

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, OCTOBER 27, 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
Kathryn L. Zerfuss	Stephen M. DeFrank	Gladys Brown Dutrieuille	Ralph V. Yanora	John F. Coleman, Jr.

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

Minutes of the Meeting of Thursday, August 25, 2022 (RY)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, NOVEMBER 10, 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, NOVEMBER 9, 2022, AT 1:30 PM IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING AS WELL AS VIA TELECONFERENCE. A SPECIAL EXECUTIVE SESSION WAS HELD ON FRIDAY, OCTOBER 21, 2022, AT 10:00 AM. THE COMMISSION ALSO HELD AN EXECUTIVE SESSION ON WEDNESDAY, OCTOBER 26, 2022.

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

October 27, 2022

BUREAU OF AUDITS

AGENDA NO. 3034874-AUD

DOCKET NO. D-2022-3034874

NAME AND SUBJECT: MANAGEMENT AUDITS AND MANAGEMENT EFFICIENCY INVESTIGATIONS

Annual Report addressing the findings of all Management Audits and Management Efficiency Investigations completed by the Bureau of Audits during the fiscal year 2021-2022.

RECOMMENDATION: That the Annual Report be made public.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 2633098-OSA

DOCKET NO. M-2022-2633098

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS NATIONAL GAS & ELECTRIC LLC

Informal Investigation conducted by the Bureau of Investigation and Enforcement (BIE) based on information referred by the Office of Competitive Market Oversight (OCMO). Six informal complaints were made by National Gas & Electric, LLC's (NG&E) customers regarding possible overcharges or unauthorized enrollments. BIE determined that NG&E and/or its agents engaged in slamming and engaged in fraudulent, deceptive, or otherwise unlawful acts in the process of marketing and selling electric generation supplier services. A Joint Petition was filed on 8/29/22, for Approval of Settlement (Settlement Agreement) and Statements in Support of Settlement to resolve the informal investigation. The Settlement Agreement, inter alia, imposes a \$15,250 civil penalty on NG&E.

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

Notes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3003506-OSA

DOCKET NO. A-2018-3003506

NAME AND SUBJECT: ABBAS TRANSPORTATION SERVICES LLC

Application filed on 2/13/19, requesting a permit for contract carrier of passengers (February 2019 Application). On 4/29/19, the Commission issued a Secretarial Letter denying and dismissing the February 2019 Application for lack of response to 2/27/19 data requests. Abbas Transportation Services, LLC (Abbas) filed a Petition for Reconsideration from Staff Action on 5/7/19 (First Petition). By Order entered 6/18/20 (June 2020 Order) the Commission granted Abbas' First Petition and referred the matter to the Bureau of Technical Utility Services (TUS) for such action as may be warranted. On 7/23/20, the Commission issued a Secretarial Letter denying and dismissing the February 2019 Application for failure to fully comply with a Commission data request. Abbas filed a second Petition for Reconsideration from Staff Action on 7/30/20 (Second Petition). By Order entered 7/15/21 (July 2021 Order) the Commission granted Abbas' Second Petition and referred the matter to TUS for such action as may be warranted. On 9/16/21, the Commission issued a Secretarial Letter denying and dismissing the February 2019 Application for failure to comply with a Commission data request. Abbas filed a Petition for Rescission on 4/20/22 (Third Petition).

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

Notes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3016286-OSA
DOCKET NO. C-2020-3016286

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS G & Y
TRANSPORTATION LLC**

Formal Complaint (FC) filed on 1/21/20, alleging that Respondent failed to maintain evidence of insurance on file with the Commission. The Bureau of Investigation and Enforcement (BIE) sought a civil penalty of \$500 for the alleged violation. On 1/21/20, the FC was served on Respondent. It did not file an Answer to the Complaint. On 1/27/21, the Commission issued a Secretarial Letter (January 2021 Secretarial Letter) notifying Respondent that it was assessed a civil penalty of \$500 for failure to maintain evidence of insurance on file with the Commission. On 2/16/21, Respondent filed a timely Petition for Reconsideration from Staff Action (Petition) of the January 2021 Secretarial Letter. No Answer to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3020667-OSA
DOCKET NO. A-2020-3020667

NAME AND SUBJECT: PENNDOT

Application filed on 7/2/20, for approval to alter the crossings where State Route 3104 crosses, above grade, the tracks of CSX Transportation, Inc. (DOT 584 825 U), Norfolk Southern Railway Company (DOT 507 455 K), and the Pittsburgh and Ohio Central Railroad Company (DOT Unknown) in the City of Pittsburgh, Stowe Township and McKees Rocks Borough, Allegheny County, Pa.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3020719-OSA
DOCKET NO. F-2020-3020719

NAME AND SUBJECT: REBECCA JURICH VS AQUA PENNSYLVANIA INC
Formal Complaint (FC) filed on 4/13/20, challenging Complainant’s responsibility for the payment of misbilling in connection with rebilling charges not previously assessed because of defective telemetry device. On 7/29/20, Aqua Pennsylvania, Inc. (Aqua) filed an Answer denying misbilling. The FC was assigned to the OALJ for hearings and the issuance of an Initial Decision (ID). By ID issued 5/19/22, ALJ Buckley dismissed the FC. On 6/10/22, the Complainant filed Exceptions, and on 6/22/22, Aqua filed Replies to the Complainant’s Exceptions.

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

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

AGENDA NO. 3022179-OSA
DOCKET NO. C-2020-3022179

NAME AND SUBJECT: STONEYBANK DEVELOPMENT LLC VS THE WALNUT HILL UTILITY COMPANY
Formal Complaint (FC) filed on 9/24/20. The Walnut Hill Utility Company (Walnut Hill) filed Preliminary Objections and an Answer to the FC on 10/19/20. On 4/1/21, StoneyBank Development LLC (StoneyBank) filed a Petition to Withdraw its FC (Petition to Withdraw). On 4/21/21, the Commission served the Initial Decision (ID) of DCALJ Cheskis which granted StoneyBank’s Petition to Withdraw. No Exceptions to the ID were filed and on 5/25/21, the Commission entered its Final Order noting that the ID had become final without further Commission action. On 6/28/22, StoneyBank filed a Petition for Rescission of the Final Order (Petition for Rescission) pertaining to the ID. Walnut Hill filed an Answer to the Petition for Rescission on 7/26/22.

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

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

AGENDA NO. 3025071-OSA
DOCKET NO. C-2021-3025071

NAME AND SUBJECT: REUBEN TEHRANI VS PHILADELPHIA GAS WORKS

Formal Complaint (FC) filed on 3/18/21, alleging that there were incorrect charges on Complainant's bills, that he should have been placed on Philadelphia Gas Works (PGW) Customer Responsibility Program (CRP), that he was entitled to a bill credit under PGW's CRP, and that he has been without gas service since 2018. On 4/28/21, PGW filed an Answer and New Matter and Preliminary Objections denying that the Complainant had been billed incorrectly, admitting that the Complainant's CRP Application was rejected because the Complainant's household was over the income guidelines for CRP and that the Complainant's gas service was terminated in 2018, and asserting that the FC was barred by the statute of limitations set forth in Section 3314 of the Public Utility Code, 66 Pa. C.S. § 3314. On 7/1/21 a telephonic hearing was held. On 11/4/21, the Commission issued the Initial Decision of ALJ Guhl which entered the Complainant's late-filed exhibits into the record, denied PGW's Preliminary Objections, and dismissed the FC. On 11/22/21, the Complainant filed Exceptions with informational attachments. No Replies to the Exceptions were filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3027092-OSA
DOCKET NO. F-2021-3027092

NAME AND SUBJECT: PATRICIA WASSERMAN VS PPL ELECTRIC UTILITIES CORPORATION

Formal Complaint (FC) filed on 6/1/21, averring, inter alia, that PPL Electric Utilities Corporation (PPL) improperly transferred an account balance from her previous address to her current address and that PPL did not provide her with a clear explanation of the charges on her electric bill. On 7/28/21, PPL filed an Answer admitting, in part, and denying, in part, the allegations in the FC. A telephonic evidentiary hearing was held on 11/2/21. By Initial Decision served on 3/28/22, ALJ Heep granted the FC, in part, and denied the FC, in part. The Complainant filed Exceptions on 4/8/22, and PPL filed Replies to Exceptions on 4/18/22. On 8/4/22, the Commission entered an Order denying the Complainant's Exceptions. On 8/25/22, the Complainant filed a Petition for Reconsideration (Petition) of the 8/4/22 Order. No Answer to the Petition has been filed. The Commission entered an Opinion and Order on 8/30/22 to preserve Commission jurisdiction.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3027385-OSA

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

NAME AND SUBJECT: PA PUC, ET AL VS AQUA PENNSYLVANIA INC AND AQUA PENNSYLVANIA WASTEWATER 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. On 5/16/22, the Commission entered an Opinion and Order (May 2022 Order) on the above rate increase requests. On 5/31/22, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (Aqua) filed a Petition for Reconsideration/Clarification (Aqua Petition), the Office of Small Business Advocate (OSBA) filed a Petition for Reconsideration and Clarification (OSBA Petition) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a Petition for Reconsideration and/or Clarification (CAUSE-PA Petition). Aqua filed Answers to both the OSBA and CAUSE-PA Petitions, respectively, on 6/10/22. Also on that date, the Office of Consumer Advocate filed an Answer to the Petitions of Aqua, the OSBA and CAUSE-PA. On 6/8/22, the Commission issued an Opinion and Order, granting reconsideration and preserving the Commission’s jurisdiction of the Petitions for Reconsideration/Clarification.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3028202-OSA

DOCKET NO. C-2021-3028202

NAME AND SUBJECT: AMANDA POLK HERR VS WEST PENN POWER COMPANY

Formal Complaint (FC) filed on 8/20/21, alleging that Respondent is threatening to terminate her service and that she would like a payment arrangement. On 9/20/21, the Respondent filed an Answer and New Matter. An initial hearing was convened on 12/14/21, at which the Complainant failed to attend. In an Initial Decision, issued on 3/21/22, ALJ Long dismissed the FC and recommended that the Complainant be barred from filing further Complaints regarding her electric utility account balance until she pays that balance in full. On 4/8/22, the Complainant filed Exceptions; the Respondent filed Replies to Exceptions on 4/29/22. On 9/15/22, the Commission entered an Opinion and Order in this matter. On 9/30/22, the Complainant filed a Petition for Reconsideration (Petition). No response to the Petition has been filed. The Commission engaged in a notational vote process of the Petition. On 10/13/22, the Commission entered the Opinion and Order to grant the Petition.

RECOMMENDATION: That, consistent with 4 Pa. Code § 1.43(c), this action be recorded and entered in the minutes of this public meeting.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3029570-OSA
DOCKET NO. F-2021-3029570

NAME AND SUBJECT: PATRICIA J VAUGHN VS PPL ELECTRIC UTILITIES CORPORATION
Formal Complaint (FC) filed on 10/25/21, alleging improper charges on Complainant’s bill due to an incorrect finding of foreign wiring in a rental unit owned by the Complainant. On 12/7/21, the Respondent filed an Answer denying the material allegations of the FC. An initial hearing was convened on 2/2/22. In an Initial Decision, issued on 6/9/22, ALJ Chiodo sustained the Complaint, directed the removal of the disputed charges, and imposed a \$500 civil penalty on the Respondent. On 6/29/22, the Respondent filed Exceptions; the Complainant filed Replies to Exceptions on 7/8/22.

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

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

AGENDA NO. 3030122-OSA
DOCKET NO. F-2021-3030122

NAME AND SUBJECT: TERRI WILLIAMS VS PHILADELPHIA GAS WORKS
Formal Complaint (FC) filed on 12/20/21, in which Complainant alleged Philadelphia Gas Works (PGW) was threatening to shut off her service or had already shut off her service and that there were incorrect charges on her bill. As relief, the Complainant requested that she be placed back on her prior payment arrangement. On 1/10/22, PGW filed an Answer that denied there were incorrect charges on the Complainant’s bill and requested dismissal of the FC. A hearing was held on 4/5/22 before Special Agent Maguire. On 7/25/22, the Commission issued the Initial Decision (ID) of Special Agent Maguire which denied the Complainant’s request for a Commission-issued payment arrangement and dismissed the FC. The Complainant filed Exceptions to the ID on 8/12/22. No Replies to Exceptions were filed.

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

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

AGENDA NO. 3030679-OSA
DOCKET NO. C-2022-3030679

NAME AND SUBJECT: ROBERTA ZENMON VS PENNSYLVANIA POWER COMPANY

Formal Complaint filed on 12/27/21, alleging incorrect charges and requested a payment arrangement. On 2/22/22, Pennsylvania Power Company (Penn Power) filed an Answer and New Matter. On 4/27/22, a telephonic hearing was held in this matter. On 8/23/22, the Initial Decision of ALJ Dunderdale was issued. The Complainant filed Exceptions on 9/7/22. Penn Power filed Replies to Exceptions on 9/22/22.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031475-OSA
DOCKET NO. C-2022-3031475

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS JERWIN CULMER T/A CULMER MOVING

Formal Complaint (FC) filed on 3/18/22, alleging that Respondent violated various sections of the Public Utility Code by providing or furnishing the transportation of household property between points within Pa. by motor vehicle for compensation without holding a valid Certificate of Public Convenience, permit or license issued by the Commission. The Bureau of Investigation and Enforcement (BIE) requested, inter alia, that the Respondent be ordered to pay a civil penalty of \$10,000. The Respondent did not file an Answer to the FC. On 4/18/22, BIE filed a Motion for Default Judgment (Motion), requesting that the Commission direct the Respondent to pay the outstanding civil penalty. No Answer to the Motion was filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031693-OSA
DOCKET NO. C-2022-3031693

NAME AND SUBJECT: IRENA PORTER VS PHILADELPHIA GAS WORKS

Formal Complaint (FC) filed on 3/28/22, alleging incorrect charges on Complainant's bill and false allegations on her account. On 4/20/22, Philadelphia Gas Works (PGW) filed an Answer and New Matter and Preliminary Objection to the FC. An evidentiary hearing convened on 7/21/22, but the Complainant failed to appear for the hearing. In an Initial Decision issued 8/15/22, ALJ Johnson dismissed the FC with prejudice for failure to prosecute. On 9/5/22, the Complainant filed Exceptions. Replies to Exceptions were filed by PGW on 9/16/22.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031862-OSA
DOCKET NO. C-2022-3031862

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS WEST PENN UTILITIES

Formal Complaint (FC) filed on 4/11/22, alleging that West Penn Utilities (West Penn) violated the PA One Call Law by failing to submit a Complex Project Ticket at least ten days prior to commencing excavation. The Bureau of Investigation and Enforcement (BIE) requested that West Penn be ordered to pay a civil penalty of \$2,500. West Penn did not file an Answer to the FC. On 5/24/22, BIE filed a Motion for Default Judgment (Motion), requesting that the Commission direct West Penn to pay the outstanding civil penalty. No Answer to the Motion was filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3032701-OSA
DOCKET NO. C-2022-3032701

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS N & W TRANSPORTATION LLC

Formal Complaint (FC) filed on 5/31/22, alleging that Respondent failed to file assessment reports for the 2019 and 2020 calendar years and failed to pay its assessment amount for Fiscal Years 2020-2021 and 2021-2022. The Bureau of Investigation and Enforcement (BIE) requested that the Respondent be ordered to pay \$896 (consisting of the outstanding assessment balance of \$296 and a civil penalty of \$600) and that, inter alia, the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the FC. On 7/29/22, BIE filed a Motion for Default Judgment (Motion), requesting that the Commission direct the Respondent to pay the outstanding assessments and the total civil penalty. No Answer to the Motion was filed.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3033069-OSA
DOCKET NO. A-2022-3033069

NAME AND SUBJECT: NORFOLK SOUTHERN RAILWAY COMPANY

Letter Application filed on 6/15/22, requesting approval of proposed bridge repair plans that would address repairs in response to a recent bridge inspection at the public crossing (DOT 510 521 Y), where Washington Street crosses, above grade, the tracks of Norfolk Southern Railway Company (Norfolk Southern), Port Authority of Allegheny County East Busway and Waverly Avenue located in the Borough of Swissvale, Allegheny County, Pa. and exemptions from the minimum side clearances required by 52 Pa. Code, Section 33.122. A Secretarial Letter was issued by the Commission on 7/6/22 approving the repair plans. On 8/18/22, the instant Petition for Rescission (Petition) was filed by Norfolk Southern. The Borough of Swissvale (Borough) filed an Answer to the Petition on 8/31/22. Additionally, on 8/31/22, the Borough filed a Motion to Join Additional Respondent (Motion). The Port Authority of Allegheny County filed an Answer to the Motion on 9/20/22.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3033180-OSA
DOCKET NO. C-2022-3033180

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS JOHN THOMAS HARNISH

Formal Complaint (FC) filed on 6/22/22, alleging that Respondent failed to pay the assessment amount for Fiscal Year 2020-2021. The Bureau of Investigation and Enforcement (BIE) requested that the Respondent be ordered to pay \$332 (consisting of the outstanding assessment balance of \$282 and a civil penalty of \$50) and that, inter alia, the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 8/17/22, BIE filed a Motion for Default Judgment (Motion), requesting that the Commission direct the Respondent to pay the outstanding assessments and civil penalty. No Answer to the Motion was filed.

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

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

AGENDA NO. 3033314-OSA
DOCKET NO. C-2022-3033314

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS MIKE BROSTROM TRUCKING LLC

Formal Complaint (FC) filed on 6/27/22, alleging that Respondent failed to file assessment reports for the 2019 and 2020 calendar years and failed to pay its assessment amount for Fiscal Years 2020-2021 and 2021 2022. The Bureau of Investigation and Enforcement (BIE) requested that the Respondent be ordered to pay \$1,288 (consisting of the outstanding assessment balance of \$678 and a civil penalty of \$610) and that, inter alia, the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the FC. On 8/15/22, BIE filed a Motion for Default Judgment (Motion), requesting that the Commission direct the Respondent to pay the outstanding assessments and the total civil penalty. No Answer to the Motion was filed.

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

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

AGENDA NO. 3033350-OSA
DOCKET NO. A-2022-3033350 A-8925334

NAME AND SUBJECT: ALDERFER AUTO LLC

Application filed on 6/22/22, for motor common carrier of property. On 6/29/22, the Commission issued a Secretarial Letter (June 2022 Secretarial Letter) denying the Application. On 7/1/22, the Applicant filed a Petition for Reconsideration of Staff Action in response to the June 2022 Secretarial Letter.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3033570-OSA
DOCKET NO. A-2022-3033570 A-6425219

NAME AND SUBJECT: COMPASSION TRANSPORT LLC

Application filed on 6/15/22, for the right to begin to transport as a common carrier, by motor vehicle of persons in limousine service. By Secretarial Letter issued on 7/8/22 (July 8, 2022 Secretarial Letter), the Commission requested additional information to process the Application. On 7/19/22, the Applicant submitted a response to the July 8, 2022 Secretarial Letter. By Secretarial Letter issued on 7/20/22 (July 20, 2022 Secretarial Letter), the Commission denied the Application for failure to establish financial fitness. On 7/28/22, Applicant filed a Petition for Reconsideration of Staff Action (Petition) in response to the July 20, 2022 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 DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035282-OSA

DOCKET NO. A-2022-3035282 A-6425553

NAME AND SUBJECT: BLAKK PEARL LLC

Application filed on 9/14/22 for motor common carrier of persons group and party service in vehicles seating 11 to 15, including the driver. By Secretarial Letter issued 9/16/22, the Commission dismissed the Application for non-compliance. On 9/16/22, the Company filed a Petition for Reconsideration (Petition). 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 DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO. 2293611-TUS

DOCKET NO. M-2012-2293611

NAME AND SUBJECT: DISTRIBUTION SYSTEM IMPROVEMENT CHARGE - ACT 11

Secretarial Letter (April Secretarial Letter) issued on 4/22/22, to provide interested parties notice and an opportunity to be heard and to initiate a generic proceeding for the purpose of revising the Model Tariff adopted by the Commission on 8/2/12, to comply with Section 1301.1(a) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1301.1(a), as interpreted by the Pennsylvania Supreme Court in McCloskey v. Pa. Public Utility Commission, 255 A.3d 416 (McCloskey). The April Secretarial Letter initiated the generic proceeding and sought comments within thirty (30) days from interested parties addressing four key topics, which will facilitate resolution of the issues stemming from the McCloskey decision described in the Letter. Subsequently, the Commission extended the timeframe for filing comments to 7/22/22.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3024204-TUS

DOCKET NO. A-2021-3024204

NAME AND SUBJECT: PENNDOT

Application filed on 2/18/21 for approval to alter the public crossing (DOT No. 545 164 X) by removing the existing overhead bridge and constructing a new bridge on a new alignment where State Route 1060 (Bridge Street) crosses over the tracks of Norfolk Southern Railway Company and over the Kiskiminetas River in Bell Township, Westmoreland County, Pa. and in Kiskiminetas Township, Armstrong County, Pa.; and the allocation of costs incident thereto.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3029231-TUS

DOCKET NO. A-2021-3029231 A-2021-3029237

NAME AND SUBJECT: YORK WATER COMPANY - WASTEWATER AND SYC WWTP LP

Joint Application filed on 10/20/21, for approval of: (1) the transfer by sale of certain public wastewater facilities and rights from SYC WWTP, L.P. (SYC) to the York Water Company – Wastewater (York Water-WW); (2) the transfer by sale of wastewater collection facilities from Almony’s Enterprise, LLC, Adhesives Research, Inc., Madison Range, Inc., Rodney L. Krebs, Rodney L. Krebs Family L.P., SCI/RLK Partners, and R.T. Barclay, Inc. to York Water-WW; (3) the transfer by sale of wastewater collection facilities within Albright Trailer Park from R.T. Barclay, Inc. to York Water-WW; (4) the abandonment by SYC of wastewater service to the public in Springfield and Shrewsbury Townships, York County, Pa.; and (5) York Water-WW to begin to offer, render, furnish or supply wastewater service to the public in additional portions of Springfield and Shrewsbury Townships, York County, Pa. York Water-WW 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 DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3030012-TUS

DOCKET NO. P-2021-3030012 P-2021-3030013 P-2021-3030014 P-2021-3030021

NAME AND SUBJECT: METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY, PENNSYLVANIA POWER COMPANY AND WEST PENN POWER COMPANY

Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (collectively FirstEnergy) filed on 9/2/22, for approval to modify their procurement schedules included in their sixth default service programs.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

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

NAME AND SUBJECT: ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS
Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language. As of 10/18/22, 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.

Votes and Notes:
Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3030949-TUS
DOCKET NO. A-2022-3030949

NAME AND SUBJECT: EARTHGRID PBC
Application filed on 2/12/22, 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 DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031498-TUS
DOCKET NO. A-2022-3031498

NAME AND SUBJECT: AQUA PENNSYLVANIA INC
Application filed on 3/21/22, for approval to offer, render, furnish and supply water service to the public in a portion of Mount Joy Township, Adams County, Pa. Aqua Pennsylvania, Inc. 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 DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031502-TUS
DOCKET NO. A-2022-3031502

NAME AND SUBJECT: AQUA PENNSYLVANIA WASTEWATER INC

Application filed on 3/21/22, for approval to offer, render, furnish and supply wastewater service to the public in an additional portion of Mount Joy Township, Adams County, Pa. Aqua Pennsylvania Wastewater, Inc. 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 DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031842-TUS
DOCKET NO. A-2022-3031842

NAME AND SUBJECT: ONVOY LLC

Application filed on 4/8/22, for approval for expanded authority to offer, render, furnish, or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the service territories of TDS Telecom/Mahanoy & Manhantango Telephone Company; TDS Telecom/Deposit Telephone Company, Inc; and TDS Telecom/Sugar Valley Telecom Company.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

303220

AGENDA NO. 3033574-TUS
DOCKET NO. A-2022-3033574

NAME AND SUBJECT: FRONT LINE POWER SOLUTIONS LLC

Application filed on 7/7/22, for a license to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to small commercial, large commercial, industrial, and governmental customers, as well as residential and small commercial (limited to mixed meters) customers, in all of the electric distribution company service territories within Pa. Also, 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 DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3034130-TUS
DOCKET NO. A-2022-3034130

NAME AND SUBJECT: VALUE ADDED COMMUNICATIONS INC

Application filed on 7/28/22, seeking a Certificate of Public Convenience pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(2), evidencing Commission approval of the discontinuance and abandonment of Interexchange Carrier Reseller (IXC-R) services to the public within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3034134-TUS
DOCKET NO. A-2022-3034134

NAME AND SUBJECT: PUBLIC COMMUNICATIONS SERVICES INC

Application filed on 7/28/22, seeking a Certificate of Public Convenience pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(2), evidencing Commission approval of the discontinuance and abandonment of Interexchange Carrier Reseller (IXC-R) services to the public within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3034224-TUS
DOCKET NO. A-2022-3034224

NAME AND SUBJECT: PPL ELECTRIC UTILITIES CORPORATION

Letter of Notification filed on 8/2/22, for approval to reconstruct a section of the Saegers-Elimsport/Clinton-Elimsport 230 kV Transmission Line and Saegers-Elimsport/Saegers-Clinton 230 kV Transmission Line located in Brady, Clinton, and Washington Townships, Lycoming County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3034375-TUS
DOCKET NO. A-2022-3034375

NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC

Application filed on 8/8/22, seeking a Certificate of Public Convenience, pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. § 1102(a)(2), authorizing it to abandon natural gas distribution service to one inactive residential premises located in Dunbar, Fayette County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3034397-TUS
DOCKET NO. A-2022-3034397

NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC

Application filed on 8/10/22, seeking a Certificate of Public Convenience, pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. §1102(a)(2), authorizing the company to abandon natural gas distribution service to one residential premises located in New Castle, Lawrence County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3034614-TUS
DOCKET NO. S-2022-3034614

NAME AND SUBJECT: PITTSBURGH WATER AND SEWER AUTHORITY

Securities Certificate filed on 08/22/22, for issuance of indebtedness in an amount not to exceed \$125 million. The company requested the securities certificate be registered by 10/20/22, and voluntarily extended the statutory consideration period date, requesting that it be considered prior to the next scheduled public meeting date of 10/27/22. No protests were filed. The Commission engaged in a notational vote process of the Opinion and Order. On 10/13/22, the Commission entered the Order registering the securities certificate and served the same day.

RECOMMENDATION: That, consistent with 4 Pa. Code §1.43(c), this action be recorded and entered in the minutes of the public meeting.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3034637-TUS
DOCKET NO. A-2022-3034637

NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC

Application filed on 8/22/22, seeking a Certificate of Public Convenience, pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. § 1102(a)(2), authorizing the company to abandon natural gas distribution service to one commercial premises located in Somerset, Somerset County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3034805-TUS
DOCKET NO. M-2022-3034805

NAME AND SUBJECT: CANCELLATION OF MOTOR CARRIER CERTIFICATE OF PUBLIC CONVENIENCE

Commission records indicate that the common carriers listed in Appendix A to the proposed order have failed to have acceptable evidence of insurance on file with the Commission as required by Section 512 of the Public Utility Code. The Motor Carrier Compliance Office sent a suspension letter to each carrier listed in the Tentative Order notifying them that they had 15 days to have acceptable evidence of insurance filed or move to abandon their Certificate of Public Convenience (CPC) and warning them that failure to act would result in the cancellation of their CPC. None of the listed carriers responded to the letters.

RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3034813-TUS
DOCKET NO. S-2022-3034813

NAME AND SUBJECT: PITTSBURGH WATER AND SEWER AUTHORITY

Securities Certificate filed on 8/29/22, for issuance of indebtedness in an amount not to exceed \$110 million. The company requested the securities certificate be registered by 10/20/22, and voluntarily extended the statutory consideration period date, requesting that it be considered prior to the next scheduled public meeting date of 10/27/22. No protests were filed. The Commission engaged in a notational vote process of the Opinion and Order. On 10/13/22, the Commission entered the Order registering the securities certificate and served the same day.

RECOMMENDATION: That, consistent with 4 Pa. Code §1.43(c), this action be recorded and entered in the minutes of the public meeting.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3034851-TUS
DOCKET NO. A-2022-3034851

NAME AND SUBJECT: RELIABLE POWER ALTERNATIVES CORPORATION

Application accepted on 9/1/22, to offer, render, furnish, or supply natural gas services as a broker/marketer to small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, PECO Energy Company, Peoples Natural Gas Company, LLC, Philadelphia Gas Works, UGI Utilities, Inc., and Valley Energy, Inc. within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035002-TUS
DOCKET NO. R-2022-3035002 P-00981410F1000

NAME AND SUBJECT: UNITED TELEPHONE COMPANY OF PENNSYLVANIA LLC D/B/A CENTURYLINK

2022 Price Stability Index/Service Price Index Report filed 9/6/22.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035015-TUS
DOCKET NO. A-2022-3035015

NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC

Application filed on 9/6/22, seeking a Certificate of Public Convenience, pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. § 1102(a)(2), authorizing the company to abandon natural gas distribution service to one commercial and two residential premises located in Ellwood City, Beaver County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035196-TUS
DOCKET NO. M-2022-3035196

NAME AND SUBJECT: QUARTERLY EARNINGS REPORT OF JURISDICTIONAL UTILITIES

The Bureau of Technical Utility Services staff has completed a report representing the earned and adjusted returns on rate base and common equity capital for Pennsylvania non-telephone fixed utilities with jurisdictional operating revenues of over \$10,000,000. The report includes detailed, market-based analysis of the current cost of equity across industry-wide groups for the quarter ended 6/30/22.

RECOMMENDATION: That the Commission make the earnings report public.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035223-TUS
DOCKET NO. S-2022-3035223

NAME AND SUBJECT: THE COLUMBIA WATER COMPANY

Securities Certificate filed on 9/14/22, for the issuance of a term loan in the amount of \$1,850,000. The company voluntarily extended the statutory consideration period to 10/27/22.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035469-TUS
DOCKET NO. A-2022-3035469

NAME AND SUBJECT: COMBINED PUBLIC COMMUNICATIONS LLC

Application filed on 9/9/22, for approval to offer, render, furnish, or supply telecommunications services as an Interexchange Carrier Reseller (detariffed) within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

LAW BUREAU

AGENDA NO. 2275748-LAW

DOCKET NO. P-2011-2275748

NAME AND SUBJECT: T-MOBILE NORTHEAST AND T-MOBILE CENTRAL LLC

Petition filed on 9/1/22, pursuant to 47 U.S.C. § 214(e)(4) of the United States Code and 47 C.F.R. § 54.205 of the Code of Federal Regulations, seeking relinquishment of T-Mobile Northeast LLC and T-Mobile Central LLC (T-Mobile) eligible telecommunications carrier (ETC) designation for purposes of seeking low-income support only, effective 12/31/22. T-Mobile served each of the statutory advocates and all alternative ETC carriers in Pa. No responses were filed to T-Mobile's Petition.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 2524863-LAW

DOCKET NO. A-2016-2524863

NAME AND SUBJECT: SUNSTAR C&E SERVICES LLC

Petition for Reconsideration filed on 3/11/22 seeking (1) reconsideration of the Commission's Final Order (entered 3/3/22), cancelling its license to serve as a broker/marketer of electric generation supplier services and (2) reinstatement of its license. The company's license was cancelled due to its failure to maintain a valid financial security with the Commission as required by the Public Utility Code, 66 Pa.C.S. § 2809(c)(1)(i), and Commission regulations, 52 Pa. Code § 54.40.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3021129-LAW
DOCKET NO. A-2020-3021129

NAME AND SUBJECT: PENNDOT

Instant Petition filed on 9/2/22 to transfer jurisdiction in this matter to the Court of Common Pleas of Dauphin County, Pa., pursuant to 66 Pa.C.S. § 2704, for the filing of a petition to deposit the estimated just compensation amount into court pursuant to the Eminent Domain Code, 26 Pa.C.S. § 307. PennDOT has determined that the just compensation for the property appropriation is \$44,100 which, as of the date of this Petition, has not been accepted by Norfolk Southern Railway Company.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3030952-LAW
DOCKET NO. P-2022-3030952

NAME AND SUBJECT: CREEKSIDE HOMEOWNER'S ASSOCIATION

Order disposing of the Creekside Homeowner's Association Petition requesting that the Commission issue a Declaratory Order concluding that the Association is a bona fide cooperative association within the meaning of 66 Pa.C.S. § 102 and that, therefore, its provision of water treatment and distribution services to its members does not constitute public utility service.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

OFFICE OF ADMINISTRATIVE LAW JUDGE

AGENDA NO. 3001161-ALJ

DOCKET NO. I-2018-3001161 M-2018-2645983

NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS NORTH HEIDELBERG SEWER COMPANY

Investigation initiated on 2/9/18, under 66 Pa.C.S. § 529, into whether the Commission should order a capable public utility to acquire the wastewater system assets of the North Heidelberg Sewer Company. The Commission Order initiating the investigation appointed Aqua Pennsylvania Wastewater, Inc. as receiver to operate the system during the pendency of the Section 529 investigation. On 5/13/22, the Joint Petitioners filed a Joint Petition for Approval of Settlement and Statements in Support of the Settlement. Exceptions were filed then subsequently withdrawn by John Guenther, Jr. By Secretarial letter dated 8/26/22, the Commission granted the withdrawal of exceptions.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3018867-ALJ

DOCKET NO. P-2020-3018867

NAME AND SUBJECT: PHILADELPHIA GAS WORKS

Amended 2017-2020 Universal Service and Energy Conservation Plan (USECP) filed on 1/6/20, which proposed the implementation of a CRP Pilot Program. On 2/21/20, Philadelphia Gas Works (PGW) filed a Petition for Expedited Review of the amended USECP. On 3/26/20, the Commission granted the Petition for Expedited Review and approved PGW's amended USECP and CRP Pilot Program. On appeal, the Commonwealth Court vacated and remanded the Commission's 3/26/20, Order. A Prehearing Conference was held on the remanded proceeding on 12/20/21. A Joint Petition for Settlement of all issues was filed on 8/1/22.

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

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3031113-ALJ

DOCKET NO. R-2022-3031113 C-2022-3031737 C 2022-3031858 C-2022-3032107 C-2022-3032005 C-2022-3033273 C-2022-3033921

NAME AND SUBJECT: PA PUC, ET AL VS PECO ENERGY COMPANY - GAS DIVISION

On 3/31/22 PECO Energy Company – Gas Division filed Tariff Gas – Pa. P.U.C. No. 5, for approval of an annual increase in additional distribution revenue. Several Formal Complaints and a Petition to Intervene were filed. An Evidentiary Hearing was held on 8/12/22. A Joint Petition for Full Settlement of Rate Proceeding was filed on 9/19/22. Each of the Joint Petitioners provided a Statement in Support appended to the Settlement.

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

Notes and Votes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3032242-ALJ

DOCKET NO. R-2022-3032242 C-2022-3032385 C-2022-3032539

NAME AND SUBJECT: PA PUC, OFFICE OF CONSUMER ADVOCATE AND OFFICE OF SMALL BUSINESS ADVOCATE VS UGI UTILITIES INC - GAS DIVISION

Purchased gas cost filing filed on 6/1/22, pursuant to Section 1307(f) of the Public Utility Code, 66 Pa.C.S. § 1307(f), and in accordance with the Commission’s regulations at 52 Pa. Code §§ 53.64 and 53.65. On 8/12/22, the Parties filed a Joint Petition for Settlement of the Rate Investigation including a Joint Settlement of the issues in the case.

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

Notes and Votes:

- Chairman Dutrieuille
- Vice Chairman DeFrank
- Commissioner Yanora
- Commissioner Zerfuss
- Commissioner Coleman

AGENDA NO. 3032250-ALJ

DOCKET NO. R-2022-3032250 C-2022-3032649 C-2022-3032866

NAME AND SUBJECT: PA PUC, OFFICE OF CONSUMER ADVOCATE AND OFFICE OF SMALL BUSINESS ADVOCATE VS PECO ENERGY COMPANY - GAS

Purchased gas cost filing filed on 5/31/22, pursuant to Section 1307(f) of the Public Utility Code, 66 Pa.C.S. § 1307(f), and in accordance with the Commission's regulations at 52 Pa. Code §§ 53.64 and 53.65. A prehearing conference was held on 6/9/22. On 8/9/22, the Parties filed a Joint Petition for Complete Settlement.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

October 27, 2022

BUREAU OF CONSUMER SERVICES

AGENDA NO. 3036146-BCS

DOCKET NO. P-2022-3036146 M-2016-2554787 M-2022-3031727

NAME AND SUBJECT: PPL ELECTRIC UTILITIES CORPORATION

Petition filed on 10/17/22, seeking expedited treatment to avoid raising the Customer Assistance Program Plus charge from \$7.00 to approximately \$14.00 on 11/1/22, pursuant to the terms of its 2017 Universal Service and Energy Conservation Plan. The Office of Consumer Advocate and the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania have submitted letters in support of the 2022 Petition.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman