

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

FEBRUARY 21, 2002 (TF)

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 B-7, Second Floor, this Building.

The Commissioners seated on the bench are:

COMMISSIONER VICE CHAIRMAN CHAIRMAN COMMISSIONER COMMISSIONER
Terrance J. Fitzpatrick Robert K. Bloom Glen R. Thomas Aaron Wilson, Jr. Kim Pizzingrilli

<p>BUREAU DIRECTORS AND MEMBERS OF THE LEGAL, TECHNICAL AND ADMINISTRATIVE STAFF OF THE COMMISSION</p>

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

The Next Public Meeting is Tentatively Scheduled for Thursday, March 14, 2002 at 10:00 a.m.

Minutes of the Meeting of January 24, 2002 (AW)

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BUREAU OF TRANSPORTATION AND SAFETY

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
TSM-0003	A-00113228	Motor Carrier rate increase of more than 1% for carriers with less than \$500,000 gross annual revenues. TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE, INC., ON BEHALF OF GOGGIN MOVING, INC. , Philadelphia, Philadelphia Co. RECOMMENDATION that the Commission approve the acceptance of the tariff under the prescribed rules.
TSM-0006	A-00105650, et al	Motor Carrier County rate increase. TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE, INC., ON BEHALF OF ALL THE PARTICIPATING MEMBERS OF NORTHUMBERLAND, SNYDER AND UNION COUNTIES, R.B. CELLITTI MOVING & STORAGE, INC., et al. RECOMMENDATION that the Commission approve the acceptance of the tariff under the prescribed rules.
TSM-0008	A-00108285, et al	Motor Carrier rate increases of more than 1% for carriers with less than \$500,000 gross annual revenues in accordance with 52 Pa. Code §23.67. TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE, INC., ON BEHALF OF ALLEGHENY VALLEY TRANSFER CO. , Pittsburgh, Allegheny County, et al. RECOMMENDATION that the Commission approve the acceptance of the tariff under the prescribed rules.
TSM-0011*	S-00020886	EDENFIELD STAGES, INC. , (Edenfield, DONALD D. KISSELL (Kissel), jointly and severally at S-00020886, in the matter of entering into a proposed ten-year fixed term loan to be entered between Edenfield, Kissell and PNC Bank as more thoroughly described in the order. RECOMMENDATION that the above Securities Certificate be registered pursuant to 66 PA C.S. §1903.

BUREAU OF TRANSPORTATION AND SAFETY

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
TSM-0013*	A-00118059	Application of JUDITH A. BLEECHER , t/d/b/a BLEECHERS AMISH TAXI , Quarryville, Lancaster Co., for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service. RECOMMENDATION that the Commission adopt the proposed order approving the amended application.
TSM-0015*	A-00113875, F.1, Am-A	Application of CAPITAL CITY CAB SERVICE, INC. , Steelton, Dauphin Co., for amendment to its common carrier certificate: <u>SO AS TO PERMIT</u> the transportation of persons upon call or demand. RECOMMENDATION that the Commission adopt the proposed order approving the application.
TSR-0005*	A-00114703	Application of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (SEPTA) for an exemption from the provisions of Subchapter C of the 52 Pa. Code contained in §33.122 (a) and (b) and to exercise the rights contained 52 Pa. Code §33.122 (f) to permit the construction of one partial high level platform associated with the Woodbourne Railroad Station, Bucks Co. RECOMMENDATION that the Commission issue an order that approved SEPTA's application and provide an exemption from the close clearance requirements.
TSR-0006*	M-00021595	Bridge carrying State Route 0168 (WETTICH BRIDGE) above the grade of the tracks of CSX Transportation, Inc., in Taylor Township, Lawrence Co. RECOMMENDATION that the Commission adopt an order directing the Department to post the subject bridge for a 15-ton load limit.
TSL-0002*	P-00021937	ERIC OLIPHANT , Petition for Exemption, 52 Pa. Code §30.72. RECOMMENDATION that the Commission deny the petition.

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0045*	A-310673F7000	<p>Joint Petition of VERIZON PENNSYLVANIA INC. and MFNS FIBER NETWORK SERVICES, INC. For Approval of a Replacement Interconnection Agreement.</p> <p>Joint Petition filed December 18, 2001 and published in the <i>Pennsylvania Bulletin</i> January 19, 2002. No Comments have been received.</p> <p>RECOMMENDATION that the Commission grant the Joint Petition consistent with the proposed Order.</p>
OSA-0053*	A-00111305	<p>APPLICATION OF CONSOLIDATED RAIL CORPORATION...</p> <p>On March 28, 1994, Conrail filed an Application to abolish or alter certain rail-highway crossings. By Opinion and Order issued on October 13, 1998, the Commission approved, <i>inter alia</i>, the removal of the Lenover Bridge. Conrail was directed to complete removal of the bridge on or before October 13, 2000. On November 13, 2001, Conrail, Amtrak, and West Sadsbury Township filed a Joint Petition for Modification of Order and Extension of Time.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants, in part, and denies, in part, the Petition.</p>
OSA-0056*	A-00117632	<p>APPLICATION OF SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY...</p> <p>On March 16, 2001, SEPTA filed an Application to install conduit and wire beneath an existing railroad bridge at a rail-highway crossing. A Secretarial Letter was issued on May 3, 2001, approving the Application. On December 13, 2001, SEPTA filed a Petition to Modify Secretarial Letter in the nature of a request for an extension of time (Petition).</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants the Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0057*	A-310960F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND INLEC COMMUNICATIONS PA L.L.C....</p> <p>On December 21, 2001, Verizon PA and INLEC filed a Joint Petition seeking approval of Amendment No. 1 to the Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants the Joint Petition.</p>
OSA-0058*	F-00912779	<p>IRMGARD GORDOS v. METROPOLITAN EDISON COMPANY, d/b/a GPU ENERGY</p> <p>On March 26, 2001, a Formal Complaint was filed by the Complainant against the Respondent wherein the Complainant alleged she was being charged someone else's bills. On November 21, 2001, an Initial Decision was issued wherein ALJ Kashi recommended that the instant Complaint be dismissed. On November 28, 2001, the Complainant filed Exceptions to the Initial Decision.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which denies the Complainant's Exceptions and adopts the ALJ's Initial Decision as modified by the Opinion and Order.</p>
OSA-0059*	A-310940F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND COMPASS TELECOMMUNICATIONS INC....</p> <p>On December 10, 2001, Verizon PA and Compass filed a Joint Petition seeking approval of Amendment No. 1 to the Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants the Joint Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0060*	C-00014799	<p>DENVER BRAUGHLER v. PENNSYLVANIA ELECTRIC COMPANY</p> <p>On February 2, 2001, the Complainant filed a Complaint against Penelec. The Initial Decision of ALJ Gesoff was issued on November 21, 2001, recommending that the Complaint be sustained and that no civil penalty should be assessed against Penelec. Penelec filed Exceptions to the Initial Decision on December 11, 2001.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants Penelec's Exceptions and reverses the ALJ's Initial Decision.</p>
OSA-0061*	C-00015491	<p>PENNSYLVANIA ALLOY MACHINING COMPANY, INC. v. EQUITABLE GAS COMPANY</p> <p>On May 24, 2001, the Complainant filed a Complaint alleging that it had been improperly billed because it had been charged a higher rate for gas service than the rate that appeared on its bills. The Initial Decision of ALJ Corbett was issued on November 27, 2001, concluding that the Respondent violated Section 1501 of the Public Utility Code, 66 Pa. C.S. §1501. The Respondent filed Exceptions on December 17, 2001.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which denies the Respondent's Exceptions and adopts the Initial Decision of ALJ Corbett, to the extent consistent with the Opinion and Order.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0064*	A-310535F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND NETWORK ACCESS SOLUTIONS CORPORATION...</p> <p>On December 10, 2001, Verizon PA and Network Access filed a Joint Petition for Approval of Amendment No. 2 to the Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order granting the Petition, thereby approving Amendment No. 2 to the Interconnection Agreement between Verizon PA and Network Access.</p>
OSA-0065*	A-310749F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND ERNEST COMMUNICATIONS, INC....</p> <p>On December 10, 2001, Verizon PA and Ernest filed a Joint Petition for approval of Amendment No. 1 which supplements the terms of their Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants the Joint Petition thereby approving Amendment No. 1 consistent with the Opinion and Order.</p>
OSA-0066*	A-310791F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND UNIFIED MESSAGING INC. d/b/a SINGLE SOURCE, INC....</p> <p>On December 21, 2001 Verizon PA and Single Source filed a Joint Petition seeking approval of Amendment No. 1 to the Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order, which grants the Joint Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0067*	A-310951F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND ESSEX COMMUNICATIONS, Inc....</p> <p>On December 10, 2001, Verizon PA and Essex filed a Joint Petition for Approval of Amendment No. 2 to the Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order granting the Petition, thereby approving Amendment No. 2 to the Interconnection Agreement between Verizon PA and Essex.</p>
OSA-0068*	A-310824F7000	<p>JOINT PETITION OF VERIZON PENNSYLVANIA INC. AND DSLNET COMMUNICATIONS, LLC d/b/a DSLNET...</p> <p>On December 20, 2001, Verizon PA and DSLnet filed a Joint Petition for approval of Amendment No. 1 which supplements the terms of their Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants the Joint Petition thereby approving Amendment No. 1 consistent with the Opinion and Order.</p>
OSA-0069*	A-310725F7001	<p>JOINT PETITION OF VERIZON NORTH INC. AND FAIRPOINT COMMUNICATIONS SOLUTIONS CORP....</p> <p>On December 27, 2001, Verizon North and FairPoint filed a Joint Petition seeking approval of Amendment No. 1 to the Interconnection Agreement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order, which grants the Joint Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0072*	C-00015145	<p>GLORIA SCARNATI v. COLUMBIA GAS OF PENNSYLVANIA, INC.</p> <p>On March 21, 2001, the Complainant filed a Formal Complaint against the Respondent alleging that she was being overbilled by the Respondent. The Initial Decision of ALJ Nene was issued on December 13, 2001, recommending that the Complaint be dismissed. On December 23, 2001, the Complainant filed Exceptions to the Initial Decision.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which denies the Complainant's Exceptions and affirms the ALJ's Initial Decision.</p>
OSA-0073*	C-20015813	<p>BRYON HICKS-LEE v. PECO ENERGY COMPANY</p> <p>On June 29, 2001, the Complainant filed a Formal Complaint against the Respondent alleging that bills from the Respondent were excessive. The Initial Decision of ALJ Lovenwirth was issued on November 2, 2001, recommending that the instant Complaint be dismissed with prejudice due to the Complainant's failure to participate at the Hearing. On November 21, 2001, the Complainant filed Exceptions to the Initial Decision.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which denies the Complainant's Exceptions, dismisses the instant Complaint for lack of jurisdiction and modifies the ALJ's Initial Decision.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0074*	M-00001373F0022	<p>IMPLEMENTATION OF NUMBER CONSERVATION MEASURES GRANTED TO PENNSYLVANIA BY THE FEDERAL COMMUNICATIONS COMMISSION IN ITS ORDER RELEASED MARCH 31, 2000</p> <p>NXX CODE RECLAMATION</p> <p>In September of 2001, the Commission received from the North American Numbering Plan Administrator a list of NXX codes that had not been placed in service within the required six-month time frame. By Secretarial Letter issued October 9, 2001, KMC Telecom was notified that it had ten days within which to verify that the NXX code contained numbers that had been assigned to end users and provide proof of the assignment. KMC Telecom failed to respond to the Secretarial Letter. Accordingly, by Opinion and Order issued December 5, 2001, the Commission directed the reclamation of NXX Code 814-519. On December 10, 2001 KMC Telecom filed an Emergency Petition for Reconsideration. No response was filed.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order, which grants KMC Telecom's Petition.</p>
OSA-0075*	A-310072F7001	<p>JOINT PETITION OF VERIZON NORTH INC. AND VARTEC TELECOM, INC....</p> <p>On January 9, 2002, Verizon North and VarTec filed a Joint Petition seeking approval of an Interconnection Agreement under Section 252(e) of the Telecommunications Act of 1996.</p> <p>RECOMMENDATION that the Commission adopt a proposed draft Opinion and Order which grants the Joint Petition consistent with this Opinion and Order.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0077*	C-00015165	<p>RICHARD D. BALDWIN, M.D. v. APPALACHIAN WATER COMPANY</p> <p>On March 26, 2001, the Complainant filed a Formal Complaint against the Respondent alleging, <i>inter alia</i>, that the Respondent's water line was faulty. On November 21, 2001, the Initial Decision of ALJ Lovenwirth was issued recommending that the instant Complaint be dismissed. On November 26, 2001, the Complainant filed Exceptions to the Initial Decision.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which denies the Complainant's Exceptions and adopts the ALJ's Initial Decision.</p>
OSA-0078*	A-00116319	<p>APPLICATION OF THE COMMONWEALTH OF PENNDOT FOR APPROVAL OF THE ALTERATION OF THE CROSSING...IN HATFIELD TOWNSHIP, MONTGOMERY COUNTY</p> <p>On October 25, 1999, PennDOT filed an Application to alter an at-grade rail-highway crossing. PennDOT was directed to complete the alteration on or before June 30, 2001. On December 12, 2001, PennDOT filed the instant Petition, requesting an extension of time until April 30, 2002.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order which grants PennDOT's Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0083*	A-00091727C0001	<p>PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF TRANSPORTATION AND SAFETY v. LANSDALE WAREHOUSE CO., INC.</p> <p>On July 14, 2000 the Commission's BTS instituted a Complaint against the Petitioner, alleging violation of Section 510(c) of the Public Utility Code, 66 Pa. C.S. §510(c), due to the Petitioner's failure to pay an outstanding assessment of \$284.00. The Petitioner did not file an Answer and the Certificate was subsequently revoked. On November 16, 2001, the Petitioner filed the instant Letter-Petition for Reinstatement.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Opinion and Order, which grants the Letter-Petition for Reinstatement.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-0415*	A-310927F2000	Application filed December 13, 2001, by BROADSTREET COMMUNICATIONS, INC. , seeking Commission's approval of the Company's Abandonment of the Certificate of Public Convenience. RECOMMENDATION that the Commission approve the filing.
FUS-0423*	M-00940637	ALLEGHENY COUNTY'S 911 RENEWAL PLAN filed December 13, 2001, by PEMA requesting that the Commission review the costs associated with the contribution rate of \$1.00 per month and make a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION that the Commission adopt the proposed draft Order approving the plan as filed.
FUS-0425*	M-00001373F0021	IMPLEMENTATION OF NUMBER CONSERVATION MEASURES Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000, NXX Code Reclamation. As a result of the Federal Communications Commission (FCC) Report and Order and NOPR at CC Docket NO 99-200, relating to numbering resource optimization, The Commission was granted authority to reclaim NXX codes that have not been activated within six months. RECOMMENDATION that the Commission reclaim the inactive and unused NXX Codes held by Core Communications, Inc., and return these codes to the North American Numbering Plan Administrator.

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-0802*	A-212285F0094 A-212285F0095 A-210031F2000	<p>Joint Application filed November 30, 2001, by PENNSYLVANIA-AMERICAN WATER COMPANY and RUSTIC ACRES WATER ASSOCIATION, for approval of (1) transfer by sale of the waterworks property and rights of Rustic Acres to Pennsylvania-American, (2) commencement by Pennsylvania-American of public service in the certificated service territory of Rustic Acres, (3) abandonment by Rustic Acres of all water service to the public, and (4) commencement by Pennsylvania-American of water service to an additional portion of Lehman Twp., Pike County.</p> <p>RECOMMENDATION that the Joint Application be approved.</p>
FUS-0803	A-210085F2000 C-00014952 C-20015768	<p><i>Nunc Pro Tunc</i> Application filed November 6, 2001, by ROARING BROOK ESTATES WATER COMPANY, INC., for approval to abandon all water service to the public in Roaring Brook Twp., Lackawanna County.</p> <p>RECOMMENDATION that the Application be approved.</p>
FUS-0805*	A-210097 A-210035F2000	<p>Joint Application filed May 30, 2001, by POCONO WATER WORKS COMPANY, INC. (POCONO), for approval of (1) transfer by sale of the water system assets of Bard Electronics, Inc., d/b/a Hamlin Associated Water Companies (Hamlin) to Pocono, (2) the right of Pocono to begin to furnish water service to the public in portions of the Village of Hamlin, Lake and Salem Townships, Wayne County and a portion of Jefferson Township, Lackawanna County and (3) the abandonment by Hamlin of all water service to the public.</p> <p>RECOMMENDATION that the proposed Order be adopted approving the Application.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-0807*	A-212285F0077 A-211770F2000	<p>Joint Application filed October 16, 2000 by PENNSYLVANIA-AMERICAN WATER COMPANY and LP WATER AND SEWER COMPANY(LP) for approval of (1) the transfer by sale of the waterworks property and rights of LP to PAWC, (2) the commencement by PAWC of water service in the certificated territory of LP, (3) the commencement by PAWC of water service to the public in additional portions of Lehman Township, Pike County and Middle Smithfield Township, Monroe County, and (4) the abandonment by LP of all water service to the public.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Order approving the Joint Application.</p>
FUS-0808*	A-230073F0003 A-230242F2000	<p>Joint Application filed October 16, 2000 by PENNSYLVANIA-AMERICAN WATER COMPANY and LP WATER AND SEWER COMPANY (LP) for approval of (1) the transfer by sale of the waterworks property and rights of LP related to its wastewater system to PAWC, (2) the commencement by PAWC of wastewater service in the certificated territory of LP, (3) the commencement by PAWC of wastewater service to the public in additional portions of Lehman Twp., Pike County and Middle Smithfield Twp., Monroe County, and (4) the abandonment by LP of all wastewater service to the public.</p> <p>RECOMMENDATION that the Commission adopt the proposed draft Order approving the Joint Application.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-0818*	G-00010919	Affiliated Interest Agreement filed November 26, 2001, between NANTMEAL WARWICK SEWER COMPANY and ELVERSON WATER COMPANY , outlining procedures wherein Elverson Water will provide Nantmeal Warwick Sewer with metering data for the purpose of creating billings. RECOMMENDATION that the draft Order be adopted approving the Affiliated Interest Agreement but deferring the rate to be charged for meter reading until Nantmeal Warwick provides the supporting data requested in Appendix A of this Order.
FUS-0819*	G-00010920	Affiliated Interest Agreement filed November 26, 2001, between NANTMEAL WARWICK SEWER COMPANY, INC. and STOLTZFUS ENTERPRISES, LTD. , identifying various services that will be provided by Stoltzfus for Nantmeal Warwick. RECOMMENDATION that the draft Order be adopted approving the Affiliated Interest Agreement.
Fus-0821*	A-210096	Application filed April 24, 2001 by TRUSTEES OF CONNEAUT LAKE PARK, INC. , for approval to begin to offer, render, furnish or supply water service to the public in portions of Summit and Sadsbury Townships, Crawford County. RECOMMENDATION that the Commission adopt the proposed draft Order approving the Application.
FUS-1019*	R-00027089	Supplement No. 1 to Tariff Pipeline-Pa. P.U.C. No. 2 filed January 11, 2002, by PPL INTERSTATE ENERGY COMPANY , to become effective March 12, 2002. The purpose of the filing is to extend the effective date of the current tariff until December 31, 2002. RECOMMENDATION that the proposed draft Order be adopted permitting the proposed Tariff Supplement to become effective as filed.

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-1020*	A-110153	Electric License Application filed November 19, 2001, by DYNEGY ENERGY SERVICES, INC. to operate as a broker/marketer and aggregator of electric generation services to serve commercial, industrial and governmental customers within the Commonwealth of Pennsylvania. RECOMMENDATION that the proposed draft Order be adopted approving the License Application.
FUS-1021*	A-110500F0314	Application filed November 20, 2001, by PPL ELECTRIC UTILITIES CORPORATION for approval to lease two 200 KVA transformers to Cumberland Valley School District. RECOMMENDATION that the proposed draft Order be adopted approving the Application.
FUS-1023*	A-120700F0004	Application filed November 29, 2001, by COLUMBIA GAS OF PENNSYLVANIA, INC. , for approval of the transfer by sale of its former local area office located at 111 N. Carlisle St., Greencastle, PA to Patrick Sean Guy and Alice J. Guy. RECOMMENDATION that the proposed draft Order be adopted approving the Application.
FUS-1318*	A-311051F5001	Application filed December 21, 2001, by jurisdictional utility DENVER & EPHRATA TELEPHONE & TELEGRAPH COMPANY for approval of the acquisition of all the voting capital stock of its non-jurisdictional subsidiary, D&E MANAGEMENT SERVICES, INC. RECOMMENDATION that the Commission adopt the proposed Order approving the Application.

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-1319*	A-311350F0005 A-310935F0005	Joint Application of VERIZON NORTH INC. , and VERIZON ADVANCED DATA INC. , filed November 21, 2001, for authorization to transfer certain assets from VADI to Verizon North pursuant to an asset purchase agreement between the two entities. RECOMMENDATION that the Application be approved and the proposed Order be adopted.
FUS-1323*	A-311152	Application filed November 19, 2001, by ENVISAGE, INC. , for approval to offer, render, furnish or supply telecommunications services as a reseller of interexchange (IXC) toll services. RECOMMENDATION that the proposed draft Order be adopted approving the Application.
FUS-1325*	A-311005F0002	Joint Application filed July 19, 2001, by THE MONTANA POWER COMPANY , and its wholly owned subsidiary, TOUCH AMERICA, INC. , for approval to conduct an internal reorganization of Montana Power and effect a change of control of Touch America. RECOMMENDATION that the Application be approved and the proposed Order be adopted.
FUS-1326*	A-311153	Application filed November 7, 2001 by UNITED TELEMANAGEMENT SYSTEMS INC. , for approval to offer, render, furnish or supply IXC toll services to hospital patients in the Commonwealth of PA. RECOMMENDATION that the Commission adopt the proposed Order approving the Application.
FUS-1327*	A-311155	Application filed November 30, 2001 by WESTON TELECOMMUNICATIONS, LLC for approval to offer, render, furnish or supply IXC toll services to business and residential customers in PA. RECOMMENDATION that the Commission adopt the proposed Order approving the Application.

BUREAU OF FIXED UTILITY SERVICES

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
FUS-1328*	R-00006042	<p>PHILADELPHIA GAS WORKS Philadelphia, PA Supplement No. 16 to Tariff-Gas Pa PUC No 1 filed January 7, 2002 in compliance with the Commission Order entered December 6, 2001 granting PGW an annual increase in revenues of \$22,558,000. On January 24, 2002 the Office of Trial Staff filed comments to the compliance tariff filing and the offices of CEPA, OSBA, and OCA filed exceptions to the filing. PGW filed responses to the comments/exception on January 30, 2002.</p> <p>RECOMMENDATION that the Commission does not allow the Supplement to become effective, direct PGW to file a new compliance tariff supplement granting an annual increase in revenues of \$22,558,000 along with a negative surcharge of \$2,975,854, to become effective March 1, 2002.</p>

LAW BUREAU

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
L-0007*	A-110067	In re: COLUMBIA ENERGY POWER MARKETING CORP. RECOMMENDATION that the Commission adopt the proposed Tentative Order which revokes Columbia's Electric Generation Supplier License, which Order will become final after a 30-day Comment period following publication in the <i>Pennsylvania Bulletin</i> , absent adverse Comment.
L-0008 R*	R-00984334, et al C-00967814	NATIONAL UTILITIES, INC. - Petition for Amendment to the Commission's Orders at C-00967814 and R-00984334 (relating to NUI divestiture). RECOMMENDATION that the Commission adopt the proposed Order which grants NUI's Petition to amend consistent with the discussion in the proposed Order.
L-0009*	A-140325	In re: PENTEX PIPELINE COMPANY RECOMMENDATION that the Commission adopt the proposed Tentative Order which revokes Pentex's Certificate of Public Convenience, which Order will become final after a 20-day Comment period following publication in the <i>Pennsylvania Bulletin</i> , absent adverse Comment.
L-0010*	C-20026669 A-125061	Pa. PUC Prosecutory Staff v. AGI DIRECT SALES & SERVICING RECOMMENDATION that the Commission adopt the proposed Tentative Order which revokes AGF's Certificate of Public Convenience, which Order will become final after a 20-day Comment period following publication in the <i>Pennsylvania Bulletin</i> , absent adverse Comment.
L-148 R*	M-00001326 R-00994790	Letter Petition of T. W. PHILLIPS GAS AND OIL COMPANY seeking waiver of requirements to file a Customer Choice Education Program in conjunction with Restructuring Proceedings at R-00994790. RECOMMENDATION that the requested waivers be granted in part and denied in part consistent with the conditions set forth in the proposed Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
ALJ-05*	R-00016699, R-00016699C0001	<p>PENNSYLVANIA PUBLIC UTILITY COMMISSION, et al. v. PECO ENERGY COMPANY</p> <p>On August 31, 2001, PECO Energy Company filed Supplement No. 16 to Gas - Pa. P.U.C. Tariff No. 2 (Supplement No. 16), to become effective November 1, 2001. On October 12, 2001, TXU Energy Services filed a Formal Complaint. Petitions to Intervene were filed. OCA and OSBA filed Notices to Intervene. An Unopposed Joint Petition for Settlement was filed January 14, 2002.</p> <p>REVIEW of ALJ Smolen's Recommended Decision approving the Joint Petition for Settlement.</p>

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

FEBRUARY 21, 2002

OFFICE OF SPECIAL ASSISTANTS

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
OSA-0089*	A-00116399, F. 1, Am-A	In Re: Application of DEE-DEE CAB, INC. , t/a Penn-del Cab for Amendment to Common Carrier Certificate. Petition, filed February 12, 2002, for Reconsideration of the Commission's January 24, 2002 Order, and Supplemental Petition for Reconsideration filed February 13, 2002. RECOMMENDATION that the Petition be granted.
OSA-0095*	A-00104394	PA PUC, BTS v. MCGARITY MOVING CO., INC. Petition for Reinstatement filed by McGarity on January 24, 2002. RECOMMENDATION that the Petition be approved consistent with the proposed Order.

BUREAU OF FIXED UTILITY SERVICES

FUS-1025*	R-00974104	Petition for Approval of REVISED COMPETITIVE TRANSITION CHARGE RECONCILIATION and Auction Accounting Compliance Filing. Petition for Approval of Request for Expedited Consideration. RECOMMENDATION that the Petition be granted consistent with the proposed Order.
FUS-1330*	S-00020887	Securities Certificate of EQUITABLE RESOURCES, INC. for the issuance of up to 5 million shares of common stock pursuant to the utility's 1999 Long-Term Incentive Plan. RECOMMENDATION that the Securities Certificate be registered consistent with the proposed Order.

OVER

LAW BUREAU

<u>BUREAU NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
L-0011	P-00011934	Petition of GREEN MOUNTAIN ENERGY CO. For Partial Waiver of the Provisions of 52 Pa. Code § 54.5(g)(1) Relating to Disclosure Statements as Modified by Commission Order to Reduce the Required Customer Notification to a Single Notice. RECOMMENDATION that the Petition be granted consistent with the proposed Order.