

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, JANUARY 23, 2025 (RY) 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. 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 CHAIR | CHAIRMAN | COMMISSIONER | COMMISSIONER |
| John F. Coleman, Jr. | Kimberly Barrow | Stephen M. DeFrank | Kathryn L. Zerfuss | Ralph V. Yanora |

The Next Public Meeting is Tentatively Scheduled for Thursday, February 6, 2025 at 10:00 A.M.

Minutes of the Meeting of Thursday, December 19, 2024 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, FEBRUARY 6, 2025, 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, FEBRUARY 5, 2025, AT 1:30 PM IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING AS WELL AS VIA TELECONFERENCE.

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. THE ELEVATORS WILL NOT OPERATE ONCE THE EVACUATION ALARM SOUNDS. ONCE YOU MOVE DOWN THE STAIRS, EXIT ONTO NORTH STREET AND PROCEED TO THE PUC ASSEMBLY AREA, UNLESS YOU ARE DIRECTED TO ASSEMBLE ELSEWHERE. TAKE YOUR BELONGINGS WITH YOU, ONLY IF THEY ARE READILY AVAILABLE. DO NOT RETURN TO THE BUILDING UNTIL THE ALL-CLEAR IS GIVEN. EMPLOYEES IN ANY PUC OFFICE SPACE AT THE TIME OF AN EVACUATION MUST ESCORT THEIR VISITOR(S) TO THE ASSEMBLY AREA TO BE ACCOUNTED FOR. RESTROOMS ARE LOCATED ON THE ATRIUM/PLAZA LEVEL IN THE NORTHWEST AND NORTHEAST HALLWAYS.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

January 23, 2025

BUREAU OF AUDITS

AGENDA NO. 3037510-AUD

DOCKET NO. D-2023-3037510

NAME AND SUBJECT: PEOPLES NATURAL GAS COMPANY LLC

Bureau of Audits' report on the company's Purchased Gas Cost for the twelve months ending on 1/31/20, 1/31/21, and 1/31/22.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3041985-AUD

DOCKET NO. D-2023-3041985

NAME AND SUBJECT: PEOPLES GAS COMPANY LLC

Bureau of Audits' report on the company's Purchased Gas Cost for the twelve months ending on 1/31/20, 1/31/21, and 1/31/22.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3045217-AUD
DOCKET NO. D-2024-3045217

NAME AND SUBJECT: VEOLIA WATER PENNSYLVANIA INC

Focused Management and Operations audit containing 15 recommendations. In response to the audit, the company submitted an Implementation Plan dated 1/9/25 indicating acceptance of 13 recommendations and partial acceptance of two recommendations.

RECOMMENDATION: That the Commission make the audit report and Implementation Plan public.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 2304183-OSA

(PP from 1/8/2025)

DOCKET NO. C-2012-2304183 C-2012-2304324 ET AL

NAME AND SUBJECT: SBG MANAGEMENT SERVICES INC ET AL VS PHILADELPHIA GAS WORKS

Beginning on 5/11/12, SBG Management Services, Inc., et al. (SBG), a real estate management company operating residential buildings, filed various Formal Complaint (FCs) against Philadelphia Gas Works (PGW) on behalf of individual Complainants who owned the buildings. In their FCs, SBG and the Complainants (collectively, Complainants) alleged incorrect charges on their bills and that PGW improperly charged its tariff rate against amounts contained in docketed municipal liens. Beginning on 6/4/12, PGW filed Answers to the various FCs. These matters resulted in numerous Commission Orders and appellate decisions before the Commonwealth Court and the Pennsylvania Supreme Court. By Order dated 3/16/22, the Commonwealth Court remanded the case to the Commission. Hearings on remand were held on 8/25/22 and 3/26/24. In an Initial Decision on Remand issued on 7/26/24, ALJ Vero granted the FCs on remand. Both PGW and Complainants filed Exceptions on 8/15/24. On 8/26/24, PGW filed Replies to Exceptions.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3037961-OSA

DOCKET NO. F-2023-3037961

NAME AND SUBJECT: VANE FLOWERS VS PECO ENERGY COMPANY

Formal Complaint (FC) filed on 1/31/23, alleging incorrect charges and reliability and safety issues with Complainant's utility service. On 2/17/23, PECO Energy Company (PECO) filed an Answer to the FC. A hearing was held on 4/12/23. In an Initial Decision (ID) issued on 7/14/23, ALJ Ashton dismissed the FC. The Complainant filed Exceptions on 8/3/23. PECO filed Replies to Exceptions on 8/18/23. On 10/19/23, the Commission issued an Opinion and Order holding the Complainant's Exceptions in abeyance and remanding the matter to the Office of Administrative Law Judge. On 5/1/24, a hearing was held. On 8/19/24, ALJ Ashton issued an ID on Remand dismissing the FC. On 9/9/24, the Complainant filed Exceptions and on 9/16/24, PECO filed Reply Exceptions.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3041224-OSA
DOCKET NO. C-2023-3041224

NAME AND SUBJECT: JOHN DEWALT VS PENNSYLVANIA ELECTRIC COMPANY

Formal Complaint (FC) filed on 6/14/23, alleging that Pennsylvania Electric Company (Penelec) refused to install a meter at the service location after permits and a certified inspection were obtained. The Complainant requested that the Commission order Penelec to install its electric meter at the service address. On 7/5/23, Penelec filed an Answer to the FC. A hearing was held on 10/25/23. In an Initial Decision issued on 5/3/24, ALJ Dunderdale dismissed the FC. The Complainant filed Exceptions on 5/14/24. Penelec filed Replies to Exceptions on 6/3/24.

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

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3045329-OSA
DOCKET NO. F-2024-3045329

NAME AND SUBJECT: PETER DANESE VS PENNSYLVANIA AMERICAN WATER COMPANY

Formal Complaint (FC) filed on or about 12/6/23, alleging that Complainant was overbilled. On 1/29/24 Pennsylvania-American Water Company (PAWC) filed an Answer. A hearing was held on 7/9/24. On 11/4/24 the Commission issued the Initial Decision (ID) of ALJ Pell. PAWC filed Exceptions to the ID on 11/25/24. No Replies to Exceptions were filed.

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

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3046076-OSA
DOCKET NO. F-2024-3046076

NAME AND SUBJECT: JOHN M NOVAK VS PALMCO ENERGY PA LLC DBA INDRA ENERGY
Formal Complaint (FC) filed on 1/10/24, alleging that Complainant’s PECO Energy account was fraudulently transferred. Palmco Energy PA LLC d/b/a Indra Energy (Indra) did not file an Answer to the FC. A hearing was held on 6/11/24. In an Initial Decision issued on 10/10/24, SA Mroczka sustained the Complainant’s FC and ordered Indra to pay a civil penalty. On 10/24/24, Indra filed a Petition for Rehearing (Petition). On 11/15/24, the Complainant filed an Answer to the Petition.

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

- Votes and Notes:
Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3046078-OSA
(PP from 1/8/2025)
DOCKET NO. C-2024-3046078

NAME AND SUBJECT: RAHMAN BUSH VS PHILADELPHIA GAS WORKS
Formal Complaint (FC) filed on 2/6/24, alleging that Complainant was being held responsible for a previously incurred balance at a service address where he alleged he never resided and that documents referred to as “negotiable instruments” submitted to Philadelphia Gas Works (PGW) as payment for utility service were not accepted. On 2/26/24, PGW filed an Answer to the FC. A hearing was held on 5/14/24. In an Initial Decision issued on 9/9/24, SA Mroczka sustained, in part, and dismissed, in part, the FC. PGW filed Exceptions on 9/30/24.

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

- Votes and Notes:
Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3049347-OSA
DOCKET NO. A-2024-3049347

NAME AND SUBJECT: GREEN TRANSPORTATION SERVICE LLC

Application filed on 5/31/24, for the right to operate as a Motor Common Carrier of Persons in Paratransit. On 10/15/24, the Commission issued a Secretarial Letter denying the Application for failure of the Applicant: to have its insurance company file evidence of bodily injury and property damage liability insurance (Form E), and to file a tariff establishing just and reasonable rates. On 10/22/24, the Applicant filed a Petition for Reconsideration from Staff Action (Petition). No Response to the Petition has been filed.

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

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3051090-OSA
DOCKET NO. A-2024-3051090

NAME AND SUBJECT: NORFOLK SOUTHERN RAILWAY COMPANY

Application filed on 9/10/24, seeking Commission approval, *inter alia*, to alter the public crossing (DOT 517 986 J) where South Main Street crosses, below grade, the tracks of Norfolk Southern Railway Company in Marysville Borough, Perry County, Pa. A field conference was conducted on 10/30/24. On 11/19/24, the Commission issued a Secretarial Letter approving the Application and imposing certain obligations and duties on the Parties. On 12/9/24, Veolia Water Pennsylvania, Inc., filed a Petition for Reconsideration from Staff Action and Request for Temporary Extension of Final Resolution (Petition). No Responses to the Petition has been filed.

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

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO. 3051631-TUS

DOCKET NO. A-2024-3051631

NAME AND SUBJECT: AMERICAN TRANSMISSION SYSTEMS INC

Letter of Notification filed on 10/15/24, for approval of the Crossland – Sharon 138 kV Transmission Line Switch Replacement Project in the City of Hermitage, Mercer County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3051664-TUS

DOCKET NO. A-2024-3051664

NAME AND SUBJECT: U S POWER TRADE LLC

Application filed on 10/1/24, to offer, render, furnish, or supply natural gas supply services as a broker/marketer to small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of PECO Energy Company and Philadelphia Gas Works within Pa. The License Application was filed pursuant to Section 2208 of the Natural Gas Choice and Competition Act and Title 52, Chapter 62, Subchapter D.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3051776-TUS
DOCKET NO. A-2024-3051776

NAME AND SUBJECT: PEOPLES NATURAL GAS COMPANY LLC

Application filed on 10/24/24, seeking a Certificate of Public Convenience approving the acquisition by purchase of certain Pipeline Facilities from Big Dog Energy, LLC.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

- Chairman DeFrank
- Vice Chair Barrow
- Commissioner Zerfuss
- Commissioner Coleman
- Commissioner Yanora

AGENDA NO. 3052036-TUS
DOCKET NO. A-2024-3052036

NAME AND SUBJECT: KEYSTONE APPALACHIAN TRANSMISSION COMPANY

Letter of Notification filed on 11/8/2024, for approval to rebuild the Connellsville – Iron Bridge – King Farm 138 kV Transmission Line in East Huntingdon Township, Westmoreland County and Dunbar, Lower Tyrone, and Upper Tyrone Townships, Fayette County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

- Chairman DeFrank
- Vice Chair Barrow
- Commissioner Zerfuss
- Commissioner Coleman
- Commissioner Yanora

AGENDA NO. 3052306-TUS

DOCKET NO. A-2024-3052306 A-2025-3052817

**NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC AND
FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY**

Letter of Notification filed on 11/26/24, for approval to construct the Geneva – Morgan Street 115 kV Transmission Line Tap located in Greenwood Township, Crawford County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3052357-TUS

DOCKET NO. R-2024-3052357

**NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION VS PIKE COUNTY LIGHT &
POWER COMPANY - GAS**

Supplement No. 127 to Tariff Gas – Pa. P.U.C. No. 6 filed on 12/30/24, proposing an annual increase in rates of \$905,900 (35.8%) to become effective 2/28/25. The filing proposes an increase in residential customers' bills using 80 CCF of natural gas from \$135.78 to \$196.08/month (44.4 %). On 1/17/25, Pike County Light & Power Company filed Supplement No. 128 to Tariff Gas - Pa. P.U.C. No. 6 voluntarily postponing the effective date of the rate increase to 3/15/25. On 1/8/25 and 1/16/25, the Office of Consumer Advocate and the Office of Small Business Advocate, respectively, filed Formal Complaints. Various oppositions were also filed.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

LAW BUREAU

AGENDA NO. 3010047-LAW

DOCKET NO. M-2019-3010047

NAME AND SUBJECT: DAMAGE PREVENTION COMMITTEE BYLAWS

On 10/30/17, Governor Tom Wolf signed into law Act 50, amending the Underground Utility Line Protection Law (One Call Law) and assigning certain duties and responsibilities associated with the Pennsylvania One Call System to the Commission, effective 4/30/18. Pursuant to Section 182.8(e)(2) of the One Call Law, the Damage Prevention Committee (DPC) developed Bylaws that went into effect 1/1/21. At its regularly scheduled DPC Public Meeting on 10/11/23, the DPC approved amendments to its bylaws in several areas where improvement and clarification were necessary, which the Commission approved to take effect 1/1/24. On 10/29/24, Governor Shapiro signed into law Act 127 of 2024, which made significant amendments to the Law necessitating further revisions to the Bylaws. Accordingly, at its regularly scheduled DPC Public Meeting on 12/10/24, the DPC voted on and approved amendments to its Bylaws. Pursuant to Section 182.8(e)(2) of the One Call Law, these amended Bylaws must be approved by the Commission.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3048856-LAW

DOCKET NO. P-2024-3048856 M-2021-3029323

NAME AND SUBJECT: PHILADELPHIA GAS WORKS

Petition for Emergency or Expedited Order Approving Temporary Modifications to the Universal Service and Energy Conservation Plan for 2023-2027 to make the Energy Coordinating Agency the current administrator and payor of Philadelphia Gas Work's Hardship Fund program and to revise the Hardship Fund provisions in Appendix O of its Petition.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3050002-LAW
DOCKET NO. P-2024-3050002

NAME AND SUBJECT: STARLINK SERVICES LLC

Amended Petition filed on 7/9/24, to relinquish Starlink Services LLC's (Starlink) designation as an Eligible Telecommunications Carrier (ETC). On 8/10/22, the Wireline Competition Bureau denied Starlink's Rural Digital Opportunity Fund (RDOF) "Long Form" application. Subsequently, the Federal Communications Commission reaffirmed its decision to reject Starlink's application for RDOF support on 12/12/23. Accordingly, Starlink seeks to relinquish its ETC designation in Pa. Starlink served its Petition on the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation and Enforcement, and the Office of Attorney General. Additionally, Starlink served each ETC currently serving the territories in Pa., that it was awarded to serve in the FCC's RDOF auction. The Commission further published notice of the Petition in the Pa. Bulletin. Petitions to Intervene were due on or before 9/20/24 with replies due on or before 10/10/24. No petitions for intervention were filed and no comments were filed in this matter.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

OFFICE OF ADMINISTRATIVE LAW JUDGE

AGENDA NO. 3041855-ALJ

DOCKET NO. P-2023-3041855

NAME AND SUBJECT: COMMUNITY UTILITIES OF PENNSYLVANIA INC

Petition filed on 7/21/23, seeking approval of its Lead Service Line Replacement Program. A Joint Petition for Settlement was filed on 10/25/24.

COMMISSION REVIEW: That the Commission adopt ALJ Haas' and ALJ Arnold's Recommended Decision.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3043194-ALJ

DOCKET NO. A-2023-3043194 A-2023-3043196

NAME AND SUBJECT: PENNSYLVANIA AMERICAN WATER COMPANY AND AUDUBON WATER COMPANY

Joint Application filed on 9/21/23, requesting approval of the transfer, by merger, to American Water Company, and subsequently to Pennsylvania American Water Company, of all property and rights of Audubon Water Company used or useful in the public service under Section 1102(a) of the Public Utility Code, 66 Pa C.S. § 1102(a). A Joint Petition for Settlement of All Issues was filed with the Commission on 9/30/24.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3049357-ALJ

DOCKET NO. P-2024-3049357 P-2024-3049359

**NAME AND SUBJECT: CITIZENS ELECTRIC COMPANY OF LEWISBURG, PENNSYLVANIA
AND WELLSBORO ELECTRIC COMPANY**

Joint Petition filed on 5/31/24, for approval of a Seventh Joint Default Service Plan to become effective 6/1/25.

A Joint Petition for Settlement was filed on 9/24/24.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora