

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, MAY 12, 2022 (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 CHAIRMAN	CHAIRMAN	COMMISSIONER	COMMISSIONER
Vacant	John F. Coleman, Jr	Gladys Brown Dutrieuille	Ralph V. Yanora	Vacant

The Next Public Meeting is Tentatively Scheduled for Thursday, June 16, 2022 at 10:00 A.M.

Minutes of the Meeting of Thursday, March 10, 2022 (RY)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JUNE 16, 2022, 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 PUBLIC MEETING SCHEDULED FOR THURSDAY, MAY 26, 2022 IS CANCELLED.

THE COMMISSION WILL HOLD ITS NEXT EXECUTIVE SESSION ON WEDNESDAY, JUNE 15, 2022 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. IN A TRUE EMERGENCY, A PUC EMPLOYEE IN AN ORANGE VEST WILL BE THERE TO HELP THOSE WHO NEED ASSISTANCE. ONCE YOU MOVE DOWN THE STAIRS, PLEASE EXIT ONTO NORTH STREET. ALSO, FOR YOUR CONVENIENCE, RESTROOMS ARE LOCATED ON THE ATRIUM LEVEL NEAR THE CAFETERIA.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

May 12, 2022

BUREAU OF AUDITS

AGENDA NO. 3021906-AUD

DOCKET NO. D-2020-3021906

NAME AND SUBJECT: **METROPOLITAN EDISON COMPANY**

Energy Efficiency and Conservation Charge audit report for twelve months ended 3/31/19, 3/31/18 and 3/31/17.

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

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3021907-AUD

DOCKET NO. D-2020-3021907

NAME AND SUBJECT: **PENNSYLVANIA ELECTRIC COMPANY**

Energy Efficiency and Conservation Charge audit report for twelve months ended 3/31/19, 3/31/18 and 3/31/17.

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

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3021908-AUD
DOCKET NO. D-2020-3021908

NAME AND SUBJECT: PENNSYLVANIA POWER COMPANY

Energy Efficiency and Conservation Charge audit report for twelve months ended 3/31/19, 3/31/18 and 3/31/17.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3021909-AUD
DOCKET NO. D-2020-3021909

NAME AND SUBJECT: WEST PENN POWER COMPANY

Energy Efficiency and Conservation Charge audit report for twelve months ended 3/31/19, 3/31/18 and 3/31/17.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

BUREAU OF CONSUMER SERVICES

AGENDA NO. 3003177-BCS

DOCKET NO. M-2018-3003177 M-2020-3021343 P-2020-3017641 M-2014-2432515

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

A Tentative Order was issued on 8/27/20, requesting additional information and calling for comments regarding the Peoples Natural Gas Company LLC and Peoples Gas Company LLC 2019-2024 Universal Service and Energy Conservation Plan, which was last amended on 5/8/20. All comments and reply comments have been filed.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3008227-BCS

DOCKET NO. M-2019-3008227 P-2022-3031621 R-2021-3024750 M-2016-2534323

NAME AND SUBJECT: DUQUESNE LIGHT COMPANY

Petition filed on 3/28/22, to temporarily amend its Hardship Fund program for 2022 and 2023. There is no opposition to the Petition.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

OFFICE OF EXECUTIVE DIRECTOR

AGENDA NO. 3000261-DIR

DOCKET NO. M-2018-3000261

NAME AND SUBJECT: DAMAGE PREVENTION COMMITTEE APPOINTMENTS

On 10/30/17, Governor Wolf signed into law Act 50 of 2017, assigning duties and responsibilities associated with Pennsylvania's One Call System to the Pennsylvania Public Utility Commission. This Order recommends the appointment of one individual to fill the remainder of a term on the Damage Prevention Committee in accordance with 73 P.S. § 182.8 of the Underground Utility Line Protection Law.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 3005572-OSA

DOCKET NO. M-2021-3005572

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS
COLUMBIA GAS OF PENNSYLVANIA INC**

Informal investigation instituted on 2/8/19, regarding allegations of over pressurization events that occurred in Columbia Gas of Pennsylvania Inc. (Columbia) Fayetteville and Rimersburg distribution systems. On 6/8/21, the Bureau of Investigation and Enforcement (BIE) and Columbia submitted a Joint Petition for Approval of Settlement (Settlement). BIE's Statement in Support of the Settlement was appended to the Settlement as Appendix B and Columbia's Statement in Support of the Settlement was filed on 6/9/21.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3020090-OSA

(PP from 4/14/2022)

DOCKET NO. C-2020-3020090

NAME AND SUBJECT: CHARLES EVANS HUNNELL VS WEST PENN POWER COMPANY

Formal Complaint filed on 5/29/20, contesting West Penn Power Company's (West Penn) proposal to apply chemical herbicides to Complainant's property and requesting the Commission to order West Penn not to. On 6/18/20, West Penn filed an Answer with New Matter. On 3/9/21, ALJ Dunderdale convened an evidentiary hearing. By order issued 6/7/21, the ALJ closed the record. On 8/30/21, the Commission issued the ALJ's Initial Decision, which sustained, in part, and denied, in part, the Formal Complaint. On 9/20/21, West Penn filed Exceptions.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3023661-OSA
DOCKET NO. C-2021-3023661

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS T L TRUCKING INC

Complaint filed on 1/21/21, alleging that T.L. Trucking, Inc. (T.L. Trucking) failed to maintain evidence of Liability and Cargo insurance on file with the Commission and proposing a civil penalty in the amount of \$500 and the cancellation of T.L. Trucking’s Certificate of Public Convenience (Certificate). By Cancellation Notice issued on 4/1//21, the Commission canceled T.L. Trucking’s Certificate and fined T.L. Trucking \$500 because it failed to file an Answer to the Complaint and have its insurer file evidence of insurance with the Commission within the required twenty days. T.L. Trucking paid the fine by check dated 11/17/21. On 12/13/21, the Commission’s Secretary issued a letter to T.L. Trucking acknowledging receipt of a letter deemed Petition for Reconsideration from Staff Action without an affidavit or verification. On 2/2/21, the Commission’s Secretary returned the Petition for Reconsideration from Staff Action to T.L. Trucking, as unfiled, because no verification was received. On 2/11/22, the instant filing deemed a Petition for Rescission or Amendment (Petition) was submitted by T.L. Trucking. 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. 3024130-OSA
DOCKET NO. M-2022-3024130

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS VERIZON PENNSYLVANIA LLC

Informal investigation instituted on 3/24/21, in response to a memo dated 2/12/21, from the Commission’s Bureau of Consumer Services (BCS) with regard to concerns by BCS that Verizon Pennsylvania LLC (Verizon PA) allegedly was suspending or terminating telephone service improperly based on multiple informal complaints received. On 1/31/22, The Bureau of Investigation and Enforcement and Verizon PA submitted a Joint Petition for Approval of Settlement (Settlement) and Statements in Support of the Settlement. By Opinion and Order entered 3/10/22, the Commission issued the Settlement for comments. No 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. 3027385-OSA

DOCKET NO. R-2021-3027385 et al R-2021-3027386 et al

NAME AND SUBJECT: PA PUC ET AL VS AQUA PENNSYLVANIA INC

Supplements to Tariff Water Pa. PUC No. 3 and Tariff Sewer-Pa PUC No. 3, filed on 8/20/21, which proposed an increase in rates calculated to produce approximately \$86 million and \$11 million, respectively, in additional annual revenue. By Order entered 10/7/21, a formal investigation was instituted to determine the lawfulness, justness and reasonableness of Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (Aqua) existing and proposed rates, rules and regulations. Six public input hearings were held within Aqua’s service territory between 11/8/21 and 11/12/21. Evidentiary hearings were held on 12/20/21. On 2/18/22, the Commission issued the Recommended Decision of ALJ Long in which the ALJ recommends a maximum water revenue increase of approximately \$15.2 million and also a maximum wastewater revenue increase of approximately \$16.7 million. Exceptions were filed on 2/21/22 by Donald Osinski, pro se Complainant and on 2/28/22 by Aqua, the Bureau of Investigation and Enforcement (BIE), the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), Masthope Mountain Community Association (Masthope), and Aqua Large Users Group. Reply Exceptions were filed by Aqua, BIE, the OCA, the OSBA, and CAUSE-PA on 3/7/22.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Coleman
- Commissioner Yanora

AGENDA NO. 3028365-OSA

DOCKET NO. M-2022-3028365

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS PEOPLES NATURAL GAS COMPANY LLC

The Safety Division of the Commission’s Bureau of Investigation and Enforcement commenced an investigation on 3/9/19, of a temporary meter station, which was installed by Peoples Natural Gas Company LLC on 7/24/18, and failed on 3/9/19, resulting in a natural gas leak and subsequent service outage. On 3/9/22, 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. 3031297-OSA
DOCKET NO. A-2022-3031297

NAME AND SUBJECT: WINDSTREAM COMMUNICATIONS LLC AND CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK INC ET AL

Joint Petition filed on 3/4/22, seeking approval of 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 3/19/22. 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. 3031301-OSA
DOCKET NO. A-2022-3031301

NAME AND SUBJECT: WINDSTREAM D&E SYSTEMS INC AND CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK INC ET AL

Joint Petition filed on 3/4/22, seeking approval of Interconnection Agreements pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 3/19/21. 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. 3031417-OSA
DOCKET NO. A-2022-3031417

NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND EVERSTREAM SOLUTIONS LLC

Joint Petition filed on 3/14/22, seeking approval of an Interconnection Agreement and Amendment thereto pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 3/26/22. 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

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO. 3022825-TUS

DOCKET NO. A-2020-3022825

NAME AND SUBJECT: PENNDOT

Application for approval to alter the public crossing by replacing the existing bridge substructure and superstructure, where SR 0322 crosses, above grade, the tracks of CSX Transportation, Inc., in Upper Chichester Township, Delaware County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3029536-TUS

DOCKET NO. P-2021-3029536

NAME AND SUBJECT: CLEVELAND-CLIFFS STEEL LLC

Petition filed on 11/2/21, requesting that the Commission affirm the certification of certain Tier II alternative energy credits which are subject to specific purchase and sale agreements entered into by Cleveland-Cliffs Steel LLC prior to 11/23/20.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3029961-TUS
DOCKET NO. A-2021-3029961

NAME AND SUBJECT: THE YORK WATER COMPANY

Application filed on 12/9/21 for approval of the rights to (1) acquire certain water system assets from Country View Manor Community, LLC and (2) offer, render, furnish and supply water service to the public in a portion of Washington Township, York County, Pa. The York 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.

Notes and Votes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3030286-TUS
DOCKET NO. M-2022-3030286 M-2021-3023559

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

As of 5/3/22, 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.

Notes and Votes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3030293-TUS
DOCKET NO. M-2022-3030293 M-2021-3023833

NAME AND SUBJECT: NATURAL GAS SUPPLIER (NGS) LICENSE CANCELLATIONS

Revocation of NGS Licenses of companies that did not file a NGS Annual Report or pay past due Annual or Supplemental Fees. As of 5/3/22, the companies listed in Table 1 and Table 2 of the Tentative Order are not in compliance with Section 2208 of the Code.

RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

Notes and Votes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3030446-TUS
DOCKET NO. A-2022-3030446

NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC

Letter of Notification filed on 1/18/22, for approval to rebuild the East Towanda-North Meshoppen 115 kV Transmission Line in Standing Stone, Tuscarora, Wyalusing, and Wysox Townships, Bradford County, and Auburn Township, Susquehanna County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3030875-TUS

DOCKET NO. R-2022-3030875 R-2022-3030876 P-00961115F1000 P-00961116F1000

NAME AND SUBJECT: TDS TELECOM/MAHANNOY & MAHANTANGO TELEPHONE COMPANY AND TDS TELECOM/SUGAR VALLEY TELEPHONE COMPANY

The companies filed their combined 2022 Price Index and Service Price Index Report on 3/1/22. 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. 3031167-TUS

DOCKET NO. R-2022-3031167

NAME AND SUBJECT: DUQUESNE LIGHT COMPANY

Supplement No. 41 to Tariff Electric Pa. P.U.C. No. 25 (Supplement No. 41) filed on 3/1/22, to be effective 4/30/22. On 3/4/22, the company filed Supplement No. 42 which voluntarily postpones the effective date to 5/12/22. The filing proposes to correct tariff language applicable to Rider No. 16 – Service to Non-Utility Generating Facilities and to make non-substantive housekeeping updates to Rider No. 16 for clarity.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3031683-TUS

DOCKET NO. A-2022-3031683

NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC

Letter of Notification filed on 3/31/22, for approval to relocate a section of the Pleasureville-York Solid Waste 115 kV Transmission Line in Springettsbury and Spring Garden Townships, York County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3031704-TUS

DOCKET NO. R-2022-3031704 C-2022-3031902

NAME AND SUBJECT: PA PUC VS THE BOROUGH OF AMBLER – WATER DEPARTMENT

Supplement No. 40 to become effective 5/30/22 filed on 3/31/22. Supplement No. 40 would increase the Borough's total annual operating revenues for water service by approximately \$637,691, or 45.4%. On 4/14/22, the Office of Small Business Advocate filed a Formal complaint at Docket No. C-2022-3031902.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3031721-TUS

DOCKET NO. S-2022-3031721 G-2022-3031722

NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC

On 3/31/22, Columbia Gas of Pennsylvania, Inc. (Columbia) filed for registration of a securities certificate and approval of an affiliated interest agreement concerning the issuance of promissory notes between Columbia and its corporate parent NiSource Inc. in a principal amount not to exceed \$250 million. The consideration period was voluntarily extended until 5/13/22.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3031724-TUS

DOCKET NO. S-2022-3031724

NAME AND SUBJECT: NEWTOWN ARTESIAN WATER COMPANY

Securities Certificate filed on 3/31/22. The company voluntarily extended the statutory consideration period of the filing to 5/26/22.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

LAW BUREAU

AGENDA NO. 2424864-LAW

DOCKET NO. M-2014-2424864

NAME AND SUBJECT: ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE III

The Commission is required to submit a report to the Consumer Protection and Professional Licensure Committee of the Senate and the Consumer Affairs Committee of the House of Representatives - 66 Pa. C.S. § 2806.1(i)(2). To meet this requirement, the Commission directed the Statewide Evaluators (SWE) to provide a comprehensive Phase III Final Annual Report. The Commission must also determine whether the Electric Distribution Companies (EDC) are in compliance with the requirements outlined at 66 Pa. C.S. §§ 2806.1(b), (c) and (d). With this Order, the Commission releases the SWE's Phase III Final Annual Report and assesses the EDCs compliance with the reduction requirements.

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. 3021080-ALJ

DOCKET NO. C-2020-3021080 C-2020-3022354 C-2020-3022724 C-2020-3022725 C-2020-3022804

NAME AND SUBJECT: TIM S MCKERCHER ET AL VS HANOVER MUNICIPAL WATER WORKS

Formal Complaint filed on 7/28/20, challenging a proposed line abandonment and replacement project known as the Beck Mill Road Water Line Replacement Project, which Complainant alleged was too costly and imposed an undue financial burden on him because the project would require him to bear the cost of installation of a new service line. On 9/10/20, the Office of Consumer Advocate filed an intervention and public statement. Formal Complaints were filed by four other customers of Hanover Municipal Water Works. A Prehearing Conference was held on 10/13/20. An Interim Order was entered on 11/12/20 consolidating the Complaints. The parties filed a Joint Petition for Settlement on 2/17/22.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3024487-ALJ

DOCKET NO. C-2021-3024487

NAME AND SUBJECT: STEPHEN AND NANCY J ULISHNEY VS WEST PENN POWER COMPANY

Formal Complaint filed on 2/16/21, alleging property damage, requesting monetary damages and a payment arrangement. On 5/5/21, West Penn Power Company (West Penn) filed an Answer and New Matter and Preliminary Objections (P.O.) denying the material allegations of the Formal Complaint and averring the Commission lacked jurisdiction to award monetary damages. Complainants did not file a reply to West Penn's New Matter nor did they file an answer to the P.Os. An Interim Order was entered on 6/9/21, sustaining the P.O. as to the property damage claim. A hearing was held on 1/11/22. On 3/8/22, the Initial Decision of ALJ Johnson was issued.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3026682-ALJ

DOCKET NO. R-2021-3026682 C-2021-3029095 C-2021-3029188 C-2021-3029426 C-2021-3029450 C-2021-3029469 C-2021-3029470 C-2021-3029549 C-2021-3030184

NAME AND SUBJECT: PA PUC, OFFICE OF CONSUMER ADVOCATE, OFFICE OF SMALL BUSINESS ADVOCATE, ET AL VS CITY OF LANCASTER - BUREAU OF WATER

Supplement No. 46 to Lancaster Water Tariff – PA P.U.C. No. 6 filed on 9/30/21, proposing to increase its annual operating revenues for water service for customers located outside of the City of Lancaster – Bureau of Water (City). On 10/5/21, the Bureau of Investigation and Enforcement (BIE) filed a Notice of Appearance. Subsequently, the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA) and 8 consumers filed complaints. A Telephonic Prehearing Conference was held on 11/5/21 and a Public Input Hearing was held on 12/16/21. On 3/14/22, the Joint Petitioners filed a Joint Petition for Complete Settlement of Rate Investigation and, a Motion for Admission of Exhibits and Testimony. The Joint Petition included statements in support of the Settlement from the City, OCA, BIE, and the OSBA.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3026794-ALJ

DOCKET NO. A-2021-3026794 A-2021-3026796

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

Joint Application filed 6/23/21, under Section 1102(a)(3) seeking approval of proposed company restructuring, under which an intermediate corporate parent, LDC Holdings LLC, of Peoples Natural Gas Company LLC and Peoples Gas Company LLC (the Peoples Companies) would merge into another intermediate corporate parent, LDC Funding LLC, of the Peoples Companies, thereby eliminating an unnecessary level of intermediate ownership. The Joint Application was published in the Pa. Bulletin on 7/10/21. On 7/26/21, the Office of Consumer Advocate (OCA) and Office of Small Business Advocate (OSBA) filed Protests to the Joint Application. An evidentiary hearing was held on 11/23/21. On 1/5/21, Peoples Companies and OCA filed a Joint Petition for Settlement of Joint Application for Approval of Intercompany Restructuring., On 1/5/22, OSBA filed a letter of non-opposition to the Settlement.

COMMISSION REVIEW: That the Commission adopt ALJ Johnson’s Initial Decision.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3029145-ALJ

DOCKET NO. C-2021-3029145

NAME AND SUBJECT: 3 SON'S FOOD LLC/FOX'S PIZZA DEN VS WEST PENN POWER COMPANY

Formal Complaint filed on 10/19/21 alleging West Penn Power Company (West Penn) wired Complainant's account to the wrong meter and did not bill Complainant properly for over a year. Complainant requested the Commission order West Penn to pay for its mistake because it was West Penn that placed the account on the wrong meter. On 11/8/21, West Penn filed an Answer. West Penn averred Complainant must be represented by an attorney pursuant to 52 Pa. Code §§ 1.21 to 1.23. An interim order was issued on 2/2/22 which required Complainant to retain attorney or the Formal Complaint might be dismissed. An initial telephonic hearing was held on 2/22/22 at which Complainant did not appear.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

May 12, 2022

LAW BUREAU

AGENDA NO. 2317273-LAW

DOCKET NO. L-2012-2317273

NAME AND SUBJECT: RULEMAKING - USE OF FULLY PROJECTED FUTURE TEST YEAR
Notice of Proposed Rulemaking Order (NOPR) entered on 6/17/21. The Commission is revising the NOPR prior to delivery of it to the Legislative Standing Committees, the Legislative Reference Bureau, and the Independent Regulatory Review Commission. All interested persons will have the opportunity to comment on the NOPR, as revised herein, when it is published in the Pa. Bulletin.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora