

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, NOVEMBER 18, 2021 (RY)  
10:00 A.M.**

**Telephone number for call in is 1-888-917-8050.  
When prompted enter passcode 9570961#**

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The Commission will act on various matters at today's meeting, which is open to the public via telephonic participation. 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, are available on the Commission's web site. [www.puc.pa.gov](http://www.puc.pa.gov).

The Commissioners are:

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>Ralph V. Yanora</b>	<b>John F. Coleman, Jr</b>	<b>Gladys Brown Dutrieuille</b>	<b>Vacant</b>	<b>Vacant</b>

The Next Public Meeting is Tentatively Scheduled for Thursday, December 2, 2021 at 10:00 A.M.

Minutes of the Meeting of Thursday, October 7, 2021 (RY)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, DECEMBER 2, 2021 AT 10:00 A.M. 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 TELEPHONIC EXECUTIVE SESSION ON WEDNESDAY, DECEMBER 1, 2021, AT 1:30 P.M.

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.

Additionally, the Commission meets telephonically with staff to ensure the continuity of operations during the period it cannot access its physical facilities. No topics are discussed that are items appropriately discussed in executive session or that require consideration at an open meeting, as defined by the Sunshine Act. Topics are limited to those operational concerns necessary to ensure continuity and adequacy of service and public safety.

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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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# **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

## **FINAL AGENDA**

**November 18, 2021**

## **BUREAU OF AUDITS**

### **AGENDA NO. 3021330-AUD**

**DOCKET NO. D-2020-3021330**

**NAME AND SUBJECT: PECO ENERGY COMPANY-ELECTRIC**

Non-Bypassable Transmission Service Charge audit for twelve months ended 11/30/19 and 11/30/18.

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

#### **Votes and Notes:**

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

### **AGENDA NO. 3021354-AUD**

**DOCKET NO. D-2020-3021354**

**NAME AND SUBJECT: PECO ENERGY COMPANY-ELECTRIC**

Transmission Service Charge audit for twelve months ended 11/30/19 and 11/30/18.

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

#### **Votes and Notes:**

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3022546-AUD**

**DOCKET NO. D-2020-3022546 D-2020-3022547**

**NAME AND SUBJECT: PIKE COUNTY LIGHT AND POWER COMPANY AND  
LEATHERSTOCKING GAS COMPANY**

Management Efficiency Investigation (MEI) report evaluating the implementation of selected recommendations from the 2017 Focused Management and Operations Audit. In response to the MEI report, the Companies submitted an Implementation Plan dated 10/22/21, indicating acceptance of 22 follow-up recommendations, acceptance-in-part for three follow-up recommendations, and rejection of one follow-up recommendation.

RECOMMENDATION: That the Commission makes the MEI report and the Companies' Implementation Plan public.

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**OFFICE OF SPECIAL ASSISTANTS**

**AGENDA NO. 2576599-OSA**  
**DOCKET NO. C-2016-2576599**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS JOSHUA NOLDER T/A NOLDER TRUCKING**

Application filed on 4/14/16, to operate as a Motor Carrier of Property. On 11/20/16, the Commission’s Bureau of Investigation and Enforcement filed a Complaint against Joshua Nolder t/a Nolder Trucking (Nolder) for failure to maintain evidence of liability or cargo insurance. On 4/20/17, the Commission issued a Cancellation Notice notifying Nolder that its Certificate of Public Convenience was cancelled and that Nolder was assessed a fine of \$500 for failure to file proof of insurance. On 8/16/21, Nolder filed a Petition for Rescission (Petition) of the Cancellation Notice and advised in the Petition, inter alia, that on or about 9/1/16, Nolder changed its name to Nolder Excavating, LLC and that Nolder has had liability insurance since 11/23/16. No response to the Petition has been filed.

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

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3004646-OSA**  
(PP from 10/28/2021)  
**DOCKET NO. M-2020-3004646**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS ENERGY TRANSFER COMPANY D/B/A ETC NORTHEAST PIPELINE LLC**

On or about 9/10/18, the Commission’s Bureau of Investigation and Enforcement (BIE) instituted an informal investigation of Energy Transfer Company d/b/a ETC Northeast Pipeline, LLC (ETC) (collectively, the Parties) following a 9/10/18 pipeline failure and ensuing fire in Center Township, Beaver County, Pa. on ETC’s Revolution Pipeline. On 12/16/20, the Parties submitted a Settlement Agreement (Settlement) and Statements in Support of the Settlement. By Order entered 7/15/21, the Commission issued the Settlement for comments. Several comments were filed.

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

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3006116-OSA**

**DOCKET NO. C-2018-3006116 P-2018-3006117 C-2018-3003605 C-2018-3005025 C-2019-3006898 C-2019-3006905**

**NAME AND SUBJECT: MEGHAN FLYNN ET AL VS SUNOCO PIPELINE LP**

Formal Complaint filed on 11/19/18, by Meghan Flynn, et al (Flynn Complainants) raising public safety issues concerning, inter alia, Sunoco Pipeline, L.P. (Sunoco) public awareness program and location and construction of the Mariner East (ME) Pipelines. On 11/29/18, Sunoco filed an Answer denying the material allegations of the Complaint. On 4/12/21, the Commission issued ALJ Barnes’ Initial Decision which granted the Flynn Complainants’ request for relief, in part, and denied, in part. Exceptions were filed by: East Goshen Township and Downingtown Area School District on 6/3/21; Chester County, Uwchlan Township (joining and adopting the Exceptions of Chester County), and Sunoco on 6/7/21; Melissa DiBernardino on 6/8/21, and the Andover Homeowners’ Association, Inc. on 6/14/21. Reply Exceptions were filed by: Downingtown Area School District et al, on 7/1/21; the Flynn Complainants, Sunoco, Range Resources – Appalachia, LLC, Chester County and Uwchlan Township (joining and adopting the Reply Exceptions of Chester County) all on 7/2/21.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Coleman
- Commissioner Yanora

**AGENDA NO. 3009235-OSA**

**DOCKET NO. M-2021-3009235**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCMENT VS GREEN MOUNTAIN ENERGY COMPANY**

Between 6/1/18 and 9/30/20, the Commission’s Bureau of Consumer Services (BCS) received approximately twenty-two informal complaints from residential customers alleging that their electricity accounts had been switched to receive electric generation service supplied by Green Mountain Energy Company (Green Mountain) without authorization. After it was determined that the alleged unauthorized enrollments stemmed from Green Mountain’s marketing activities at in-person locations, where Green Mountain agents were utilizing eligible customer lists to obtain the information of prospective customers, BCS referred the matter to the Commission’s Bureau of Investigation and Enforcement (BIE). By letter dated 1/8/21, BIE notified Green Mountain of its informal investigation, focusing on Green Mountain’s marketing, sales and enrollment practices as an electric generation supplier in Pa. On 7/9/21, the Parties submitted a Joint Petition for Approval of Settlement (Settlement) and Statements in Support of the Settlement.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Coleman
- Commissioner Yanora

**AGENDA NO. 3012597-OSA**

**DOCKET NO. C-2019-3012597**

**NAME AND SUBJECT: TIFFANY MCCALL VS PECO ENERGY COMPANY**

Formal Complaint filed on 9/2/19, as an appeal of an informal decision of the Commission's Bureau of Consumer Services. The Complainant requested damages for her cordless, landline telephone, that she alleges was damaged as a result of a PECO Energy Company line tripping event (momentary outage). The matter was assigned to ALJ Heep. On 3/3/20, an Initial Decision was issued which denied the Complaint. The Complainant filed Exceptions on 3/17/20. PECO filed Replies to Exceptions 3/19/20.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3019223-OSA**

**DOCKET NO. C-2020-3019223**

**NAME AND SUBJECT: MELVIN WILLIAMS VS PITTSBURGH WATER AND SEWER**

**AUTHORITY**

Formal Complaint filed on 3/2/20, alleging that Pittsburgh Water and Sewer Authority (PWSA) damaged the sewer line at his service address and requested that the damage be repaired. On 4/2/20, PWSA filed an Answer to the Complaint. An evidentiary hearing was held on 9/15/20. In an Initial Decision, issued on 1/22/21, ALJ Dunderdale sustained the Complaint finding that PWSA provided unreasonable service by damaging the Complainant's sewer lateral and sewer vent and assessed a \$5,000 civil penalty. On 2/11/21, PWSA filed Exceptions; the Complainant filed Replies to Exceptions on 2/23/21. By Order entered 8/5/21, the Commission granted the Exceptions, in part, and denied them in part. PWSA filed a Petition for Reconsideration (Petition) on 8/20/21. The Complainant filed an Answer to the Petition on 9/3/21.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3020914-OSA**

(PP from 9/15/2021)

**DOCKET NO. P-2020-3020914 G-2020-3020941 G-2020-3021018 G-2020-3021021 G-2020-3021024**

**NAME AND SUBJECT: TWIN LAKES UTILITIES INC**

Petition filed on 7/16/20 requesting that the Commission order a capable public utility to acquire Twin Lakes Utilities, Inc. (Twin Lakes) pursuant to 66 Pa. C.S. § 529 (Twin Lakes’ Petition). On 8/5/20, the Bureau of Investigation and Enforcement (BIE) filed an Answer opposing Twin Lakes’ Petition, and the Office of Consumer Advocate (OCA) filed an Answer in Support of Twin Lakes’ Petition. On 8/19/20, BIE filed a Petition for Interlocutory Review concerning Twin Lakes’ Petition (BIE’s Petition). On 9/17/20, the Commission entered an Opinion and Order initiating a Section 529 investigation and directing BIE’s participation. On 4/22/21, the Commission issued the Recommended Decision of ALJ Cheskis, approving the acquisition of Twin Lakes by a capable public utility. On 5/12/21, Twin Lakes and Aqua Pennsylvania, Inc. (Aqua) filed Exceptions to the Recommended Decision. On 5/24/21, Twin Lakes, Aqua, BIE, and the OCA filed Reply Exceptions.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Coleman
- Commissioner Yanora

**AGENDA NO. 3024313-OSA**

**DOCKET NO. C-2021-3024313**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS PHILIP J AND JOHN M MERTZ T/A MERTZ’S**

Formal Complaint filed on 2/20/21, alleging that the Respondent failed to maintain evidence of insurance on file with the Commission. The Bureau of Investigation and Enforcement (BIE) sought a total civil penalty of \$600 for the alleged violation. On 3/3/21, the Complaint was served on the Respondent by the Commission’s Secretary. The Respondent did not file an Answer to the Complaint. By Secretarial Letter issued on 7/14/21, the Respondent was notified that its Certificate was cancelled and that it was assessed a total civil penalty of \$600 for failure to maintain evidence of insurance on file with the Commission and failure to file an Answer to the Complaint. On 7/30/21, John M. Mertz filed the instant Petition for Reconsideration from Staff Action (Petition). No response to the Petition has been filed. On 8/4/21, the Commission received a \$600 fine payment from the Respondent.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Coleman
- Commissioner Yanora



**AGENDA NO. 3027006-OSA**

**DOCKET NO. A-2021-3027006**

**NAME AND SUBJECT: MOBILITIE LLC**

Petition filed on 9/28/21, for Reconsideration of the Opinion and Order entered 9/22/21, in which the Commission denied Mobilitie’s application to discontinue its provision of competitive access provider services and abandon its certificate of public convenience in Pa.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3027455-OSA**

**DOCKET NO. A-2021-3027455**

**NAME AND SUBJECT: SISCON LOGISTICS LLC**

Application filed on 7/26/21, for Motor Common Carrier of Property. By Secretarial Letter issued on 10/6/21 (October 2021 Secretarial Letter), the Commission dismissed the Application for lack of evidence of insurance. On 10/8/21, Siskon Logistics LLC filed a Petition for Reconsideration from Staff Action (Petition) in response to the October 2021 Secretarial Letter. No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028586-OSA**

**DOCKET NO. A-2021-3028586**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND MAGNA5 LLC**

Joint Petition filed on 9/17/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 10/2/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028588-OSA**

**DOCKET NO. A-2021-3028588**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND ONE VOICE COMMUNICATIONS INC**

Joint Petition filed on 9/17/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 10/2/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028591-OSA**

**DOCKET NO. A-2021-3028591**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND THE PYMATUNING INDEPENDENT TELEPHONE COMPANY**

Joint Petition filed on 9/17/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 10/2/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028601-OSA**

**DOCKET NO. A-2021-3028601**

**NAME AND SUBJECT: VERIZON NORTH LLC AND ONE VOICE COMMUNICATIONS INC**

Joint Petition filed on 9/17/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 10/2/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028605-OSA**

**DOCKET NO. A-2021-3028605**

**NAME AND SUBJECT: VERIZON NORTH LLC AND MAGNA5 LLC**

Joint Petition filed on 9/17/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 10/2/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028690-OSA**

**DOCKET NO. A-2021-3028690 A-6424577**

**NAME AND SUBJECT: CH'S SERVICE PROVIDER ERIE INC**

Application filed on 9/23/21, for the right to begin to transport as a common carrier, by motor vehicle persons on paratransit service. By Secretarial Letter issued on 10/1/21 (October 2021 Secretarial Letter), the Commission dismissed the Application for lack of evidence of financial fitness. On 10/5/21, CH's Service Provider Erie Inc. filed a Petition for Reconsideration of Staff Action (Petition) in response to the October 2021 Secretarial Letter. No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**BUREAU OF TECHNICAL UTILITY SERVICES**

**AGENDA NO. 3021318-TUS**

**DOCKET NO. A-2020-3021318**

**NAME AND SUBJECT: NEM GROUP INC**

On 8/14/20, the Commission accepted NEM Group's application for a license to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to residential, small commercial, and large commercial customers in all of the electric distribution company service territories within Pa. On 11/19/20, the Commission issued an Order denying the application. On 11/19/20, NEM Group filed for a Petition of Reconsideration and Rehearing (Petition). On 5/20/21, the Commission issued an Opinion and Order granting the Petition and the application was assigned to TUS for further review.

**RECOMMENDATION:** That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3023523-TUS**

**DOCKET NO. P-2020-3023523 P-2020-3023524 P-2020-3023525**

**NAME AND SUBJECT: CITIZEN'S ELECTRIC COMPANY OF LEWISBURG PA, WELLSBORO ELECTRIC COMPANY AND VALLEY ENERGY INC**

Joint Petition filed on 12/30/20, for deferral accounting of extraordinary expenses associated with the coronavirus pandemic. On 1/19/21, the Office of Consumer Advocate filed an answer to the petition. No protests were filed and no hearings were held.

**RECOMMENDATION:** That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3023559-TUS**  
**DOCKET NO. M-2021-3023559**

**NAME AND SUBJECT: ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS**

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an EGS license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained. As of 11/9/21, the companies listed in the Supplier Table of the Tentative Order are not in compliance with 52 Pa. Code § 54.40(a) and (d).

RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

- Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3024124-TUS**  
**DOCKET NO. A-2021-3024124**

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

Application filed on 2/11/21, for approval, *nunc pro tunc*, of the right to offer, render, furnish and supply water service to the public in additional portion of Amwell Township, Washington County, Pa. The company submitted proofs of publication and service to the appropriate entities. No protests were filed, and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

- Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3025160-TUS**

**DOCKET NO. A-2021-3025160 U-2021-3025162**

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

Application filed on 4/9/21. Secretarial Letter was served on 4/14/21, extending the review period of the emergency interconnection agreement, which is a public utility municipal agreement. Pennsylvania American Water Company submitted proofs of publication and service to the appropriate entities. No protests were filed, and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3025898-TUS**

**DOCKET NO. P-2021-3025898**

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

Petition filed on 5/17/21, to establish a mechanism to distribute the tax saving associated with the Tax Cuts and Jobs Act of 2017 for the period between 1/1/18 and 6/30/18. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3025904-TUS**

**DOCKET NO. P-2021-3025904**

**NAME AND SUBJECT: PENNSYLVANIA POWER COMPANY**

Petition filed on 5/17/21, to establish a mechanism to distribute the tax saving associated with the Tax Cuts and Jobs Act of 2017 for the period between 1/1/18 and 6/30/18. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3025905-TUS**

**DOCKET NO. P-2021-3025905**

**NAME AND SUBJECT: METROPOLITAN EDISON COMPANY**

Petition filed on 5/17/21, to establish a mechanism to distribute the tax saving associated with the Tax Cuts and Jobs Act of 2017 for the period between 1/1/18 and 6/30/18. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3025906-TUS**

**DOCKET NO. P-2021-3025906**

**NAME AND SUBJECT: PENNSYLVANIA ELECTRIC COMPANY**

Petition filed on 5/17/21, to establish a mechanism to distribute the tax saving associated with the Tax Cuts and Jobs Act of 2017 for the period between 1/1/18 and 6/30/18. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3025908-TUS**

**DOCKET NO. P-2021-3025908**

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

Petition filed on 5/17/21, to establish a mechanism to distribute the tax saving associated with the Tax Cuts and Jobs Act of 2017 for the period between 1/1/18 and 6/30/18. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3026208-TUS**

**DOCKET NO. A-2021-3026208**

**NAME AND SUBJECT: AQUA PENNSYLVANIA WASTEWATER INC**

Application filed on 6/2/21, seeking a Certificate of Public Convenience to offer, render, furnish and supply wastewater service to the public in an additional portion of New Garden Township, Chester County, Pa. The company submitted proofs of publication and service to the appropriate entities. No protests were filed, and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3026335-TUS**

(PP from 10/28/2021)

**DOCKET NO. A-2021-3026335**

**NAME AND SUBJECT: SERVICE ELECTRIC CABLE TV INC**

Application filed on 6/8/21, for approval to offer, render, furnish, or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the service territories of all thirty-five Incumbent Local Exchange Carriers within Pa. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora



**AGENDA NO. 3026854-TUS**

**DOCKET NO. P-2021-3026854**

**NAME AND SUBJECT: BOROUGH OF HANOVER - HANOVER MUNICIPAL WATERWORKS**

Petition filed on 6/29/21, for approval of a Distribution System Improvement Charge (DSIC) that included a Long-Term Infrastructure Improvement Plan (LTIP) as the Petition's Appendix B. The Borough of Hanover – Hanover Municipal Waterworks (Hanover) requested that the Petition for approval of a DSIC be considered as a Companion Petition for approval of its LTIP, to the extent a Companion Petition would be required. On 7/19/21, the Office of Consumer Advocate filed comments to the LTIP. No other comments were filed to the LTIP Petition. On 9/7/21, via a Secretarial Letter, the Commission issued a Data Request to Hanover. On 9/22/21, Hanover filed a response to the Data Request. On 10/14/21, via a Secretarial Letter, the Commission issued a second Data Request to Hanover for additional information and extended the LTIP consideration period to 11/19/21. Hanover filed its response to the second data request on 10/28/21.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3027541-TUS**

**DOCKET NO. A-2021-3027541**

**NAME AND SUBJECT: ENPOWERED USA INC D/B/A ENPOWERED**

Application filed on 7/29/21, 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 all of the electric distribution company service territories within Pa.

**RECOMMENDATION:** That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3028367-TUS**

**DOCKET NO. A-2021-3028367**

**NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC – GAS**

Application filed on 9/7/21, seeking a Certificate of Public Convenience authorizing it to abandon natural gas distribution service to one commercial premises located in Herminie, Westmoreland County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028480-TUS**

**DOCKET NO. A-2021-3028480**

**NAME AND SUBJECT: NATIONAL FUEL GAS DISTRIBUTION CORPORATION**

Application filed on 9/9/21, seeking a Certificate of Public Convenience authorizing it to abandon natural gas distribution service to one residential premises located in Sergeant Township, McKean County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028766-TUS**

**DOCKET NO. A-2021-3028766**

**NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC**

Application filed on 9/24/21, pursuant to 66 Pa. C.S. § 1102(a)(3) seeking approval for a Certificate of Public Convenience approving the acquisition by purchase of real property known as 103 Stoney Ridge Drive, Monaca Borough, Beaver County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3028787-TUS**

**DOCKET NO. A-2021-3028787**

**NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC – GAS**

Application filed on 9/28/21, seeking approval for a Certificate of Public Convenience authorizing it to abandon natural gas distribution service to two residential premises located in Springhill Township, Fayette County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

**AGENDA NO. 3028991-TUS**

**DOCKET NO. S-2021-3028991**

**NAME AND SUBJECT: DUQUESNE LIGHT COMPANY**

Securities Certificate filed on 10/6/21, for the issuance of long-term debt in an aggregate principal amount not to exceed \$400 million. On 10/11/21, the Company voluntarily extended the statutory consideration period until 12/6/21.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

## LAW BUREAU

### AGENDA NO. 2421056-LAW

**DOCKET NO. P-2014-2421056**

**NAME AND SUBJECT: BOOMERANG WIRELESS LLC D/B/A ENTOUCH WIRELESS**

Prior to 12/18/20, Boomerang Wireless was wholly owned by HH Ventures. On 12/18/20, HH Ventures LLC and ViaOne Acquisition Company, LLC entered into a Membership Interest Purchase Agreement whereby ViaOne Acquisition Company, LLC agreed to purchase Boomerang Wireless from HH Ventures LLC and become the ultimate parent company of Boomerang Wireless, LLC, d/b/a enTouch Wireless. As a result of this proposed change in corporate control, on 8/13/21, Boomerang Wireless, LLC d/b/a enTouch Wireless filed the instant Petition for waiver of the obligation to petition for renewal of its Eligible Telecommunications Carrier designation granted by this Commission on 9/1/16. Boomerang served its Petition on each of the Statutory Advocates. No Answers were filed to this Petition.

**RECOMMENDATION:** That the Commission adopt the proposed order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

### AGENDA NO. 3021932-LAW

**DOCKET NO. L-2020-3021932**

**NAME AND SUBJECT: PROPOSED WATER AUDIT METHODOLOGY REGULATION 52 PA.  
CODE § 65.20A - WATER CONSERVATION MEASURES**

This Notice of Proposed Rulemaking solicits comments on proposed language for a regulation at 52 Pa. Code § 65.20a relating to water conservation measures.

**RECOMMENDATION:** That the Commission adopt the Notice of Proposed Rulemaking Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3024219-LAW**  
**DOCKET NO. P-2021-3024219**

**NAME AND SUBJECT: LEVEL 3 COMMUNICATIONS LLC**

Before Commission for disposition is the 2/19/21 Petition of Level 3 Communications, LLC (Level 3), as amended and supplemented, in which CenturyTel Broadband Services LLC (CTBS) is seeking designation as an Eligible Telecommunications Carrier (ETC) in Pa. for the purpose of receiving federal Universal Service Fund high-cost support awarded in the Federal Communication Commission’s (FCC) Rural Digital Opportunity Fund (RDOF) auction, pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (Act), 47 U.S.C. § 214(e)(2), and Sections 54.101, 54.201-54.203 and 54.205-54.209 of the FCC’s regulations, 47 C.F.R. §§ 54.101, 54.201-54.203 and 54.205-54.209, and 52 Pa. Code § 69.2501. On 10/22/21, Level 3 jointly filed a supplement with CTBS in order to amend this Petition so that CTBS replaces Level 3 as the Petitioner in the above caption proceeding and as the entity seeking designation as an ETC in Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3025445-LAW**  
**DOCKET NO. P-2021-3025445**

**NAME AND SUBJECT: WINDSTREAM COMMUNICATIONS INC**

Petition for Designation as an Eligible Telecommunications Carrier (ETC) filed on 4/22/21. Windstream Communications, Inc. (WC) is required to obtain a designation as an ETC from the Commission in order for it to be eligible to receive the federal high-cost support funding it has been awarded in the Federal Communications Commission’s (FCC) Rural Digital Opportunity Fund Auction (Auction 904). Accordingly, WC is required to certify to the FCC that it has received designation as a high-cost ETC in all of the eligible census block groups in Pa. for which WC has been assigned Auction 904 support from its parent company, Windstream Services, LLC.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

**AGENDA NO. 3024601-ALJ**

**DOCKET NO. R-2021-3024601 C-2021-3025195 C-2021-3025083 C-2021-3025657 C-2021-3026285 C-2021-3026198 C-2021-3027456**

**NAME AND SUBJECT: PA PUC ET AL VS PECO ENERGY COMPANY-ELECTRIC DIVISION**

On 3/30/21, pursuant to Section 1308 of the Pa. Public Utility Code, 66 Pa.C.S. § 1308, PECO Energy Company filed a proposed Tariff Electric – Pa. P.U.C. No. 7 (Tariff No. 7). Tariff No. 7 sets forth proposed rates designed to produce an increase in the Company’s annual distribution revenue based on data for a fully projected future test year ending 12/31/22. Complaints and Petitions to Intervene were filed. An evidentiary hearing was held telephonically on 8/11/21. A Joint Petition for Settlement was filed 9/15/21.

COMMISSION REVIEW: That the Commission adopt ALJ Guhl’s Recommended Decision.

Notes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 3024773-ALJ**

**DOCKET NO. R-2021-3024773 R-2021-3024774 ET AL R-2021-3024779 ET AL**

**NAME AND SUBJECT: PA PUC ET AL VS PITTSBURGH WATER AND SEWER AUTHORITY – WATER WASTEWATER AND STORMWATER**

Rate Filing filed on 4/13/21, for approval to increase its combined water, wastewater, and stormwater rate to be phased-in in 2022 and 2023. The proposed base rate increase also includes the introduction of a new stormwater rate and an adjustment to the wastewater conveyance rates where stormwater related costs are currently recovered. An evidentiary hearing was held telephonically on 8/13/21. A Joint Petition for Settlement was filed 9/7/21.

COMMISSION REVIEW: That the Commission adopt ALJ Vero’s Recommended Decision.

Notes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Carry-In Agenda

November 18, 2021

### OFFICE OF SPECIAL ASSISTANTS

#### AGENDA NO. 1148524-OSA

**DOCKET NO. A-110117**

**NAME AND SUBJECT: JUST ENERGY SOLUTIONS INC. D/B/A JUST ENERGY**

Compliance Filing on 9/20/21, requesting permission to maintain its Electric Generation Supplier financial security level of 5% of its most recent 12 months of gross revenue (5% Annual Compliance Filing). By Secretarial Letter issued on 10/1/21, the Commission notified the Company that the 5% Annual Compliance Filing was denied due to uncertainty regarding its ability to fulfill its future annual obligations under 66 Pa. C.S. § 2809 because of ongoing pending bankruptcy proceedings of the Company and its affiliates. On 10/21/21, the instant Petition for Reconsideration from Staff Action (Petition) was filed on behalf of the Company. No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

#### AGENDA NO. 2097544-OSA

**DOCKET NO. A-2009-2097544**

**NAME AND SUBJECT: JUST ENERGY PENNSYLVANIA CORP**

Compliance filing on 9/20/21, requesting permission to maintain its Electric Generation Supplier financial security level of 5% of its most recent 12 months of gross revenue (5% Annual Compliance Filing). By Secretarial Letter issued on 10/1/21, the Commission notified the Company that the 5% Annual Compliance Filing was denied due to uncertainty regarding its ability to fulfill its future annual obligations under 66 Pa. C.S. § 2809 because of ongoing pending bankruptcy proceedings of the Company and its affiliates. On 10/21/21, the instant Petition for Reconsideration from Staff Action (Petition) was filed on behalf of the Company. No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Coleman  
Commissioner Yanora

**AGENDA NO. 2192137-OSA**

**DOCKET NO. A-2010-2192137**

**NAME AND SUBJECT: HUDSON ENERGY SERVICES LLC**

Compliance Filing on 9/20/21, requesting permission to maintain its Electric Generation Supplier financial security level of 5% of its most recent 12 months of gross revenue (5% Annual Compliance Filing). By Secretarial Letter issued on 10/1/21, the Commission notified the Company that the 5% Annual Compliance Filing was denied due to uncertainty regarding its ability to fulfill its future annual obligations under 66 Pa. C.S. § 2809 because of ongoing pending bankruptcy proceedings of the Company and its affiliates. On 10/21/21, the instant Petition for Reconsideration from Staff Action (Petition) was filed on behalf of the Company. No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora