

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, AUGUST 25, 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, September 15, 2022 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 14, 2022 (RY)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 15, 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 COMMISSION WILL HOLD ITS NEXT EXECUTIVE SESSION ON WEDNESDAY, SEPTEMBER 14, 2022 AT 1:30 PM IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING AS WELL AS VIA TELECONFERENCE. A SPECIAL EXECUTIVE SESSION REGARDING CONTINUITY OF OPERATIONS WAS HELD ON FRIDAY, AUGUST 19, 2022 AT 11:30 AM.

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

August 25, 2022

BUREAU OF ADMINISTRATION

AGENDA NO. 3034382-ADM

NAME AND SUBJECT: GENERAL ASSESSMENT UPON PUBLIC UTILITIES

General Assessment upon Public Utilities for Fiscal Year 7/1/22 to 6/30/23.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Section 510 of the Public Utility Code, the amount of the General Assessment for the Fiscal Year 7/1/22 to 6/30/23 on each applicable utility.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3034391-ADM

NAME AND SUBJECT: ACT 127 OF 2011 - ASSESSMENT PIPELINE OPERATORS

Assessment upon Pipeline Operators applicable under Act 127 of 2011 – Billing for Fiscal year 7/1/22 to 6/30/23.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Act 127 of 2011 for the amount of the Assessment for the Fiscal Year 7/1/22 to 6/30/23 on each applicable pipeline operator.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3034392-ADM

NAME AND SUBJECT: ACT 155 OF 2014 – FEES ESTABLISHED FOR ELECTRIC GENERATION SUPPLIERS AND NATURAL GAS SUPPLIERS

Supplemental fees upon Generators of Electricity (EGS) and Suppliers of Natural Gas (NGS) - Billing for EGS and for NGS

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with M-2014-2448825 for the amount of the supplemental fee for Fiscal Year 7/1/22 to 6/30/23 on each applicable EGS and NGS.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3034393-ADM

NAME AND SUBJECT: ACT 50 OF 2017 – ASSESSMENT OF THE PENNSYLVANIA UNDERGROUND UTILITY LINE PROTECTION ACT

Assessment upon applicable public utilities under Act 50 of 2017 – The Pennsylvania Underground Utility Line Protection Act also known as the “One Call Law” – Billing for Fiscal year 7/1/22 to 6/30/23.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Act 50 of 2017 “One Call Law” for the amount of the Assessment for the Fiscal Year 7/1/22 to 6/30/23 on each applicable public utility.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3034394-ADM

NAME AND SUBJECT: OCA GENERAL ASSESSMENT UPON PUBLIC UTILITIES

Office of the Consumer Advocate (Attorney General's Office) General Assessment upon Public Utilities for Fiscal Year 7/1/22 to 6/30/23.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Act 15 of 1977 (§ 904-A.1(b)(2) of the Administrative Code), the amount of the General Assessment for the Fiscal Year 7/1/22 to 6/30/23 on each applicable utility.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3034395-ADM

NAME AND SUBJECT: OSBA GENERAL ASSESSMENT UPON PUBLIC UTILITIES

Office of the Small Business Advocate (Department of Community and Economic Development) General Assessment upon Public Utilities for Fiscal Year 7/1/22 to 6/30/23.

RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with 73 P.S. §399-46, the amount of the General Assessment for the Fiscal Year 7/1/22 to 6/30/23 on each applicable public utility.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

BUREAU OF AUDITS

AGENDA NO. 3023906-AUD

DOCKET NO. D-2021-3023906

NAME AND SUBJECT: PECO ENERGY COMPANY - ELECTRIC

Management and Operations audit containing 22 recommendations. In response, PECO Energy Company submitted an Implementation Plan dated 8/10/22 indicating acceptance of 19 recommendations and partial agreement of 3 recommendations.

RECOMMENDATION: That the Commission make the audit report and the Company's Implementation Plan public

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3026019-AUD

DOCKET NO. D-2021-3026019

NAME AND SUBJECT: PECO ENERGY COMPANY - ELECTRIC

Generation Supply Adjustment audit for twelve months ended 12/31/19 and 12/31/20.

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

Petition for Reconsideration filed on 7/20/22, related to the Commission's Order entered on 5/12/22, approving the Peoples Natural Gas Company LLC and Peoples Gas Company LLC (Peoples Companies) Universal Service and Energy Conservation Plan for 2019-2024 and the Secretarial Letter issued on 6/30/22 at these dockets. On 8/1/22, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania and the Office of Consumer Advocate filed Answers to the Petition.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 2605797-OSA

DOCKET NO. F-2017-2605797

NAME AND SUBJECT: RICHARD C CULBERTSON VS COLUMBIA GAS OF PENNSYLVANIA INC

Formal Complaint filed on 5/8/17, alleging, among other things, that Columbia Gas of Pennsylvania, Inc. (Columbia) improperly abandoned the service line at 1608 McFarland Road, Pittsburgh, Pa. On 12/16/21, the Commission entered an Opinion and Order denying the Complainant's Exceptions to the 10/4/19 Initial Decision of Deputy Chief ALJ Hoyer, which dismissed the Formal Complaint. On 1/14/22, the Complainant filed a Petition for Reconsideration (Petition) of the Commission's 12/16/21 Order and on 1/17/22, the Complainant filed a revised Petition. On 1/24/22, Columbia filed an Answer to the Petition.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3002565-OSA

DOCKET NO. I-2018-3002565

NAME AND SUBJECT: BOROUGH OF CENTERVILLE

Petition to Modify the Commission's Order entered on 8/29/19 filed on 6/20/22. The Borough of Centerville requests updates and removal of certain ordering paragraphs in the 8/29/19 Order to reflect elimination of prior requirement of installing a continually flashing warning device on State Route 88 in the Borough of Centerville, Washington County, Pa. No Answers to the Petition were filed.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3012992-OSA
DOCKET NO. C-2019-3012992

NAME AND SUBJECT: ROSEMARIE GRELL VS SUEZ WATER PENNSYLVANIA INC - WATER
Formal Complaint filed on 9/10/19, alleging that Suez Water Pennsylvania Inc. (Suez) failed to provide adequate and reasonable service because Suez replaced a water main in the area which led to a decrease in water pressure in the Complainant's residence. On 10/9/19, Suez filed an Answer. On 6/24/20, an evidentiary hearing was held. On 5/27/22, the Commission issued the Initial Decision (ID) of ALJ Buckley sustaining the Formal Complaint. On 6/16/22, Suez filed Exceptions to the ALJ's ID. The Complainant filed Reply Exceptions on 6/17/22.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3012999-OSA
DOCKET NO. C-2019-3012999

NAME AND SUBJECT: DENNIS HESTON VS SUEZ WATER PENNSYLVANIA INC - WATER
Formal Complaint filed on 9/10/19, alleging that Suez Water Pennsylvania Inc. (Suez) failed to provide adequate and reasonable service because Suez replaced a water main in the area which led to a decrease in water pressure in the Complainant's residence. On 10/9/19, Suez filed an Answer. On 5/26/20, an evidentiary hearing was held. On 5/26/22, the Commission issued the Initial Decision (ID) of ALJ Buckley sustaining the Formal Complaint. On 6/15/22, Suez filed Exceptions to the ALJ's ID. No Replies to Exceptions were filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3014286-OSA
DOCKET NO. M-2021-3014286

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS PECO ENERGY COMPANY - ELECTRIC

On 6/25/18, PECO Energy Company's (PECO) call center third-party vendor made a dialer platform change resulting in two separate computer errors that ultimately caused improper electric service termination for approximately 49,500 customers between 6/25/18 and 9/10/19. PECO discovered the first error on 8/9/18 and suspended all terminations. The matter was reported to the Bureau of Consumer Services (BCS) on 8/16/18, and BCS referred the matter for investigation to the Bureau of Investigation and Enforcement (BIE). The first error was resolved on 8/20/18. The second error was detected on 9/10/19 and PECO again suspended all terminations. The second error was resolved on 9/12/19. Upon completion of the investigation in these matters, BIE was prepared to file a Formal Complaint against PECO that it had violated the Pennsylvania Public Utility Code and the Commission's Regulations regarding personal contact before service is discontinued and termination of service. However, BIE and PECO engaged in negotiations and agreed to resolve the matter through settlement. On 1/7/22, the Parties filed a Joint Petition for Approval of Settlement for consideration.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3022088-OSA
DOCKET NO. C-2020-3022088

NAME AND SUBJECT: PATRICIA SHAVER VS SUEZ WATER PENNSYLVANIA INC - WATER
Formal Complaint filed on 9/3/20, alleging that Suez Water Pennsylvania, Inc. (Suez) failed to provide safe and reliable service, because the Complainant contacted Suez about discolored water at her residence and it took Suez five days to respond to her concerns. On 10/23/20, Suez filed an Answer to the Formal Complaint, *inter alia*, denying responsibility for any safety or quality of service problem. A telephonic evidentiary hearing was held on 2/18/21. By Initial Decision served on 5/25/22, ALJ Buckley granted the Formal Complaint, in part, and denied the Formal Complaint, in part. Suez filed Exceptions on 6/14/22. Replies to Exceptions have not been filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3022094-OSA

DOCKET NO. C-2020-3022094

NAME AND SUBJECT: KATHLEEN JONES VS SUEZ WATER PENNSYLVANIA INC - WATER

Formal Complaint filed on 9/16/20, alleging, among other things, that Suez Water Pennsylvania, Inc. (Suez), failed to adequately respond to Complainant's contacts regarding discolored water on or about 7/2/20 to 7/6/20. On 10/19/20, Suez filed an Answer. An evidentiary hearing was held on 2/23/21. On 5/31/22, the Commission served the Initial Decision (ID) of ALJ Buckley sustaining the Formal Complaint and ordering Suez to pay a civil penalty of \$5000 for violating Section 1501 of the Public Utility Code. On 6/21/22, Suez filed Exceptions to the ID. No Replies were filed.

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

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3022293-OSA

DOCKET NO. C-2020-3022293

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS GOLDEN TRIANGLE CONSTRUCTION COMPANY INC

Formal Complaint filed on 10/2/20, alleging that Golden Triangle Construction Co., Inc. (GTC) violated the Underground Utility Line Protection Law (PA One Call Law) based on GTC's involvement in an excavation that resulted in damage to an underground pipeline, injury to a GTC employee, and property damage. The Bureau of Investigation and Enforcement (BIE) sought a civil penalty of \$18,000 and directed GTC to perform corrective actions. GTC did not file an Answer to the Formal Complaint. On 12/9/20, the Parties submitted a Settlement Agreement (Settlement) and Statements in Support of the Settlement. The Settlement proposes a \$13,000 penalty and corrective measures.

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

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3022369-OSA
DOCKET NO. C-2020-3022369

NAME AND SUBJECT: COURTNEY MATKOVICH VS VERIZON NORTH LLC

Formal Complaint filed on 10/13/20, alleging that Complainant's highspeed internet was unreliable and did not meet the Chapter 30 minimum requirements. On 11/2/20, Verizon North LLC (Verizon) filed an Answer denying the allegations of the Formal Complaint. On 5/5/22, the Commission issued the Initial Decision of ALJ Dunderdale, which sustained the Formal Complaint, finding that Verizon failed to provide available and reliable broadband internet and telephone service. On 5/24/22, Verizon filed Exceptions. No Replies to Exceptions were filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3023129-OSA
(PP from 8/4/2022)
DOCKET NO. C-2020-3023129

NAME AND SUBJECT: GLEN RIDDLE STATION LP VS SUNOCO PIPELINE LP

Formal Complaint filed on 12/2/20, alleging that Sunoco Pipeline, L.P. (Sunoco) filed a Declaration of Taking in the Court of Common Pleas of Delaware County that, *inter alia*: (1) concerned various portions of the Glen Riddle Station, L.P. (Glen Riddle) property that contains 124 residential dwelling units; (2) in the taking action, Sunoco condemned temporary workspace easements and a temporary access road easement over their property for purposes of completing a pipeline project; and, (3) Sunoco is not complying with previous requirements of the Commission regarding its public awareness plan and standard operating procedures. On 12/23/20, Sunoco filed an Answer and New Matter to the Formal Complaint. On 6/16/22, the Commission entered an Opinion and Order in this matter (June 16th Order). On 7/1/22, Sunoco filed a Petition for Reconsideration. On 7/11/22 Glen Riddle filed its Answer in opposition to reconsideration, in addition, on that date, the Energy Association of Pennsylvania filed a Letter in Support of Sunoco's request, in the nature of an amicus filing. On 7/18/22, Sunoco filed a Letter Request for Temporary Extension of Time in which to pay the civil penalty assessed in the June 16th Order. On 7/20/22, Glen Riddle Filed its Answer in opposition to Sunoco's letter request.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3027268-OSA
DOCKET NO. A-2021-3027268

NAME AND SUBJECT: AQUA PENNSYLVANIA WASTEWATER INC

Application filed on 8/3/21, for approval of the acquisition of the wastewater system assets of Willistown Township (Township), Chester County, Pa. On 4/21/22, ALJ Watson issued a Recommended Decision recommending denial of the Application. On 5/2/22, Aqua Pennsylvania Wastewater, Inc. (Aqua), the Office of Consumer Advocate (OCA), the Township, Robert Swift, Henry Yordan and Julie Frissora each filed Exceptions. On 5/9/22, Aqua, the Township, the OCA, the Bureau of Investigation and Enforcement, the Office of Small Business Advocate, Mr. Swift, Mr. Yordan and Ms. Frissora filed Replies to Exceptions. By notational vote, the Commission entered an Opinion and Order (Order) on 7/8/22 granting the Application, as modified. On 7/22/22, Mr. Swift filed a Petition for Stay Pending Judicial Review (Petition) of the Order. Aqua filed an Answer to the Petition on 7/29/22.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3027779-OSA
DOCKET NO. C-2021-3027779

NAME AND SUBJECT: COLIN BROWN VS PECO ENERGY COMPANY - ELECTRIC

Formal Complaint filed on 8/9/21, alleging that there are incorrect charges on Complainant's bills, and that the utility is threatening or had already shut off his service. On 8/19/21, PECO Energy Company (PECO) filed an Answer and New Matter in which it denied all material allegations of fact. On 9/7/21, the Complainant filed a reply to the Answer and New Matter. An evidentiary hearing convened on 2/1/22. The Complainant appeared for the hearing but did not offer any testimony or present any evidence. In an Initial Decision issued 5/11/22, ALJ Guhl dismissed the Formal Complaint for the Complainant's failure to participate and sustain his burden of proof. On 5/30/22, the Complainant filed Exceptions. On 6/9/22, PECO filed Replies to Exceptions.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3031239-OSA
DOCKET NO. C-2022-3031239

NAME AND SUBJECT: WILLIAM HUFFMAN AND MARY JANET HUFFMAN VS CONNEAUT LAKE PARK INC TRUSTEES

Formal Complaint filed on 2/25/22, alleging a leak under Complainants' house in Conneaut Lake Park Inc. Trustees (Conneaut Lake) and requesting valve replacement in order to shut off their water and to also disconnect the shut off under their house. On 3/24/22, Conneaut Lake filed an Answer and New Matter and Preliminary Objection to the Formal Complaint. An evidentiary hearing convened on 6/7/22, but the Complainants failed to appear for the hearing. In an Initial Decision issued 6/23/22, ALJ Barnes dismissed the Formal Complaint for failure to prosecute. On 7/11/22, the Complainants filed Exceptions. On 7/22/22, Conneaut Lake filed Replies to Exceptions.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3031700-OSA
DOCKET NO. A-2022-3031700 A-6425104

NAME AND SUBJECT: FAST PRO LIMITED

Application filed on 3/31/22, for Motor Common Carrier of Persons in Paratransit Service. By Secretarial Letter issued on 5/24/22, the Commission denied and dismissed the Application and informed Fast Pro Limited (Fast Pro) that a Certificate of Public Convenience would not be granted due to falsification of the Verified Statement of Fast Pro. On 6/9/22, the instant Petition for Reconsideration from Staff Action (Petition) was filed on behalf of Fast Pro. 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. 3031828-OSA

DOCKET NO. A-2022-3031828 A-6425131

NAME AND SUBJECT: CLARION CARRIER L.L.C.

Application filed on 4/4/22, for the right to begin to transport as a Common Carrier, by Motor Vehicle Persons on Paratransit Service. By Secretarial Letter issued on 4/13/22, the Commission requested additional information to process the Application. No response was received by the 10th business day following the 4/13/22 issue date. By Secretarial Letter issued on 5/13/22 (May 2022 SL), the Commission denied the Application for failure to reply to Commission data requests. On 5/16/22, the company filed a Petition for Reconsideration of Staff Action (Petition) in response to the May 2022 SL. 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. 3032268-OSA

DOCKET NO. A-2022-3032268 A-6423507

NAME AND SUBJECT: MO CARE TRANSPORT LLC

Application filed on 5/2/22, for Motor Common Carrier of Persons in Paratransit Service. By Secretarial Letter issued on 5/24/22, the Commission denied and dismissed the Application and informed Mo Care Transport LLC that a Certificate of Public Convenience would not be granted due to the falsification of its Verified Statement. On 6/14/22, 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

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO. 3026029-TUS

DOCKET NO. A-2021-3026029

NAME AND SUBJECT: PENNDOT

Application filed on 5/21/21, for approval to alter the public crossing (DOT 361 667 E) by widening and realigning the highway where State Route 0329 (East 21st Street) crosses, at grade, one track of Norfolk Southern Railway Company, located in Northampton Borough, Northampton County, Pa. A field conference was held on 7/8/21 and the Secretarial Letter approving the application was issued on 8/12/21. A Secretarial Letter approving the situation and circuitry plan and modifying the 8/12/21 Secretarial Letter was issued 7/12/22. PennDOT is requesting the Commission approve the right-of-way plans that include appropriation of 3 tracts of property from the Norfolk Southern Railway Company.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3028993-TUS

(PP from 8/4/2022)

DOCKET NO. A-2021-3028993

NAME AND SUBJECT: SPRINT COMMUNICATIONS COMPANY LP

Application filed on 10/6/21, seeking Commission approval for the Discontinuance and Abandonment of Competitive Local Exchange Carrier, Interexchange Carrier, and Interexchange Carrier Reseller Services to the public 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. 3029261-TUS
DOCKET NO. A-2021-3029261

NAME AND SUBJECT: THE YORK WATER COMPANY - WATER

Application filed on 10/25/21, for approval of the right to acquire certain water system assets from R.T. Barclay, Inc. d/b/a Albright Trailer Park in Springfield Township, York County, Pa. Submitted were 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

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

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (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 8/16/22, 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. 3030364-TUS
DOCKET NO. A-2022-3030364

NAME AND SUBJECT: PENNSYLVANIA AMERICAN WATER COMPANY - WASTEWATER DIVISION

Application filed on 1/6/22, for approval of the right to offer, render, furnish or supply wastewater treatment service to the public in an additional portion of Elk Township, Clarion County, Pa. Proofs of publication and service to the appropriate entities was submitted. 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. 3031890-TUS
DOCKET NO. R-2022-3031890 P-00981435F1000

NAME AND SUBJECT: NORTH-EASTERN PENNSYLVANIA TELEPHONE COMPANY
On 5/2/22, the company filed its 2022 Annual Price Stability Index/Service Price Index Report.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:
Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3032140-TUS

DOCKET NO. A-2022-3032140 A-2022-3032141 S-2022-3032143 S-2022-3032145

NAME AND SUBJECT: BARCH CORPORATION, NORTH PENN TELEPHONE COMPANY, NORTH PENN LONG DISTANCE CORPORATION D/B/A EMPIRE ACCESS SERVICES AND ENDURANCE PARENT INC

On 4/14/22, Barch Corporation (Transferor), North Penn Telephone Company (North Penn Telephone), North Penn Long Distance Corp. d/b/a Empire Access Services (“NPLD” and together with North Penn Telephone, the “Licensees”), and Endurance Parent, Inc. (Transferee) (collectively, the “Joint Applicants”), filed a Joint Application seeking approval of the transfer of control of the Licensees from Transferor to Transferee. The Joint Applicants are also requesting the registration of securities in an aggregate amount of up to \$175 million. No protests or comments 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. 3032303-TUS

DOCKET NO. P-2022-3032303

NAME AND SUBJECT: PHILADELPHIA GAS WORKS

Petition filed on 5/3/22, for approval of its Third Long Term Infrastructure Improvement Plan. In the Petition, Philadelphia Gas Works (PGW) proposes to continue its accelerated infrastructure replacement program to replace aging and deteriorating infrastructure. The Office of Consumer Advocate (OCA) filed comments on 6/2/22, requesting that PGW file additional information. PGW filed a letter responding to OCA’s comments on 6/22/22. No other comments were filed.

RECOMMENDATION: That Commission adopt the proposed Opinion and Order.

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3032607-TUS
DOCKET NO. R-2022-3032607

NAME AND SUBJECT: HERMAN OIL AND GAS COMPANY LLC

Supplement No. 57 to Tariff Gas – Pa. P.U.C. No. 4 filed on 5/24/22, to become effective on 8/1/22. On 7/1/22, Herman Oil and Gas, LLC filed Supplement No. 58 to Tariff Gas – Pa. P.U.C. No. 4 which voluntarily postpones the effective date to 9/1/22. The filing proposes to increase the late payment charge from 1.25% to 1.50%.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3032609-TUS
DOCKET NO. R-2022-3032609

NAME AND SUBJECT: RIEMER NATURAL GAS LLC

Supplement No. 4 to Tariff Gas – Pa. P.U.C. No. 1 filed on 5/24/22, to become effective on 9/1/22. The filing proposes to increase the late payment charge from 1.25% to 1.50%.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3032614-TUS
DOCKET NO. A-2022-3032614

NAME AND SUBJECT: FASTBRIDGE FIBER LLC

Application filed on 5/19/22, for approval to offer, render, furnish, or supply telecommunications services to the public as a Competitive Access Provider within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3032654-TUS
DOCKET NO. A-2022-3032654

NAME AND SUBJECT: CPV RETAIL ENERGY LP

Application filed on 5/26/22, to offer, render, furnish, or supply electricity or electric generation services as a supplier to large commercial, industrial, and governmental customers in all of the electric distribution company service territories within Pa. The company 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 Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3033295-TUS
DOCKET NO. A-2022-3033295

NAME AND SUBJECT: PULSENET INC

Application filed on 6/27/22, for approval for the Discontinuance and Abandonment of Interexchange Carrier Reseller, Competitive Access Provider, and Competitive Local Exchange Carrier Services to the public within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

LAW BUREAU

AGENDA NO. 1121115-LAW

DOCKET NO. M-00900239

NAME AND SUBJECT: PENNSYLVANIA RELAY SERVICE ADVISORY BOARD

Tentative Order proposing, pursuant to 66 Pa. C.S. § 703(g) of the Public Utility Code, that the Commission amend its 5/29/90 Order establishing the Telecommunications Relay Service Board.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

AGENDA NO. 3030002-LAW

DOCKET NO. P-2021-3030002 C-2022-3030251

**NAME AND SUBJECT: WESTOVER PROPERTY MANAGEMENT COMPANY LP D/B/A
WESTOVER COMPANIES**

Amended Petition filed on 5/13/22, seeking a Declaratory Order to resolve whether the company is subject to the Gas and Hazardous Liquids Pipelines Act. This Order addresses the Petition, concluding that material fact issues exist and that this matter should be consolidated with the existing Formal Complaint proceeding at Docket No. C 2022 3030251 pursuant to 52 Pa. Code § 5.81.

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. 2640802-ALJ

DOCKET NO. M-2018-2640802 M-2018-2640803

NAME AND SUBJECT: PITTSBURGH WATER AND SEWER AUTHORITY

Stage 2 Compliance Plan for Customer Service Issues filed on 4/9/21, and Stage 2 Compliance Plan for Stormwater Issues filed on 4/12/21. Also, on 4/9/21, Pittsburgh Water and Sewer Authority (PWSA) filed a Petition to Amend the Commission's 2/4/21 Order requesting a modified procedural process for Customer Service Issues. The Commission issued an Order on 5/20/21, suspending PWSA's stormwater tariff until 1/12/22. A Joint Petition for Settlement was filed on 6/9/22.

COMMISSION REVIEW: That the Commission adopt ALJ Vero's and ALJ Chiodo's Recommended Decision.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3029831-ALJ

DOCKET NO. A-2021-3029831 A-2021-3029833

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

Joint Application filed on 12/1/21, seeking approval to merge Peoples Natural Gas Company LLC (PNG) and Peoples Gas Company LLC (Peoples Gas) requesting Certificates of Public Convenience under Section 1102(a)(3) of the Code. On 1/3/22, the Office of Consumer Advocate and Office of Small Business Advocate filed Protests. The Pennsylvania Independent Oil and Gas Association filed a Petition to Intervene. On 2/3/22, the Bureau of Investigation and Enforcement filed a Notice of Appearance. An Evidentiary hearing was held on 5/4/22. A Joint Petition for Settlement was filed on 6/3/22.

COMMISSION REVIEW: That the Commission adopt ALJs Johnson's and Collins' Initial Decision.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3030661-ALJ

DOCKET NO. R-2022-3030661 C-2022-3031810 C-2022-3031853

NAME AND SUBJECT: PA PUC, OFFICE OF SMALL BUSINESS ADVOCATE AND OFFICE OF CONSUMER ADVOCATE VS PEOPLES NATURAL GAS COMPANY LLC

Joint Application for Approval of Intercompany Restructuring filed on 12/1/21. On 4/1/22, Peoples Natural Gas Company LLC (PNG) and Peoples Gas Company LLC filed a Pro Forma Supplement with changes to Tariff Gas Pa. P.U.C. No.47 to provide for projected changes in tariff rates resulting from changes in purchased gas costs. Various parties entered appearances in addition to the utilities, including the Bureau of Investigation and Enforcement, the Office of Small Business Advocate (OSBA), and the Office of Consumer Advocate. The Pennsylvania Independent Oil and Gas Association filed a Petition to Intervene on 4/8/22 which was granted at the 4/11/22 Prehearing Conference. A Joint Petition for Settlement, including Statements in Support were filed on 6/22/22. Although it did not join in the Settlement, the OSBA included a Letter of Non-Opposition with the Settlement.

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

Notes and Votes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3030664-ALJ

DOCKET NO. R-2022-3030664 C-2022-3031806 C-2022-3031855 C-2022-3032496

NAME AND SUBJECT: PA PUC, OFFICE OF SMALL BUSINESS ADVOCATE, OFFICE OF CONSUMER ADVOCATE AND DONNA M DURKIN VS PEOPLES GAS COMPANY LLC

On 4/1/22, Peoples Gas Company LLC submitted its definitive filing pursuant to 66 Pa. C.S. § 1307(f) for its purchased gas cost rate to be effective on and after 10/1/22. By operation of 66 Pa. C.S. § 1307(f)(2), the Commission commenced an investigation to determine the lawfulness, justness and reasonableness of the proposed rates and to satisfy the requirements of Sections 1307, 1317 and 1318 of the Public Utility Code. Various parties entered appearances in addition to the utility, including the Bureau of Investigation and Enforcement (BIE), the Office of Small Business Advocate, and the Office of Consumer Advocate. The Pennsylvania Independent Oil & Gas Association filed a Petition to Intervene on 4/8/22. Subsequently, Retail Energy Supply Association (RESA) and NRG Energy, Inc. (NRG) filed a Petition to Intervene on 4/21/22. On 5/26/22, a Telephonic Evidentiary Hearing was held for the purpose of admitting pre-served testimony. A Joint Petition for Settlement, including Statements in Support were filed on 6/22/22. BIE, RESA and NRG did not join in the Settlement; however, each provided a letter of non-opposition which was attached to the Settlement.

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

Notes and Votes:

Chairman Dutrieuille
Vice Chairman Coleman
Commissioner Yanora

AGENDA NO. 3031172-ALJ

DOCKET NO. R-2022-3031172 C-2022-3031435 C-2022-3031752

NAME AND SUBJECT: PA PUC, OFFICE OF CONSUMER ADVOCATE AND OFFICE OF SMALL BUSINESS ADVOCATE VS COLUMBIA GAS OF PENNSYLVANIA INC

Supplement No. 341 to Columbia Gas of Pennsylvania, Inc. (Columbia) Tariff Gas Pa. P.U.C. No. 9 filed on 4/1/22 proposing a decrease in its Purchased Gas Cost rates. On 3/16/22, the Office of Consumer Advocate (OCA) filed a Formal Rate Complaint. On 4/5/22, the Office of Small Business Advocate (OSBA) filed a Formal Rate Complaint. The Bureau of Investigation and Enforcement (BIE) entered an Appearance on 3/16/22. The Pennsylvania State University (PSU) filed a Notice of Appearance on 4/5/22 and filed a Petition to Intervene on 4/15/22. The Petition to Intervene was granted without objection on 6/3/22. A Prehearing Conference was held on 4/6/22. On 6/22/22, Columbia and OCA filed a Joint Petition for Settlement of Rate Investigation (Settlement) pursuant to 66 Pa. C.S. § 1307(f). Statements in Support of the Settlement were filed by Columbia and OCA, as well as letters of non-opposition from PSU and BIE. OSBA filed correspondence on 6/23/22, advising it did not oppose the Settlement.

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

Notes and Votes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

August 25, 2022

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 3017229-OSA

DOCKET NO. C-2020-3017229

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS VERDE ENERGY USA INC

The Bureau of Investigation and Enforcement (BIE) filed a Formal Complaint on 1/30/20, against Verde Energy USA, Inc. (Verde). On 2/24/20, the Office Consumer Advocate (OCA) filed a Notice of Intervention. On 6/30/20, Verde filed an Answer to the Formal Complaint. On that same date, BIE and Verde (Joint Petitioners) filed a Joint Petition for Approval of Settlement (Joint Petition). On 7/10/20, the OCA filed a letter stating its intention to file a Statement in Opposition to the Joint Petition. On 1/21/22, ALJ Pell issued the Initial Decision (ID). On 2/10/22, the OCA filed Exceptions to ALJ Pell's ID in the above-captioned proceeding. On 2/25/22, both the BIE and Verde filed Reply Exceptions.

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. 3032042-TUS

DOCKET NO. P-2022-3032042

NAME AND SUBJECT: UGI UTILITIES INC - ELECTRIC DIVISION

Petition filed on 4/20/22, for approval of the Second Long-Term Infrastructure Improvement Plan (LTIIP). A Secretarial Letter was issued on 7/19/22 to extend the LTIIP review period to 8/31/22. No comments were filed.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Coleman

Commissioner Yanora