

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, MARCH 12, 2020 (RY)  
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>John F. Coleman, Jr</b>	<b>David W. Sweet</b>	<b>Gladys Brown Dutrieuille</b>	<b>Andrew G. Place</b>	<b>Ralph V. Yanora</b>

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

The Next Public Meeting is Tentatively Scheduled for Thursday, March 26, 2020 at 10:00 A.M.

Minutes of the Meeting of Thursday, February 6, 2020 (DS)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MARCH 26, 2020, 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, MARCH 25, 2020, 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  
[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 12, 2020

## BUREAU OF AUDITS

### AGENDA NO. 3003727-AUD

DOCKET NO. D-2018-3003727

NAME AND SUBJECT: **DUQUESNE LIGHT COMPANY**

Smart Meter Charge Report for twelve months ended 6/30/16 and 6/30/15.

RECOMMENDATION: That the Commission release the audit report to the public.

Votes and Notes: 5-0

Chairman Dutrieuille **Yes**

Vice Chairman Sweet **Yes**

Commissioner Place **Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**

### AGENDA NO. 3009051-AUD

DOCKET NO. D-2019-3009051

NAME AND SUBJECT: **UGI UTILITIES INC-ELECTRIC DIVISION**

Default Generation Supply Service Auditor's report for twelve month periods ended 6/30/16 and 6/30/15.

RECOMMENDATION: That the Commission release the audit report to the public.

Votes and Notes: 5-0

Chairman Dutrieuille **Yes**

Vice Chairman Sweet **Yes**

Commissioner Place **Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**

## **BUREAU OF CONSUMER SERVICES**

### **AGENDA NO. 3010190-BCS**

### **DOCKET NO. M-2019-3010190**

#### **NAME AND SUBJECT: STAFF REVIEW OF CUSTOMER ASSISTANCE PROGRAM (CAP) FINAL BILLING METHODS**

On 7/17/19 the Commission issued a Secretarial Letter seeking input from energy utilities and other stakeholders regarding the final billing procedures for customers enrolled in electric or natural gas public utility Customer Assistance Programs (CAPs). Supplemental information, comments, and reply comments were filed. This Order details how the energy utilities are calculating final CAP bills, summarizes stakeholder input on the issues, and calls attention to existing statutory and regulatory provisions relating to billing. Additionally, this Order closes this docket and notes that CAP final billing issues will be addressed in utility-specific proceedings, as needed, and may be addressed in Universal Service Rulemaking, Docket No. L-2019-3012600.

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**

**OFFICE OF SPECIAL ASSISTANTS**

**AGENDA NO. 2630792-OSA**

**DOCKET NO. C-2017-2630792**

**NAME AND SUBJECT: ADAM KESSLER VS PECO ENERGY COMPANY**

Formal Complaint filed on 10/15/17 seeking a payment arrangement on his account. On 11/8/17, PECO filed an Answer and New Matter, denying the material allegations of the Complaint and indicating that the Complainant had an active bankruptcy proceeding. An initial scheduled hearing was rescheduled at the request of the parties. On the eve of the hearing, Mr. Kessler emailed PECO that he wanted to withdraw his complaint. PECO did not oppose the withdrawal. ALJ Guhl issued an Initial Decision dismissing the complaint on 6/25/18. Mr. Kessler filed Exceptions on 7/25/18 and PECO filed Replies to Exceptions on 7/31/18. On 1/17/19, the Commission entered an Opinion and Order granting Complainant's Exceptions and remanding the matter for a hearing. After a hearing on remand, ALJ Guhl issued an Initial Decision dismissing the Complaint for lack of jurisdiction due to Complainant's pending bankruptcy proceeding. Mr. Kessler filed Exceptions and PECO filed Replies to Exceptions.

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 **Motion - Yes**

Commissioner Yanora **Yes**

**AGENDA NO. 3008691-OSA**

(PP from 2/27/2020)

**DOCKET NO. C-2019-3008691**

**NAME AND SUBJECT: OPTATUS CHAILLA VS VERIZON PENNSYLVANIA LLC**

Formal Complaint filed on 3/15/19, alleging incorrect charges on his bill, reliability and quality of service issues, and invasion of his privacy. The Complainant requested the following: (1) removal of the shared drive; (2) an explanation of his bill; (3) an explanation of why a phone jack installation was not covered by a protection plan; (4) a potential payment arrangement after seeing a breakdown of his March 2019 bill; (5) assurance that his service is for regional calling and is at minimum lifeline service; (6) and that Verizon PA provide information on plans for senior citizens. On 4/8/19, Verizon PA filed an Answer. On 6/13/19, an evidentiary hearing was held. In an Initial Decision issued 8/26/19, ALJ Myers denied and dismissed the Complaint. On 9/12/19, the Complainant filed Exceptions. On 9/20/19, Verizon PA filed Replies to Exceptions.

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

Votes and Notes: 5-0

Chairman Dutrieuille **Yes**

Vice Chairman Sweet **Yes**

Commissioner Place **Motion - Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**

## **BUREAU OF TECHNICAL UTILITY SERVICES**

### **AGENDA NO. 3013838-TUS**

**DOCKET NO. A-2019-3013838**

**NAME AND SUBJECT: TALK AMERICA SERVICES LLC**

Application filed on 10/28/19, seeking Commission Approval for the Discontinuance and Abandonment of Competitive Local Exchange Carrier and Interexchange Carrier Reseller Services to the Public within Pa. No protests were filed, and no hearings were held.

**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. 3015155-TUS**

**DOCKET NO. A-2019-3015155**

**NAME AND SUBJECT: FIDELIS UNITED ENERGY SOLUTIONS LLC**

Application filed on 12/30/19, 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.

**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. 3015228-TUS**  
**DOCKET NO. M-2020-3015228**

**NAME AND SUBJECT: ACT 129 ENERGY EFFICIENCY & CONSERVATION (EE&C)  
IMPLEMENTATION**

With this Tentative Implementation Order, the Commission begins the process of evaluating the costs and benefits of the Energy Efficiency and Conservation (EE&C) Program and proposing additional incremental reductions in consumption and peak demand for Phase IV of the program.

RECOMMENDATION: That the Commission adopt the proposed Tentative Implementation Order.

Votes and Notes: 5-0

Chairman Dutrieuille Statement - Yes

Vice Chairman Sweet Yes

Commissioner Place Statement - Yes

Commissioner Coleman Yes

Commissioner Yanora Yes

**AGENDA NO. 3015680-TUS**  
**DOCKET NO. A-2020-3015680**

**NAME AND SUBJECT: PENNSYLVANIA AMERICAN WATER COMPANY - WASTEWATER  
DIVISION**

On 1/7/20 an Application for approval of the right to offer, render, furnish or supply wastewater service to the public in an additional portion of South Coatesville, Borough, Chester County, Pa. was filed. Proofs of publication and service to the appropriate entities were submitted. No protests were filed, and no hearings were held.

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. 3016016-TUS**

**DOCKET NO. R-2020-3016016 P-00971229F1000 C-2020-3018508**

**NAME AND SUBJECT: CITIZENS TELEPHONE COMPANY OF KECKSBURG**

2020 Price Stability Index/Service Price Index Report was filed on 2/3/20. On 2/13/20, the Office of Consumer Advocate filed a Formal Complaint against the Filing.

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. 3016018-TUS**

**DOCKET NO. R-2020-3016018 P-00971182F1000 C-2020-3018500**

**NAME AND SUBJECT: IRONTON TELEPHONE COMPANY**

2020 Price Stability Index/Service Price Index Report filed on 2/3/20. On 2/13/20, the Office of Consumer Advocate filed a Formal Complaint against the Filing.

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. 3016152-TUS**

**DOCKET NO. R-2020-3016152 P-00961024F1000 C-2020-3018501**

**NAME AND SUBJECT: COMMONWEALTH TELEPHONE COMPANY D/B/A FRONTIER COMMUNICATIONS COMMONWEALTH TELEPHONE COMPANY**

2020 Price Stability Index/Service Price Index Report was filed on 1/1/20. On 2/13/20, the Office of Consumer Advocate filed a Formal Complaint against the Filing.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 4-0

Chairman Dutrieuille **Statement - Recuse**

Vice Chairman Sweet **Yes**

Commissioner Place **Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**



**AGENDA NO. 3016157-TUS**

**DOCKET NO. R-2020-3016157 P-00951005F1000 C-2020-3018498, et al**

**NAME AND SUBJECT: FRONTIER COMMUNICATIONS OF BREEZEWOOD, LLC; FRONTIER COMMUNICATIONS OF CANTON, LLC; FRONTIER COMMUNICATIONS OF LAKEWOOD, LLC; FRONTIER COMMUNICATIONS OF OSWAYO RIVER, LLC; AND FRONTIER COMMUNICATIONS OF PENNSYLVANIA, LLC**

2020 Joint Price Stability Index/Service Price Index Report was filed on 2/1/20. On 2/13/20, the Office of Consumer Advocate filed Formal Complaints against the Filing.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes: 4-0

Chairman Dutrieuille Statement - Recuse

Vice Chairman Sweet Yes

Commissioner Place Yes

Commissioner Coleman Yes

Commissioner Yanora Yes

**AGENDA NO. 3016259-TUS**

**DOCKET NO. S-2020-3016259**

**NAME AND SUBJECT: AQUA PENNSYLVANIA INC**

Securities Certificate filed on 1/17/20. No protests were filed, and no hearings were held. Aqua voluntarily extended the consideration period to 3/13/20.

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. 3016555-TUS**  
**DOCKET NO. A-2020-3016555**

**NAME AND SUBJECT: US ENERGY LINK LLC**

Application filed on 1/23/20, 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 Citizens Electric of Lewisburg, Duquesne Light, Pike County Light and Power, UGI, Wellsboro Electric, and West Penn Power within 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. 3016684-TUS**  
**DOCKET NO. A-2020-3016684**

**NAME AND SUBJECT: WEST PENN POWER COMPANY**

Letter of Notification (LON) was filed on 1/17/20, for approval to site and construct a new 138 kV transmission line tap in Center Township, Greene County. No protests were filed, and no hearings were held.

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. 3017763-TUS**  
**DOCKET NO. S-2020-3017763 G-2020-3017768**

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

Securities Certificate and Affiliated Interest Agreement were filed on 1/31/20. On 2/11/20, the Securities Certificate was voluntarily extended to 3/13/20. No protests were filed, and no hearings were held.

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**

## LAW BUREAU

### AGENDA NO. 2515375-LAW DOCKET NO. M-2015-2515375

#### NAME AND SUBJECT: **DUQUESNE LIGHT COMPANY**

Petition for Approval of Changes to its Act 129 Phase III Energy Efficiency and Conservation (EE&C) Plan was filed on 11/15/19. The Petition seeks approval of one proposed modification under the non minor change process.

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**

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

**AGENDA NO. 3002620-ALJ**

**DOCKET NO. C-2018-3002620**

**NAME AND SUBJECT: KATHRINE HUBEL VS DUQUESNE LIGHT COMPANY**

Formal Complaint filed on 6/10/18, due to a shut off notice and alleging a health and safety problem by installing smart meters on residential property. Duquesne Light Company (DLC) filed an Answer on 7/2/18. A prehearing conference was convened on 4/24/19. Complainant failed to appear for the prehearing conference. On 10/24/19, DLC filed a Motion to Dismiss the Formal Complaint for failure of Complainant to appear and prosecute the Complaint. Complainant did not file a response to the Motion to Dismiss.

COMMISSION REVIEW: That the Commission adopt ALJ Watson's Initial Decision.

Votes and Notes: 5-0

Chairman Dutrieuille **Yes**

Vice Chairman Sweet **Motion - Yes**

Commissioner Place **Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**

**AGENDA NO. 3010955-ALJ**

**DOCKET NO. R-2019-3010955 C-2019-3011834 C-2019-3012096**

**NAME AND SUBJECT: PA PUC, OFFICE OF CONSUMER ADVOCATE AND OFFICE OF SMALL BUSINESS ADVOCATE VS CITY OF LANCASTER - WASTEWATER**

A tariff supplement was filed on 7/9/19 to become effective 9/17/19 seeking an increase in total annual operating revenues for wastewater service. Two complaints were filed. On 8/29/19, the Commission suspended the filing by operation of law until 4/17/20 pursuant to Section 1308(d). On 1/15/20, the parties submitted a Joint Petition for Settlement of Rate Investigation.

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

Votes and Notes: 5-0

Chairman Dutrieuille **Yes**

Vice Chairman Sweet **Yes**

Commissioner Place **Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**

**AGENDA NO. 3011943-ALJ**  
**DOCKET NO. C-2019-3011943**

**NAME AND SUBJECT: STACEY COSSABOON VS PECO ENERGY COMPANY**

Formal Complaint filed on 8/2/19, alleging PECO is threatening to shut off Complainant's services and that there are incorrect charges on her PECO bill. Complainant also requested a payment arrangement. PECO filed an Answer on 8/7/19. A hearing was held on 10/29/19.

COMMISSION REVIEW: That the Commission adopt ALJ Heep's Initial Decision.

Votes and Notes: 5-0

Chairman Dutrieuille **Yes**

Vice Chairman Sweet **Yes**

Commissioner Place **Statement -Yes**

Commissioner Coleman **Verbal Statement -Yes**

Commissioner Yanora **Yes**

**AGENDA NO. 3012628-ALJ**  
**DOCKET NO. P-2019-3012628**

**NAME AND SUBJECT: PENNSYLVANIA POWER COMPANY**

A Petition was filed on 8/30/19, seeking to waive the statutory Cap on the Distribution System Improvement Charge (DSIC) and requests permission to increase the Cap. The Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and Penn Power Users Group (PPUG) participated. A Joint Petition for Settlement was filed on 1/21/20 signed by Penn Power, BIE, OCA and OSBA. PPUG did not object to the Settlement.

COMMISSION REVIEW: That the Commission adopt ALJ Dunderdale's Recommended Decision.

Votes and Notes: 5-0

Chairman Dutrieuille **Statement -Yes**

Vice Chairman Sweet **Yes**

Commissioner Place **Yes**

Commissioner Coleman **Yes**

Commissioner Yanora **Yes**

**Statement by Vice Chairman Sweet on Fix-A Leak Week from March 16-22, 2020.**