

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, AUGUST 29, 2019 (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
Andrew G. Place	David W. Sweet	Gladys Brown Dutrieuille	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, September 19, 2019 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 11, 2019 (NK)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 19, 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, SEPTEMBER 18, 2019, AT 1:30 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

August 29, 2019

BUREAU OF ADMINISTRATION

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
3012136-ADM		GENERAL ASSESSMENT UPON PUBLIC UTILITIES - General Assessment upon Public Utilities and Supplemental Federal Shortfall Assessment on Gas Public Utilities for Fiscal Year 7/1/19 to 6/30/20. RECOMMENDATION: 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 FY 7/1/19 to 6/30/20 on each applicable utility.
Vote 5-0		
3012144-ADM		OSBA GENERAL ASSESSMENT UPON PUBLIC UTILITIES - Office of the Small Business Advocate (Department of Community and Economic Development) General Assessment upon Public Utilities for Fiscal Year 7/1/19 to 6/30/20. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with 73 P.S. §399-46, the amount of the General Assessment for the FY 7/1/19 to 6/30/20 on each applicable utility.
Vote 5-0		
3012148-ADM		OCA GENERAL ASSESSMENT UPON PUBLIC UTILITIES - Office of the Consumer Advocate (Attorney General's Office) General Assessment upon Public Utilities for Fiscal Year 7/1/19 to 6/30/20. RECOMMENDATION: 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 FY 7/1/19 to 6/30/20 on each applicable utility.
Vote 5-0		

3012149-ADM

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

Vote 5-0

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

RECOMMENDATION:

That the Commission approve the Assessments Section computation in accordance with M-2014-2448825 for the amount of the supplemental fee for FY 7/1/19 to 6/30/20 on each applicable EGS and NGS.

3012150-ADM

ACT 127 OF 2011 - ASSESSMENT PIPELINE OPERATORS

Vote 5-0

- Assessment upon Pipeline Operators applicable under Act 127 of 2011 – Billing for Fiscal year 7/1/19 to 6/30/20.

RECOMMENDATION:

That the Commission approve the Assessments Section computation in accordance with Act 127 of 2011 for the amount of the Assessment for the FY 7/1/19 to 6/30/20 on each applicable utility.

3012151-ADM

ACT 50 OF 2017 – ASSESSMENT OF THE PENNSYLVANIA UNDERGROUND UTILITY LINE PROTECTION ACT

Vote 5-0

- Assessment upon applicable public utilities under Act 50 of 2017 – The Pa Underground Utility Line Protection Act also known as the “One Call Law” – Billing for Fiscal year 7/1/19 to 6/30/20.

RECOMMENDATION:

That the Commission approve the Assessments Section computation in accordance with Act 50 of 2017 "One Call Law" for the amount of the Assessment for the FY 7/1/19 to 6/30/20 on each applicable utility.

BUREAU OF AUDITS

AGENDA NO.

3001207-AUD

DOCKET NO.

D-2018-3001207

NAME AND SUBJECT

**TELECOMMUNICATIONS DEVICE DISTRIBUTION
PROGRAM AND PRINT MEDIA ACCESS SYSTEMS AUDIT**

- Telecommunications Device Distribution Program and Print Media
Access System Program Audits for twelve months ended 6/30/16,
6/30/15 and 6/30/14.

Vote 5-0

RECOMMENDATION:

That the Commission release the audit report to the public

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2585680-OSA	C-2017-2585680	GLENN DEHAVEN VS PECO ENERGY COMPANY - Formal Complaint filed on 1/11/17 disputing charges on the Complainant's bill relating to a foreign load. On 2/3/17, PECO filed an Answer and Preliminary Objections. On 4/27/17, the Initial Decision of ALJ Cheskis was issued. On 5/15/17, the Complainant filed Exceptions. On 5/18/17, PECO filed Replies to Exceptions. On 3/23/18, the Commission entered an Opinion and Order, inter alia, reversing in part the April 2017 Initial Decision (I.D.) and remanding the matter for a hearing and fact finding consistent with the order. On 5/23/18, an evidentiary hearing was held. On 9/7/18, the I.D. on Remand was issued. On 9/25/18, PECO filed Exceptions to the I.D. on Remand. The Complainant did not file Replies. On 1/17/19, the Commission entered an Opinion and Order, inter alia, granting PECO's Exceptions. On 4/4/19, the Complainant filed a Petition for Rescission. On 8/5/19, PECO filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
Vote 5-0		
2620710-OSA	C-2017-2620710	RICHARD N. MYERS VS PPL ELECTRIC UTILITIES CORPORATION - Formal Complaint filed on 8/11/17 seeking to prevent installation of a Smart Meter at Complainant's home and at the eleven rental properties owned by the Complainant. On 8/16/18, the Commission issued the Initial Decision (I.D.) of ALJ Barnes, which denied and dismissed the Complaint. On 9/4/18, the Complainant filed Exceptions to the ALJ's I.D. On 9/5/18, PPL filed Exceptions to the ALJ's I.D. PPL filed Reply Exceptions on 9/17/18. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
Vote 5-0		

2628770-OSA

F-2017-2628770

MARGARET COLLINS VS PENNSYLVANIA-AMERICAN WATER COMPANY- WASTEWATER

Vote 5-0

- Formal Complaint filed on 9/27/17 alleging the existence of incorrect charges on her bill. The Complainant made various allegations about charges and liens imposed by the Scranton Sewer Authority (SSA) with respect to the Complainant's property. As relief, the Complainant requested reimbursement of all monies not credited, with interest, removal of all liens and "a clear and complete history report back to 1978." On 12/12/18, the Commission issued the Initial Decision (I.D.) of ALJ Watson, which dismissed the Complaint for failure of the Complainant to meet her burden of proving any violation of a Commission rule, Regulation or order or any entitlement to relief. On 12/31/18, the Complainant filed Exceptions to the ALJ's I.D. PAWC filed Reply Exceptions on 1/28/19.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2633043-OSA

C-2017-2633043

ROBERT STRYDIO VS PPL ELECTRIC UTILITIES CORPORATION

Vote 5-0

**Verbal Statement
by Chairman Brown**

- Formal Complaint filed on 11/6/17, alleging that the Company was threatening or had shut off his utility service and requested a payment arrangement. By Initial Decision (I.D.), issued on 2/14/18, ALJ Salapa dismissed the Complaint for failure to prosecute because the Petitioner failed to appear for the hearing. On 2/22/18, the Petitioner filed Exceptions to the I.D. PPL filed Replies to Exceptions on 3/6/18. By Opinion and Order entered on 7/18/18, the Commission denied the Petitioner's Exceptions, adopted the ALJ's I.D., and dismissed the Complaint, with prejudice. On 3/22/19, the Petitioner filed a Petition for Rescission (Petition) of the Commission's 7/18/18 Opinion and Order. On 7/1/19, PPL filed its Answer to the Petition.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order, which denies the Petition for Rescission.

2633651-OSA C-2017-2633651

ULTIMATE SPORTS COMPANY INC VS PPL ELECTRIC UTILITIES CORPORATION

(PP from 8-8-19)

Vote 4-1

**Dissenting Statement by
Vice Chairman Sweet**

- Formal Complaint filed on 11/14/17, alleging in part that the utility was threatening to discontinue service, imposed incorrect charges on the bill and provided unreasonable service. On 11/16/17, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention. PPL filed an Answer and New Matter on 12/4/17. An evidentiary hearing convened on 5/31/18. In an Initial Decision, issued 9/28/18, ALJ Barnes sustained the Complaint. On 10/29/18, PPL filed Exceptions. The OSBA and the Complainant filed Replies to Exceptions on 11/8/18 and 11/9/18.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

2639994-OSA A-2017-2639994
G-2016-2544455

ARTESIAN WATER PENNSYLVANIA INC

Vote 5-0

- Application filed on 5/10/16 pursuant to 66 Pa. C.S. 2101 et seq. seeking approval of two affiliated interest agreements. On 3/7/17, by Secretarial Letter, Staff rejected the Application, without prejudice, advising Artesian Water Pennsylvania Inc (AW-PA) to file a new application under 66 Pa. C.S. § 1102(a)(3). On 3/27/17, AW-PA filed a Petition for Reconsideration. On 12/7/17, an Opinion and Order rescinded the Staff Action and directed AW-PA to supplement its Application. On 12/21/17, AW-PA filed a supplement to its Application. The Application and the supplement were published in the Pennsylvania Bulletin on 1/13/18. New Garden Township (NGT) and Save Our Water filed timely Protests. Following an evidentiary hearing, the Recommended Decision (R.D.) of ALJ Jones was served on 2/11/19. On 3/4/19, AW-PA and NGT filed Exceptions and the Bureau of Investigation & Enforcement filed a Notice of Intervention and Exceptions to the R.D. On 3/14/19, AW-PA filed Replies to NGT's Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

3001306-OSA

R-2018-3001306
R-2018-3001307

HIDDEN VALLEY UTILITY SERVICES LP

Vote 5-0

- On 4/27/18 Supplement No. 1 to Tariff Water – Pa. PUC No. 1 proposing an annual increase in base rate revenues of \$150,629 to become effective 7/1/19 was filed. On the same day, Hidden Valley Utility Services L.P. (HVUS) filed Supplement No. 1 to Tariff Wastewater – Pa. PUC No. 1 proposing an annual increase in base rate revenues of \$185,432 to become effective 7/1/19. A Joint Petition for approval of a Non-Unanimous Settlement (Settlement) was filed by HVUS and the Commission’s Bureau of Investigation and Enforcement on 11/19/18. By Recommended Decision (R.D.) issued on 1/25/19, the ALJs recommended approval of the Settlement with modifications. Thereafter, various Parties filed Exceptions and Replies to Exceptions. By Order entered 3/29/19, the Commission denied the Exceptions and adopted the R.D. of the ALJs. On 7/9/19, HVUS filed a Motion to Extend the Time Period for Completing an Independent Financial Audit (Motion). OCA and Hidden Valley Foundation, Inc., filed Answers opposing the Motion on 7/29/19.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

3001318-OSA

F-2018-3001318

SALWA MOHAMED AND AHMED ABDULRAHMAN VS PECO ENERGY COMPANY

Vote 5-0

- Formal Complaint filed on 4/9/18, alleging incorrect charges on bills relating to a payment arrangement established without their knowledge or approval. The Complainants also averred to receiving zero credits after re-enrolling in PECO’s Customer Assistance Program. On 4/23/18, PECO filed an Answer denying the material allegations of the Complaint. An evidentiary hearing convened on 6/21/18. In an Initial Decision, issued 10/30/18, ALJ Vero sustained, in part, and dismissed, in part, the Complaint. On 11/19/18, the Complainants filed Exceptions. PECO filed Replies to Exceptions on 11/29/18.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order.

3001458-OSA

F-2018-3001458

PHILIP P. TABONE VS PENNSYLVANIA ELECTRIC COMPANY

Vote 5-0

- Formal Complaint filed on 4/20/18, alleging that Penelec incorrectly transferred the account of a rental unit from a tenant to him, the property owner, after Penelec discovered foreign load or a shared meter on the tenant’s account. Complainant requested that the Commission direct Penelec to remove the charges he claimed were attributable to the tenant. On 1/7/19, the Commission issued the Initial Decision of ALJ Vero, which dismissed the Complaint. On 1/28/19, the Complainant filed Exceptions to the ALJ’s Initial Decision. Penelec filed Reply Exceptions on 2/7/19.

RECOMMENDATION:

That the Commission adopt the Proposed Opinion and Order.

PA PUC INVESTIGATION INTO RAIL CROSSING AT MAPLE
GLENN ROAD WITH NORFOLK RAILWAY COMPANY,
BOROUGH OF CENTERVILLE, WASHINGTON COUNTY

Vote 5-0

- On 7/12/18, the Commission instituted an investigation of the rail crossing and associated facilities of the existing rail crossing where Maple Glenn Road crosses, at grade the single track of Norfolk Southern Railway Company in the Borough of Centerville Borough (Borough) in Washington County. ALJ Long conducted a prehearing conference where the representatives from Norfolk, the Borough, the Commonwealth of PA, PennDOT, the Commission's Bureau of Investigation and Enforcement (I&E) collectively, the Parties attended. On 4/30/19 the Parties filed a Joint Petition for Settlement, and the ALJ recommended its approval. On 6/6/19, PennDOT filed an Exception and Norfolk, the Borough and I&E concurred.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that grants the Exception and adopts the Recommended Decision, as modified.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2636252-TUS	A-2017-2636252 A-2018-2644238	YOUNGWOOD BOROUGH - Secretarial Letter dated 4/15/19, approved construction of the project. PennDOT submitted right-of-way plans by letter dated 5/30/19, for appropriation of property. RECOMMENDATION: That the Commission adopt an order that appropriates the property and approves the right-of-way plans.
Vote 5-0		
2641180-TUS	A-2018-2641180	PENNDOT - Application filed on 1/15/18, for approval to alter the public crossing (DOT 264 044 E) by replacement of the existing bridge where SR 2024 (Ridgeway Street) crosses, above grade, the tracks of Delaware Lackawanna Railroad Company located in East Stroudsburg Borough, Monroe County and the allocation of costs incident thereto. A field conference was held at the site of the subject crossing on 2/16/18. Secretarial Letter (SL) was issued 7/11/18 approving the application to replace the existing bridge. Applicant submitted the right of way plans on 6/11/19, as per ordering paragraph 3 of the 7/11/18 SL. Right-of-way plans with metes and bounds descriptions for appropriation of railroad property in conjunction with bridge replacement. RECOMMENDATION: That the Commission adopt an order that appropriates the RR property and approves the right-of-way plans as directed and agreed to.
Vote 5-0		
3006865-TUS	M-2019-3006865	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 8/20/19, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code §54.40(a) and (d). RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
Vote 5-0		

3008208-TUS	R-2019-3008208 et al	<p>WELLSBORO ELECTRIC COMPANY, VALLEY ENERGY INC AND CITIZENS ELECTRIC COMPANY OF LEWISBURG</p> <p>- Formal Complaints filed by the Office of Consumer Advocate on 7/30/19 and 8/5/19 against the three rate case filings.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed order.</p>
Vote 5-0		
3009127-TUS	P-2019-3009127	<p>METROPOLITAN EDISON COMPANY</p> <p>- Petition filed on 4/10/19, requesting that the Commission maintain and affirm the certification of certain Tier I solar photovoltaic shares alternative energy credits which are subject to specific purchase and sale contracts entered into by Met-Ed prior to 10/30/17.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3010469-TUS	A-2019-3010469	<p>SYCAMORE INSURANCE AGENCY INC</p> <p>- Application filed on 6/11/19, for the approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial and industrial customers in the EDC service territories of Duquesne Light, Met-Ed, PECO, PPL, UGI, and West Penn Power in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3010744-TUS	R-2019-3010744	<p>NATIONAL FUEL GAS DISTRIBUTION CORPORATION</p> <p>- On 6/14/19 Supplement No. 207 to Tariff Gas Pa. P.U.C. No. 9 to be effective 8/13/19 was filed. On 6/20/19, 6/28/19, 7/8/19, and 7/11/19, NFGDC filed revised tariff pages containing administrative changes. On 7/22/19, NFGDC filed Supplement No. 208 which voluntarily postpones the effective date to 8/30/19.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
Statement by Brown Dutrieuille		

3010892-TUS	A-2019-3010892	<p>FAIRCHANCE BOROUGH</p> <p>- Application filed on 6/17/19 for approval of the right to transfer, by sale, substantially all of its water systems assets to North Fayette County Municipal Authority and to abandon water service to the public in Georges Township, Fayette County, PA. On 7/15/19, the Office of Consumer Advocate filed a Notice of Intervention and Public Statement. No protests were filed, and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3010900-TUS	A-2019-3010900	<p>MID-ATLANTIC INTERSTATE TRANSMISSION LLC</p> <p>- Letter of Notification (LON) filed on 6/14/19, for approval to relocate a section of the Blairsville East-Shelocta 115 kV Transmission Line and Blairsville East-Seward 115 kV Transmission Line in Blairsville Borough, Indiana County.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3010955-TUS	<p>R-2019-3010955 C-2019-3011834 C-2019-3012096</p>	<p>CITY OF LANCASTER- WASTEWATER</p> <p>- On 7/19/19 Supplement No. 39 to Tariff Gas Pa. P.U.C. No. 7 was filed, proposing an increase in total annual operating revenues of approximately \$646,727, or 46.7%, to become effective 9/17/19. On 7/29/19, the Office of Consumer Advocate filed a Formal Complaint against Supplement No. 39 at Docket No. C-2019-3011834. On 8/8/19, the Office of Small Business Advocate filed a Formal Complaint against Supplement No. 39 at Docket No. C-2019-3012096.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3010958-TUS	<p>R-2019-3010958 C-2019-3011845</p>	<p>TWIN LAKES UTILITIES INC</p> <p>- On 7/23/19 Supplement No. 8 to Tariff Water-Pa. P.U.C. No. 4 was filed, proposing an increase in total annual operating revenues of approximately \$211,793, or 158.63%, to become effective 9/19/19. On 7/30/19, the Office of Consumer Advocate filed a formal complaint against Supplement No. 8 at Docket No. C-2019-3011845.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		

3011025-TUS	A-2019-3011025	<p>WEST PENN POWER COMPANY</p> <p>- Letter of Notification (LON) filed on 6/19/19, for approval to rebuild the Charleroi-Allenport 138 kV Transmission Line in Fallowfield Township and the Boroughs of Twilight, Long Branch, and Allenport, Washington County. No protests were filed, and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3011182-TUS	S-2019-3011182	<p>UGI UTILITIES INC</p> <p>- Securities Certificate filed on 6/26/19, for approval for the Incurrence of Indebtedness in an Amount up to \$500 Million Under an Unsecured, Revolving Credit Agreement through and until 9/30/22.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order registering the securities certificate.</p>
Vote 5-0		
3011226-TUS	A-2019-3011226	<p>PECO ENERGY COMPANY</p> <p>- Letter of Notification (LON) filed on 6/26/19, for approval to reconductor the Emilie-Falls 138 kV Transmission Line in Bristol and Falls Townships, Bucks County. No protests were filed, and no hearings were held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		
3011398-TUS	A-2019-3011398	<p>ENERGY CX LLC</p> <p>- Application filed on 7/9/19, 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 in PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>
Vote 5-0		

3012175-TUS

M-2019-3012175

QUARTERLY EARNINGS REPORT OF PENNSYLVANIA
UTILITIES

Vote 5-0

- Bureau of Technical Utility Services report to the Commission regarding quarterly earnings of Pennsylvania utilities for the quarter ended 3/31/19.

Statement by
Commissioner Place

RECOMMENDATION:

That the Commission make the earnings report public.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
3002672-LAW	L-2018-3002672	ASSUMPTION OF PA PUC JURISDICTION OVER POLE ATTACHMENTS FROM THE FEDERAL COMMUNICATIONS COMMISSION (FCC)
Vote 4-1		
(PP from 8-8-19)		
<u>Statement by Chairman Brown Dutrieuille concurring in part and dissenting in part</u>		- At the 6/14/18 Public Meeting, the Commission directed Law Bureau to initiate a rulemaking to assert jurisdiction over pole attachments pursuant to the Telecommunications Act of 1996 whereby states may reverse-preempt Federal Communications Commission pole attachment jurisdiction. This Order finalizes that rulemaking directing the promulgation of Commission regulations at Chapter 77 of 52 Pa. Code to exercise reverse preemption under the Telecommunications Act of 1996 to govern pole attachments in the Commonwealth.
<u>Statement by Commissioner Place concurring in part and dissenting in part</u>		
<u>Dissenting Statement by Vice Chairman Sweet</u>		RECOMMENDATION:
<u>Statement by Commissioner Kennard</u>		The Commission adopt the proposed order.
<u>Verbal Statement by Commissioner Coleman</u>		
3009756-LAW	P-2019-3009756	YORK WATER COMPANY
Vote 5-0		
		- On 5/8/19 a Petition was filed, seeking Commission approval to amortize utility plant adjustments for book and financial reporting purposes in conformity with the Uniform System of Accounts for Class "A" Water Utilities. The Petition was served upon the statutory advocates. No responses were filed to the Petition.
		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>
3003365-ALJ	C-2018-3003365	<p>GIANT EAGLE INC ET AL VS LAUREL PIPELINE COMPANY LP</p> <p>- Formal Complaint filed on 7/12/18 alleging that: (i) Laurel Pipeline Company LP's proposed temporary outage on its pipeline segment between Eldorado and Pittsburgh amounted to a failure to provide safe, adequate, and reasonably continuous service in violation of Section 1501 of the Public Utility Code, 66 Pa. C.S. § 1501; and (ii) Laurel Pipeline Company LP proposed initiation of bidirectional pipeline transportation service along its pipeline segment between Eldorado and Pittsburgh amounts to an abandonment of intrastate pipeline service in violation of Section 1102 of the Public Utility Code, 66 Pa.C.S. § 1102, because the Respondent did not seek Commission approval for such action. On 7/31/19, Complainants and Laurel Pipeline Company LP filed a Joint Petition for Approval of Settlement. Signatories to the Settlement include the Complainants, Laurel and I&E.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Vero's Recommended Decision approving the Settlement without modification.</p>
3006130-ALJ	C-2018-3006130	<p>ESTATE OF ELLIOT VESELL C/O HILARY VESELL VS PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Formal Complaint filed 11/21/18, alleging Respondent failed to provide adequate and reasonable service as required by the Public Utility Code in that PPL improperly disconnected electric service to the Vesell residence despite Complainant's compliance with PPL's requirement of providing certification of her capacity as Executor in order to avert such a disconnection. On 12/11/18, PPL filed its Answer admitting that power to the Vesell residence was disconnected on 9/14/18, because a Company representative failed to void a disconnection order dated 8/15/18. The Company also stated that on 9/15/18 and again on 9/16/18, Complainant requested reconnection. Reconnection was accomplished on 9/17/18. A hearing was held on 2/22/19.</p> <p>COMMISSION REVIEW:</p> <p>That the Commission adopt ALJ Buckley's Initial Decision sustaining the Complaint and ordering a civil penalty of \$7,000.</p>

Vote 5-0

Vote 5-0

3006505-ALJ

A-2018-3006505

EXETER TOWNSHIP

Vote 5-0

- Application for Nunc Pro Tunc filed on 12/10/18 seeking approval from the Commission to offer, furnish, render, and supply wastewater service to the public in certain portions of Lower Alsace Twp. in Berks County. On 12/10/18, I&E entered their appearance and on 12/27/18, OCA filed a Protest. Subsequently, PAWC and the Borough of St. Lawrence, Berks County, filed Petitions to Intervene, which were granted. On 5/29/19, the parties filed a Petition for Settlement. On 6/12/19, PAWC, OCA, I&E and Exeter Twp. filed a Joint Stipulation of Fact.

COMMISSION REVIEW:

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

3007612-ALJ

R-2019-3007612
et al

PA PUC, OFFICE OF CONSUMER ADVOCATE AND OFFICE OF SMALL BUSINESS ADVOCATE VS PEOPLES NATURAL GAS COMPANY LLC AND PEOPLES NATURAL GAS COMPANY LLC – EQUITABLE DIVISION

Vote 5-0

- 1307(f) Purchased Gas Cost (PGC) Tariff filing was filed on 4/1/19. Peoples Natural Gas Company LLC (PNG) proposes a decrease of \$0.9632, or 8.6%, per Mcf of its PGC rate for the residential class. In addition, PNG proposes to continue charging producers a retainage rate of 2.0% for gas from conventional wells gathered into the system. Numerous complaints were filed. On 6/28/19, a Stipulation in Settlement of the Rate Investigation was filed by all the parties.

COMMISSION REVIEW:

That the Commission adopt ALJ Dunderdale's Recommended Decision approving the Stipulation in Settlement of the Rate Investigation without modification.

3007613-ALJ

R-2019-3007613
et al

PA PUC, OFFICE OF CONSUMER ADVOCATE AND OFFICE OF SMALL BUSINESS ADVOCATE VS PEOPLES GAS COMPANY LLC

Vote 5-0

Statement by
Commissioner Place

- 1307(f) Purchased Gas Cost Tariff (PGC) was filed on 4/1/19. Peoples Gas Company LLC proposes a decrease of \$0.9632, or 8.2%, per Mcf of its Peoples Gas Company LLC rate for the residential class. In addition, Peoples Gas Company LLC proposes to increase the retainage rate charged to producers from a retainage rate of 2.9% to 3.4% for gas from conventional wells gathered into the system. Numerous complaints were filed. On 6/28/19, a Joint Petition for Settlement was filed by all the parties.

COMMISSION REVIEW:

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