#### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### **PUBLIC MEETING**

### THURSDAY, DECEMBER 5, 2019 (AP) 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
John F. Coleman, Jr David W. Sweet Gladys Brown Dutrieuille Andrew G. Place Ralph V. Yanora

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

The Next Public Meeting is Tentatively Scheduled for Thursday, December 19, 2019 at 10:00 A.M.

Minutes of the Meeting of Thursday, October 24, 2019 (JFC)

#### \*\*\*ANNOUNCEMENTS\*\*\*

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, DECEMBER 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, DECEMBER 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.

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MOTIONS AND STATEMENTS OF THE CHAIRMAN AND COMMISSIONERS WILL BE AVAILABLE ON THE COMMISSION'S WEBSITE AT <u>WWW.PUC.PA.GOV</u> 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 December 5, 2019

#### OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 2429336-OSA DOCKET NO. A-2014-2429336

#### NAME AND SUBJECT: KRIS ECKERL D/B/A MICHAELS MOVING AND STORAGE

Application filed on 6/30/14, for authority to transport household goods in use between points in Pike County. An initial hearing was held on 12/12/14 to address protests filed by Matheson Transfer Company and Cadden Brothers Moving & Storage, Inc. (Petitioners). On 5/21/15, the Commission issued an Initial Decision (I.D.) denying the Application. On 6/6/15, Mr. Eckerl filed Exceptions. On 3/2/16, the Petitioners withdrew their protests without any restrictive amendments. On 3/17/16, the Petitioners filed a letter with the Commission requesting to remain a party of record and be informed of Commission action in this matter. On 10/11/16, the Commission granted Mr. Eckerl authority to operate as a Common Carrier of Household Goods, between points throughout Pa. On 7/1/19, the Petitioners filed a Petition for Rescission or Amendment.

RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

#### AGENDA NO. 2594740-OSA DOCKET NO. C-2017-2594740

#### NAME AND SUBJECT: KENNETH GROSCHOPP VS PECO ENERGY COMPANY

Formal Complaint filed on 3/4/17, alleging that PECO incorrectly transferred the account balance of a rental unit from a tenant to the Complainant, after PECO discovered foreign load on the tenant's account. Complainant requested that the Commission direct PECO to remove the charges he claimed were attributable to the tenant. On 3/27/17, PECO filed an Answer and Preliminary Objections. On 5/2/17, the Complainant filed a response to PECO's Answer and Preliminary Objections. In an Initial Decision issued 6/12/17, ALJ Salapa granted PECO's Preliminary Objections and dismissed the Complaint. The Complainant filed Exceptions on 7/3/17. PECO filed Replies to Exceptions on 8/9/18.

RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 2610125-OSA DOCKET NO. C-2017-2610125

#### NAME AND SUBJECT: JOANNE M FIORITO VS PENNSYLVANIA ELECTRIC COMPANY

Formal Complaint filed on 6/8/17, averring that she did not want an electric AMI meter, or smart meter, installed in her home due to, inter alia, health and privacy reasons. On 7/10/17, Penelec filed an Answer with New Matter and Preliminary Objections. An evidentiary hearing was held on 5/30/18-5/31/18. On 10/4/18, the Commission served the Initial Decision of ALJ Watson, in which the ALJ dismissed the Complaint. The Complainant filed Exceptions on 10/24/18, and Penelec filed Replies to Exceptions on 11/5/18.

RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

#### AGENDA NO. 2640306-OSA DOCKET NO. M-2017-2640306

#### NAME AND SUBJECT: PEOPLES NATURAL GAS COMPANY LLC

Energy Efficiency and Conservation (EE&C) Plan was filed on 12/27/17. On 1/10/19, the Commission issued the Initial Decision of ALJ Buckley, which recommended that the EE&C Plan Petition be denied, without prejudice. On 1/30/19, Peoples filed Exceptions to the ALJ's Initial Decision. Duquesne Light Company and the Office of Consumer Advocate filed Reply Exceptions on 2/11/19. By Opinion and Order entered 10/3/19, the Commission approved the Joint Petition for Approval of Settlement Stipulation at Pennsylvania Public Utility Commission v. Peoples Natural Gas Company, LLC, Docket No. R-2018-3006818 (2018 Base Rate Case). Pursuant to Paragraph 67 of the Base Rate Case Settlement, Peoples filed its Petition to Withdraw its EE&C Plan Petition on 11/8/19.

RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3005352-OSA DOCKET NO. C-2018-3005352

#### NAME AND SUBJECT: THOMAS AGUIRRE VS PPL ELECTRIC UTILITIES CORPORATION

Formal Complaint filed on 10/10/18, to prevent PPL's installation of an radio frequency AMI meter, or smart meter, at his residence alleging installation would be, inter alia, deleterious to Complainant's health and safety and in violation of Complainant's privacy. On 11/5/18, PPL filed an Answer. An evidentiary hearing was held on 5/16/19. On 7/17/19, the Commission served the Initial Decision of ALJ Barnes, in which the ALJ dismissed the Complaint. The Complainant filed Exceptions on 8/2/19, and PPL filed Replies to Exceptions on 8/16/19.

RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

#### AGENDA NO. 3009381-OSA DOCKET NO. A-2019-3009381

#### NAME AND SUBJECT: R + R VENDORS INC

Application filed on 3/18/19, to transport household goods between points in Pa. On 4/25/19, the Commission issued a Secretarial letter denying the Application for failure to provide two years of experience with a licensed household goods carrier. On 5/7/19, the Applicant filed a Petition for Reconsideration of Staff Action which was granted by Secretarial Letter issued 5/23/19 (Rescission Letter). In the Rescission Letter, the Applicant was given ten working days to correct the deficiencies in its Application and to submit additional documentation. On 6/6/19, the Commission issued a second Secretarial Letter denying the Application (June 2019 Secretarial Letter) because R + R failed to comply with the Rescission Letter. On 6/25/19, R + R filed the instant Petition for Reconsideration of Staff Action in response to the June 2019 Secretarial Letter.

RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

#### **BUREAU OF TECHNICAL UTILITY SERVICES**

#### AGENDA NO. 3003514-TUS DOCKET NO. A-2018-3003514

#### NAME AND SUBJECT: PENNDOT

Application filed on 7/20/18 for approval to repair the bridge where Girard Avenue (State Route 0030) crosses, above-grade, the tracks owned by CSX, Transportation, Inc., the City of Philadelphia, Philadelphia County.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3011812-TUS DOCKET NO. A-2019-3011812

### NAME AND SUBJECT: MARYLAND ENERGY ADVISORS LLC D/B/A POINTCLICKSWITCH.COM

Application filed on 7/29/19, for the 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, NFGDC, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, UGI, and Valley Energy, throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

### AGENDA NO. 3011929-TUS

#### DOCKET NO. A-2019-3011929

#### NAME AND SUBJECT: PEOPLES NATURAL GAS COMPANY LLC

Application filed on 7/30/19, for the approval of the acquisition by purchase of 4,287 feet of steel pipe from Allegheny Valley Connector LLC.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

### AGENDA NO. 3012205-TUS

**DOCKET NO. A-2019-3012205** 

#### NAME AND SUBJECT: WATTB INC D/B/A WATTBUY

Application filed on 8/15/19, for the approval for a license to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to residential customers in all of the electric distribution company service territories throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3013112-TUS DOCKET NO. A-2019-3013112

#### NAME AND SUBJECT: **QFB ENTERPRISES INC D/B/A QFB ENERGY**

Application filed on 9/24/19, 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 Columbia Gas, NFGDC, PECO, Peoples Natural Gas, Peoples Natural Gas - Equitable Division, Peoples Gas, PGW, UGI, and Valley Energy, throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

#### AGENDA NO. 3013170-TUS DOCKET NO. A-2019-3013170

#### NAME AND SUBJECT: QFB ENTERPRISES INC D/B/A QFB ENERGY

Application filed on 9/26/19, 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, and industrial customers in all of the electric distribution company service territories throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3013171-TUS DOCKET NO. A-2019-3013171

#### NAME AND SUBJECT: USOURCE LLC

Application filed on 9/27/19, 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 throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

#### AGENDA NO. 3013191-TUS DOCKET NO. A-2019-3013191

#### NAME AND SUBJECT: USOURCE LLC

Application filed on 9/30/19, 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, throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3013433-TUS DOCKET NO. A-2019-3013433

#### NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC

Application file on 10/9/19, seeking a Certificate of Public Convenience authorizing it to abandon natural gas distribution service to three residential premises located in Adams County. The Application was filed pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. §1102(a)(2).

