

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

Pennsylvania Public Utility Commission,
Pamela Sequin and John Namey v. Herman
Reimer Gas Company

Public Meeting February 28, 2013
2302261-ALJ
Docket Nos. R-2012-2302261, *et al.*

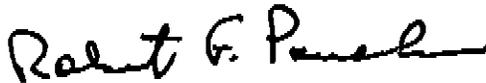
**MOTION OF
CHAIRMAN ROBERT F. POWELSON**

Before the Commission today for disposition is the Recommended Decision (RD) in the above-captioned matter concerning a requested change in rates for Herman Reimer Gas Company (Reimer or Company). The RD recommends approval of a Joint Petition for Settlement filed by the Company, the Bureau of Investigation and Enforcement and the Office of Consumer Advocate. The Settlement states that Reimer should be permitted to file a tariff supplement to effectuate the agreed-to rate increase, to become effective on one day's notice following entry of a Commission Order approving the Settlement.

In Ordering Paragraph 1 of the RD, the ALJ recommends that "the Joint Petition for Settlement . . . be approved without modification." Ordering Paragraph 2, however, states that "Reimer shall be permitted to file a tariff supplement . . . to become effective on one day's notice after entry of the Commission's Order approving the Joint Petition, *for service rendered on and after May 1, 2013*["] (Emphasis supplied). The phrase "for service rendered on and after May 1, 2013" is not contained in the settlement and limits Reimer's ability to implement the agreed-upon rate increase. Because of this, and because inclusion of this phrase is inconsistent with the ALJ's recommendation to adopt the settlement without modification, the RD should be modified and this phrase should be struck.

THEREFORE, I MOVE THAT:

1. The Office of Special Assistants prepares an Opinion and Order consistent with this Motion.



**ROBERT F. POWELSON
CHAIRMAN**

DATE: February 28, 2013