGDC, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, UGI, and Valley Energy, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
<b>3007847-TUS</b>	<b>A-2019-3007847</b>	SOUTH BAY ENERGY CORP
<b>Vote 5-0.</b>		<p>- Application filed on 2/13/19, for the approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories, within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

**3008006-TUS**

**S-2019-3008006**

AQUA PENNSYLVANIA INC

**Vote 5-0.**

- Securities Certificate filed on 2/19/19, for approval of the issuance of long-term debt in a principal amount not to exceed \$125 million. No protests were filed, and no hearings were held.

RECOMMENDATION:

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

**3008085-TUS**

**R-2019-3008085**

PECO ENERGY COMPANY

**Vote 5-0.**

- On 2/22/19, PECO filed Supplement No. 4 to Tariff Electric Pa. P.U.C. No. 6 to be effective on 3/29/19. The filing proposes to add language to the tariff regarding electric vehicle charging stations.

RECOMMENDATION:

That the Commission adopt the proposed Order.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2638350-ALJ</b> <b>Verbal Statement by Chairman Brown.</b> <b>Vote 5-0.</b>	<b>C-2017-2638350</b>	<b>CAROL SOJDA AND CAROL LUTZKANIN VS METROPOLITAN EDISON COMPANY</b>  - Formal Complaint filed 12/13/17 alleging, inter alia, that Met-Ed threatened to shut off their service and that smart meter's present health and safety concerns. On 1/4/18, Met-Ed filed an Answer and New Matter as well as Preliminary Objections. On 3/29/18, an Interim Order Setting Resolution Conference was issued directing the parties to participate in mediation. Due to lack of contact, mediation efforts were unsuccessful. Met-Ed filed a Motion to Dismiss the Complaint on 10/30/18. Complainant did not file a response to the Motion.  COMMISSION REVIEW:  That the Commission adopt ALJ Watson's Initial Decision granting the Motion to Dismiss and dismissing the Complaint with prejudice.
<b>3001726-ALJ</b>  <b>Vote 5-0.</b>	<b>C-2018-3001726</b>	<b>MICHELLE AND ROBERT PHILLIPS VS PENNSYLVANIA ELECTRIC COMPANY</b>  - Formal Complaint filed 5/7/18 alleging, inter alia, incorrect charges on their bill and service termination. Penelec filed its Answer on 5/29/18. An initial telephonic hearing was held on 9/17/18. The record was closed 10/30/18.  COMMISSION REVIEW:  That the Commission adopt Deputy Chief ALJ Hoyer's Initial Decision denying the Complaint for failure to meet the burden of proof.
<b>3005106-ALJ</b>  <b>Vote 5-0.</b>	<b>C-2018-3005106</b>	<b>JASON BROOKS VS PHILADELPHIA GAS WORKS</b>  - In an untimely appeal from a prior BCS decision, a Formal Complaint was filed 10/1/18 requesting service be restored and that complainant be given a payment arrangement in order to pay off his outstanding balance. PGW filed its Answer on 10/22/18. An initial telephonic hearing was held on 12/19/18.  COMMISSION REVIEW:  That the Commission adopt Special Agent Chiodo's Initial Decision denying the Complaint based on the Complainant's poor payment history as well as his inability to keep the terms of four separate company-issued payment arrangements.

3005589-ALJ C-2018-3005589

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

JAN AND JOYCE SPIRAT VS METROPOLITAN EDISON  
COMPANY

- Formal Complaint filed 10/18/18 seeking an order prohibiting the use of herbicides by Met-Ed on a right-of-way which crosses the complainants' property approximately 40 yards from their home. Met Ed filed an Answer, New Matter with attached Notice to Plead and Preliminary Objections on 11/13/18. Complainants did not file an Answer to the Preliminary Objections and New Matter.

COMMISSION REVIEW:

That the Commission adopt ALJ Myers' Initial Decision dismissing the Complaint with prejudice.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

March 28, 2019

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2364201-OSA <b>Vote 5-0.</b>	M-2013-2364201 I-2015-2472242	<b>NORFOLK SOUTHERN RAILWAY COMPANY</b> - On 4/24/18, an evidentiary hearing was held regarding the cost allocations and work responsibilities for seven bridges in Wyoming, Susquehanna, and Lackawanna Counties. ALJ Salapa's Recommended Decision (R.D.) was served on 8/6/18. Norfolk Southern Railway Company (NS), the Pennsylvania Department of Transportation (PennDOT), and Great Bend Township filed Exceptions. NS and PennDOT filed Replies to Exceptions. By Order entered 2/28/19, the Commission granted, in part, the Parties' Exceptions and adopted the R.D. as modified by the 2/28/19 Order. On 3/14/19, PennDOT filed a Petition for Clarification and Reconsideration of the 2/28/19 Order. <b>RECOMMENDATION:</b> That the Commission grant the Petition pending further review of, and consideration on, the merits.
3004552-OSA <b>Postponed until the Public Meeting of April 11, 2019.</b>	M-2018-3004552	<b>METROPOLITAN EDISON COMPANY</b> - On 9/5/18, request for exclusion of a major outage for reliability reporting purposes (Exclusion Request) in accordance with the requirements of the Commission's Order entered 5/11/04. Met-Ed sought approval from the Commission to exclude from reliability reporting purposes the interruption of service to 62,511 out of a total of 563,277 of its customers as a result of a significant weather system, which Met-Ed submitted qualifies as a major event under 52 Pa. Code § 57.192. On 9/25/18, the Commission issued a Secretarial Letter that denied Met-Ed's Exclusion Request. On 10/5/18, Met Ed filed a Petition for Reconsideration of Staff Action. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

March 28, 2019

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO.

3008676-TUS

**Vote 5-0.**

DOCKET NO.

A-2019-3008676

NAME AND SUBJECT

PECO ENERGY COMPANY – ELECTRIC DIVISION

- Letter of Notification filed on 3/18/19, for approval to relocate a section of the 130-43 138 kV Transmission Line in the City of Philadelphia, PA. No protests filed and no hearings were held.

RECOMMENDATION:

That the Commission adopt the proposed Order.



PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

March 28, 2019

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

3005127-LAW

P-2018-3005127

TRI-CO CONNECTIONS LLC

**Postponed until the Public Meeting of April 11, 2019.**

- Petition filed on 9/28/19, seeking approval to be designated as a facilities-based Eligible Telecommunications Carrier (ETC) in the Commonwealth of PA pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (Petition) for the purposes of becoming eligible to receive high-cost support from the Federal Universal Service Fund in any areas for which it was awarded CAP Phase II monies in the Auction 903.

RECOMMENDATION:

That the Commission adopt the proposed Order.