RECOMMENDATION: That the Commission adopt the proposed Order.

#### **AGENDA NO. 3013570-TUS DOCKET NO. S-2019-3013570**

#### NAME AND SUBJECT: DUQUESNE LIGHT COMPANY

On 10/10/19, Duquesne Light filed a securities certificate with respect to the issuance of debt in a principal amount not to exceed \$400 million. No protests were filed, and no hearings were held. Duquesne Light Company voluntarily extended the consideration period to 12/6/19.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3013736-TUS DOCKET NO. A-2019-3013736

#### NAME AND SUBJECT: GREENSTAR SOLUTIONS LLC

Application filed on 10/23/19, 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 all of the electric distribution company service territories throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

#### AGENDA NO. 3013957-TUS DOCKET NO. A-2019-3013957

### NAME AND SUBJECT: NATIONAL AUDITING SERVICES & CONSULTING LLC D/B/A NATIONAL ENERGY DISCOUNTERS

Application filed on 11/1/19, 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, and industrial customers in all of the electric distribution company service territories throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3013991-TUS DOCKET NO. A-2019-3013991

### NAME AND SUBJECT: NATIONAL AUDITING SERVICES & CONSULTING LLC D/B/A NATIONAL ENERGY DISCOUNTERS

Application filed on 11/5/19, for the approval to offer, render, furnish, or supply natural gas services as a broker/marketer to residential, 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, UGI, and Valley Energy, throughout Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

### **LAW BUREAU**

## **AGENDA NO. 3012307-LAW DOCKET NO. A-2019-3012307**

#### NAME AND SUBJECT: RIVER OAKS ENERGY INC

Petition for Reconsideration filed on 10/15/19, seeking reconsideration of the Commission's Order entered on 10/3/19, denying River Oaks Energy's Application to serve as a broker/marketer of electricity or electric generation services throughout Pa.

RECOMMENDATION: The Commission adopts the proposed Order.

#### **OFFICE OF ADMINISTRATIVE LAW JUDGE**

#### AGENDA NO. 3010254-ALJ DOCKET NO. F-2019-3010254

#### NAME AND SUBJECT: KEVIN SMITH VS COLUMBIA GAS OF PENNSYLVANIA INC

Formal Complaint filed 5/24/19, seeking a payment arrangement. On 6/19/19, Respondent filed its Answer averring that Complainant had been provided with an appropriate payment arrangement from the Bureau of Consumer Services and is not entitled to another payment arrangement. A hearing was held on 8/12/19.

COMMISSION REVIEW: That the Commission adopt Special Agent Arnold's Initial Decision.

Votes and Notes: 5-0
Chairman Dutrieuille Yes
Vice Chairman Sweet Yes
Commissioner Place Yes - Motion
Commissioner Coleman Yes
Commissioner Yanora Yes

#### AGENDA NO. 3010272-ALJ DOCKET NO. C-2019-3010272

#### NAME AND SUBJECT: THOMAS J SHORES VS PENNSYLVANIA ELECTRIC COMPANY

Formal Complaint filed 5/29/19 alleging Respondent terminated or is threatening to terminate his service, there are incorrect charges on his bill and that he would like a payment arrangement. On 6/20/19, Respondent filed its Answer to the complaint. A hearing was held on 8/12/19.

COMMISSION REVIEW: That the Commission adopt Deputy Chief ALJ Cheskis' Initial Decision.

#### PENNSYLVANIA PUBLIC UTILITY COMMISSION

# Carry-In Agenda December 5, 2019

### AGENDA NO. 3012599-LAW DOCKET NO. M-2019-3012599

#### NAME AND SUBJECT: 2019 AMENDMENTS TO CAP POLICY STATEMENT

On 11/20/19, OCA and the Energy Association of PA individually filed Petitions for Reconsideration and/or Clarification relative to the Commission's 11/5/19 Order at this docket. The EAP also filed a Petition for Stay. CAUSE-PA et al. filed a Petition to extend answer date from12/2/19, to 12/9/19. Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. Rule 1701, the Commission must act to grant a Petition for Reconsideration on or before 12/5/19, or otherwise lose jurisdiction to do so if a petition for review is timely filed.

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