

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, FEBRUARY 6, 2025 (KZ) 10:00 A.M.

**DUE TO INCLEMENT WEATHER CONDITIONS,
PUBLIC MEETING WILL BE HELD TELEPHONICALLY**

The telephone number for call in is 1-888-603-9068

When prompted enter access code 3474422#

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. Zerkuss	Ralph V. Yanora

The Next Public Meeting is Tentatively Scheduled for Thursday, February 20, 2025 at 10:00 A.M.

Minutes of the Meeting of Wednesday, January 8, 2024 (KB)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, FEBRUARY 20, 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 19, 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

February 6, 2025

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 3037385-OSA

DOCKET NO. C-2023-3037385

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS JEROME MCCREE SR

Formal Complaint (FC) filed on 7/6/23, against Jerome McCree, Sr. (Respondent) for operating call or demand service without authority from the Commission. On 8/19/23, the Bureau of Investigation and Enforcement's (BIE) FC was published in the PA Bulletin. On 9/18/23 and 11/27/23, the Respondent filed Letters in response to the FC. On 12/28/23, BIE filed Preliminary Objections (POs) to the Respondent's Letter dated 9/18/23. On 1/10/24, the Respondent submitted a letter in response to BIE's POs. On 3/4/24, ALJ Dunderdale was assigned as the Presiding Officer for purposes of ruling on BIE's POs. On 3/8/24, ALJ issued a First Interim Order which adopted BIE's position that Respondent had failed to provide a responsive Answer to BIE's FC. On 4/22/24, BIE filed a Motion for Default Judgment indicating that Respondent failed to file an Answer to BIE's FC. On 5/7/24, the Respondent filed a letter in response to BIE's Motion for Default Judgment. On 5/22/24, BIE filed a Motion to Strike the Respondent's Letter of 5/7/24. On 7/22/24, ALJ Dunderdale issued a Second Interim Order which denied BIE's POs and Motion to Strike and granted Respondent's request for Initial Hearing. On 8/27/24, an Initial Telephonic Hearing was conducted. By Initial Decision issued on 12/9/24, ALJ granted BIE's FC but reduced the amount of civil penalty to be imposed. On 12/30/24, BIE filed Exceptions. No Reply Exceptions have 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. 3043493-OSA
DOCKET NO. A-2023-3043493

NAME AND SUBJECT: PENNDOT

Application filed on 10/12/23, for approval to replace the existing bridge where West Lackawanna Avenue crosses, above grade, two tracks owned by Norfolk Southern Railway Company and operated thereon by Delaware-Lackawanna Railroad Company, Inc. (DOT 265 971 V) in the City of Scranton, Lackawanna County, Pa. and the allocation of costs incident thereto. A field investigation was conducted on 12/13/23. On 11/22/24, the Commission issued a Secretarial Letter approving the Application and imposing certain obligations and duties on the Parties. On 12/11/24, Norfolk Southern Railway Company filed a Petition for Reconsideration from Staff Action.

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. 3047822-OSA
DOCKET NO. R-2024-3047822 C-2024-3049344 C-2024-3049339 ET AL

NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION ET AL VS AQUA PENNSYLVANIA INC AND AQUA PENNSYLVANIA WASTEWATER INC

On 5/23/24, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (Aqua) filed Tariff Water Pa. P.U.C. No. 4 and Tariff Sewer Pa. P.U.C. No. 4, which proposed an increase in rates calculated to produce approximately \$112 million in additional annual water revenue and approximately \$14.6 million in wastewater revenue, based on data for the fully projected future test year ending 12/31/25. Numerous parties intervened or filed Formal Complaints, including 149 *pro se* complainants. On 11/7/24, Aqua, the Commission's Bureau of Investigation and Enforcement (BIE), the Office of Consumer Advocate (OCA), the Office of Small Business Advocate, and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, filed a Joint Petition for Non-Unanimous Partial Settlement (Joint Petition), which proposed, *inter alia*, an increase in Aqua's annual water revenue by \$48 million for Aqua's water operations and \$25 million for Aqua's wastewater operations. Several *pro se* complainants filed statements in support of, or in opposition to, the Joint Petition. The Joint Petition reserved for litigation Aqua's proposed rate increase as applied to the East Whiteland Township wastewater system and the method of billing requested by SCH USA, LLC (SCH USA). By Recommended Decision issued on 12/9/24, ALJs Chiodo and Arnold, recommended the approval of the Joint Petition, with modifications, and the denial of the issues reserved for litigation. On 12/23/24, Aqua, SCH USA, Mr. Adam Joseph Shellhorse, and Mr. John Day filed Exceptions. Reply Exceptions were filed by Aqua, BIE, the OCA, and Mr. Shellhorse on 12/30/24.

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. 3051794-OSA

DOCKET NO. A-2024-3051794

NAME AND SUBJECT: CONVEYANCE LLC

Application filed on 9/25/24, for the right to operate as a Motor Common Carrier of Persons in Paratransit Service. On 10/28/24, the Commission issued a Secretarial Letter denying the Application for failure to establish fitness or to present the minimum threshold of evidence. On 11/20/24, 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

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO. 3049920-TUS

DOCKET NO. A-2024-3049920 A-2024-3049921 G-2024-3049962 G-2024-3049963

NAME AND SUBJECT: AQUA PENNSYLVANIA INC AND HONESDALE CONSOLIDATED WATER COMPANY

Joint Application filed on 7/3/24, for the approval of (1) the transfer to Aqua Pennsylvania, Inc. (Aqua), through merger, of all property of Honesdale Consolidated Water Company (Honesdale) used or useful in the public service (2) the right of Aqua to begin to offer, render, furnish, and supply water service in portions of the Borough of Honesdale, Townships of Texas and Dyberry, Wayne County, Pa. *nunc pro tunc* and (3) the abandonment by Honesdale of public utility service in portions of the Borough Honesdale, Townships of Texas and Dyberry, Wayne County, Pa., and Request for Approval of Merger Between Affiliates. On 7/22/24, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention, Public Statement and Verification. On 7/22/24, the proceeding was transferred to the Office of Administrative Law Judge (OALJ). On 10/4/24, the Joint Applicants and the OSBA filed a Joint Stipulation requesting that the Joint Stipulation be accepted into the evidentiary record of this proceeding, and that it be accepted as the OSBA's withdrawal of its request for evidentiary hearings in connection with the Application. On 11/24/24, the OALJ issued an Order reassigning the proceedings to the Commission's Bureau of Technical Utility Services for further action.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3051087-TUS

DOCKET NO. A-2024-3051087

NAME AND SUBJECT: SHEETZ ENERGY INC

Application filed on 9/9/24, for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories within Pa. The Application is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3051370-TUS
DOCKET NO. A-2024-3051370

NAME AND SUBJECT: NORESKO LLC

Application filed on 10/15/24, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial, industrial, and governmental customers in all of the electric distribution company service territories within Pa. The License Application is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809. Noresko, LLC requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(c).

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

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

AGENDA NO. 3051442-TUS
DOCKET NO. A-2024-3051442

NAME AND SUBJECT: NATIONAL FUEL GAS DISTRIBUTION CORPORATION

Application filed on 9/30/24, seeking a Certificate of Public Convenience authorizing it to abandon natural gas distribution service to one active residential premises located in Beaver Township, Jefferson County, Pa. 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.

Votes and Notes:

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

AGENDA NO. 3051602-TUS
DOCKET NO. A-2024-3051602

NAME AND SUBJECT: FIDELIS UNITED ENERGY SOLUTIONS LLC

Application filed on 10/7/24, to offer, render, furnish, or supply natural gas supply 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 of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, PECO Energy Company, Peoples Natural Gas Company, LLC – Peoples Natural Gas Division, Peoples Natural Gas Company, LLC – Peoples Gas Division, Philadelphia Gas Works, UGI Utilities, Inc., and Valley Energy, Inc. within Pa. The 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.

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

AGENDA NO. 3051790-TUS
DOCKET NO. A-2024-3051790

NAME AND SUBJECT: RESCOM ENERGY LLC DBA NEXTVOLT ENERGY

Application filed on 11/21/24, for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial, large commercial, industrial, and governmental customers in all of the electric distribution company service territories within Pa. The Application is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809.

RECOMMENDATION: That the Commission adopt the proposed Order.

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

AGENDA NO. 3051956-TUS

DOCKET NO. R-2024-3051956 P-00001854F1000

NAME AND SUBJECT: VERIZON NORTH LLC

The annual 2025 Price Change Opportunity (PCO) filing and associated revenue increases was filed on 11/1/24, under the provisions of Act 183 of 2004, P.L. 1398 (66 Pa. C.S. §§ 3011-3019) (Chapter 30) and pursuant to the Company’s Amended Alternative Regulation and Network Modernization Plan (Amended Chapter 30 Plan) that this Commission approved at Docket No. P 00001854F1000.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

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

AGENDA NO. 3052359-TUS

DOCKET NO. R-2024-3052359

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

Supplement No. 105 to Tariff Electric Pa. P.U.C. No. 8 filed on 1/14/25, proposing an annual increase in rates of \$1,874,600 (11.6%) to become effective 3/15/25. The filing proposes an increase in residential customer’s bills using 674 kWh from \$134.29 to \$149.81/month (11.6 %). Various oppositions were filed.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

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

AGENDA NO. 3052458-TUS
DOCKET NO. S-2024-3052458

NAME AND SUBJECT: PENNSYLVANIA AMERICAN WATER COMPANY

Securities Certificate filed on 12/9/24, for the issuance of promissory notes in an aggregate outstanding principal amount not to exceed \$680,000,000. Pennsylvania American Water Company voluntarily extended the consideration period to 2/6/25.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank
Vice Chair Barrow
Commissioner Zerfuss
Commissioner Coleman
Commissioner Yanora

AGENDA NO. 3052660-TUS
DOCKET NO. A-2024-3052660 A-2025-3052831

**NAME AND SUBJECT: AMERICAN TRANSMISSION SYSTEMS INC AND FIRSTENERGY
PENNSYLVANIA ELECTRIC COMPANY**

Joint Letter of Notification filed on 12/20/24, for approval of the Krendale – Maple 138 kV Transmission Line Tap project in Connoquenessing Township, Butler 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. 3053025-TUS
DOCKET NO. M-2025-3053025

NAME AND SUBJECT: REPORT ON THE QUARTERLY EARNINGS OF JURISDICTIONAL UTILITIES

The Bureau of Technical Utility Services staff has completed a report representing the earned and adjusted returns on rate base and common equity capital for Pennsylvania non-telephone fixed utilities with jurisdictional operating revenues of over \$10,000,000. Staff has included detailed, market-based analysis of the current cost of equity across industry-wide groups.

RECOMMENDATION: That the Commission make the earnings report public.

Notes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

OFFICE OF ADMINISTRATIVE LAW JUDGE

AGENDA NO. 3041925-ALJ

DOCKET NO. C-2023-3041925

NAME AND SUBJECT: **KRISTIN HRBEK VS PECO ENERGY COMPANY - ELECTRIC**

Formal Complaint filed on 7/18/23, requesting a payment arrangement. On 8/15/23 PECO Energy Company filed an Answer and New Matter. A Hearing was held on 5/24/24.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

AGENDA NO. 3047198-ALJ

DOCKET NO. F-2024-3047198

NAME AND SUBJECT: **BRADFORD MAHON VS PITTSBURGH WATER AND SEWER
AUTHORITY**

Formal Complaint filed 2/28/24, alleging incorrect charges and service/reliability issues. On 4/1/24, Pittsburgh Water and Sewer Authority filed an Answer. A hearing was held on 9/10/24.

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

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora