

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, NOVEMBER 10, 2022 (KZ)  
10:00 A.M.**

**MAIN HEARING ROOM NO. 1  
SECOND FLOOR COMMONWEALTH KEYSTONE BUILDING**

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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:

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>Kathryn L. Zerfuss</b>	<b>Stephen M. DeFrank</b>	<b>Gladys Brown Dutrieuille</b>	<b>Ralph V. Yanora</b>	<b>John F. Coleman, Jr.</b>

The Next Public Meeting is Tentatively Scheduled for Thursday, December 8, 2022 at 10:00 A.M.

Minutes of the Meeting of Thursday, September 15, 2022 (JFC)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, DECEMBER 8, 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, DECEMBER 7, 2022, AT 1:30 PM IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING AS WELL AS VIA TELECONFERENCE.

THE COMMISSION'S AGENDA WILL BE LIMITED TO:

1. DISCUSSING PERSONNEL MATTERS.
2. CONSULTING WITH ITS LEGAL OR TECHNICAL STAFF REGARDING INFORMATION AND STRATEGY IN CONNECTION WITH CURRENT OR POTENTIAL LITIGATION.
3. DISCUSSING MATTERS RELATED TO THE INITIATION AND CONDUCT OF INVESTIGATIONS, AND QUASI-JUDICIAL DELIBERATIONS.
4. REVIEWING LEGALLY PRIVILEGED OR CONFIDENTIAL MATTERS.
5. DISCUSSING COLLECTIVE BARGAINING ISSUES.
6. CONSIDERING THE PURCHASE OR LEASE OF REAL ESTATE.

AN AGENDA FOR THE EXECUTIVE SESSION WILL BE DISTRIBUTED TO ALL COMMISSIONERS IN ADVANCE OF THIS SESSION. THIS NOTICE IS PROVIDED IN ACCORDANCE WITH ACT 84 OF 1986, KNOWN AS THE SUNSHINE ACT.

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**MOTIONS AND STATEMENTS OF THE CHAIRMAN  
AND COMMISSIONERS WILL BE AVAILABLE  
ON THE COMMISSION'S WEBSITE AT  
[WWW.PUC.PA.GOV](http://WWW.PUC.PA.GOV) AFTER PUBLIC MEETING.**

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**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

November 10, 2022

### OFFICE OF SPECIAL ASSISTANTS

#### AGENDA NO. 3013783-OSA

**DOCKET NO. A-2019-3013783**

#### NAME AND SUBJECT: **CSX TRANSPORTATION INC**

Application filed on 10/24/19, pursuant to 66 Pa. C.S. § 2702, for approval to abolish the public rail highway crossing where CSX Transportation, Inc. (CSXT) tracks cross under a highway bridge carrying Cemetery Avenue in the City of Philadelphia (City). A field conference was held on 2/26/20, and the matter was thereafter assigned to the OALJ and ALJ Heep. A hearing was held on 2/9/21. On 8/9/21, ALJ Heep issued a Recommended Decision (RD) which recommended that the application be denied for failure of CSXT to meet its burden of proof as well as allocated costs for present and future maintenance. Exceptions to the RD were filed by CSXT on 8/30/21. Replies to Exceptions were filed by the City and the Commission's Bureau of Investigation and Enforcement (BIE) on 9/8/21 and 9/9/21, respectively. On 2/3/22, a Final Order was entered denying the Exceptions and adopting the RD. On 2/18/22, CSXT filed its Petition for Reconsideration. The City and BIE filed Answers in opposition on 2/28/22.

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. 3022825-OSA**  
**DOCKET NO. A-2020-3022825**

**NAME AND SUBJECT: PENNDOT**

Application filed on 11/12/20, seeking Commission approval to alter a public crossing by, *inter alia*, replacing the existing bridge substructure and superstructure, where State Route 0322 crosses, above grade, the tracks of CSX Transportation Inc. (CSXT) in Upper Chichester Township, Delaware County. By Secretarial Letter issued 2/16/21, the Application was approved, without hearing. On 3/4/22, the Pennsylvania Department of Transportation (PennDOT) submitted final plans for the construction/alteration project, which plans included the appropriation of a right of way on property of CSXT. By Order entered 5/12/22, the Commission approved the plans submitted by PennDOT. On 5/27/22, CSXT filed a Petition for Reconsideration (Petition) alleging a violation of due process in not having the final plans served on counsel for CSXT and preemption of enforcement by federal statute 49 U.S.C. § 10101, et seq. (Interstate Commerce Commission Termination Act of 1995). Various motions and pleadings were filed by PennDOT and CSXT in relation to the Petition. On 6/8/22, the Commission granted reconsideration, pending review of, and consideration on, the merits.

**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. On 10/27/22, the Commission entered an Opinion and Order in this matter. On 10/31/22, West Penn 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

**AGENDA NO. 3032000-OSA**

**DOCKET NO. C-2022-3032000**

**NAME AND SUBJECT: ROSA BROWN VS PHILADELPHIA GAS WORKS**

Formal Complaint (FC) filed on 4/14/22, alleging Complainant's inability to pay her gas bills and requesting a payment arrangement. On 5/9/22, Philadelphia Gas Works (PGW) filed an Answer to the FC. A hearing was held on 6/9/22. In an Initial Decision issued on 9/16/22, ALJ Brady dismissed the FC, with prejudice. The Complainant filed Exceptions on 9/27/22. PGW filed Replies to Exceptions on 10/17/22.

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. 3032288-OSA**

(PP from 10/27/2022)

**DOCKET NO. A-2022-3032288**

**NAME AND SUBJECT: APPLIED SYNERGY LOGISTICS LLC**

Application filed on 5/3/22, to transport property, excluding household goods in use, as a motor common carrier. On 5/4/22, the Commission issued a Secretarial Letter notifying the Applicant that a Certificate of Public Convenience shall only be issued upon filing acceptable evidence of bodily injury and property damage liability insurance or Form E and evidence of cargo liability insurance or Form H. On 7/13/22, the Commission issued a Secretarial Letter dismissing the Application for failure of the Applied Synergy Logistics LLC (ASL) to file an acceptable Form E and Form H. On 8/1/22, ASL filed a Petition for Reconsideration from Staff Action (Petition). No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3033372-OSA**

**DOCKET NO. A-2022-3033372**

**NAME AND SUBJECT: BUSYBEE KID SHUTTLE LLC**

Application filed on 6/27/22, for approval to provide transportation for compensation between points in Pa. using digital network to facilitate prearranged rides. On 6/30/22, the Commission issued a Secretarial Letter stating that the Application was denied and dismissed. On 7/18/22, BusyBee Kid Shuttle LLC (BusyBee) filed a Petition for Reconsideration from Staff Action (Petition). No response to the Petition has been filed.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman

## **BUREAU OF TECHNICAL UTILITY SERVICES**

### **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 EGS license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained. As of 11/1/22, 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. 3030976-TUS**

**DOCKET NO. A-2022-3030976**

#### **NAME AND SUBJECT: BIF IV INTREPID OPCO LLC**

Application filed on 2/17/22, 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. 3031852-TUS**

**DOCKET NO. A-2022-3031852**

**NAME AND SUBJECT: VEOLIA WATER PENNSYLVANIA INC F/K/A SUEZ WATER PENNSYLVANIA INC**

Application filed on 4/8/22 for approval of the acquisition of certain real estate in Cooper Township, Montour County, Pa. Veolia Water Pennsylvania, Inc., f/k/a SUEZ Water 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. 3031857-TUS**

**DOCKET NO. A-2022-3031857**

**NAME AND SUBJECT: VEOLIA WATER PENNSYLVANIA INC F/K/A SUEZ WATER PENNSYLVANIA INC**

Application filed on 4/8/22 for approval of the acquisition of certain real estate in Montour Township, Columbia County, Pa. Veolia Water Pennsylvania f/k/a SUEZ Water 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. 3031945-TUS**

**DOCKET NO. R-2022-3031945 et seq**

**NAME AND SUBJECT: PAETEC COMMUNICATIONS INC ET AL**

Tariff supplements filed on 4/18/22, by PAETEC Communications, Inc.; Business Telecom, LLC d/b/a EarthLink Business III; US LEC of Pennsylvania LLC d/b/a PAETEC Business Services; American Telephone Company, LLC; Broadview Networks, Inc.; Cavalier Telephone Mid-Atlantic, LLC; Choice One Communications of Pennsylvania Inc.; CTC Communications Corp. d/b/a EarthLink Business; MassComm, LLC; Earthlink Business, LLC; Talk America, LLC; Windstream Communications LLC; and Windstream D&E Systems, Inc. The Companies are all certificated in Pa. as Competitive Local Exchange Carriers. In addition, the Companies are all subsidiaries of Windstream Holdings, Inc.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3032805-TUS**

**DOCKET NO. P-2022-3032805**

**NAME AND SUBJECT: DUQUESNE LIGHT COMPANY**

Petition filed on 6/1/22, for approval of Duquesne Light Company (Duquesne) second Long Term Infrastructure Improvement Plan (LTIIP). On 8/23/22, via Secretarial Letter, the Commission extended the LTIIP review period to 10/31/22. On 10/20/22, via Secretarial Letter, the Commission further extended the LTIIP review period to 11/30/22. No comments were filed.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3033008-TUS**

**DOCKET NO. A-2022-3033008**

**NAME AND SUBJECT: MERCURY ENERGY MARKETING LLC**

Application filed on 6/15/22, to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial, large commercial, and governmental customers in the natural gas distribution company service territory of Peoples Natural Gas Company 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. 3034280-TUS**

**DOCKET NO. A-2022-3034280**

**NAME AND SUBJECT: ANDREW BAKEY**

Application filed on 8/4/22, for approval for a license to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers, as well as residential and small commercial (limited to mixed meters) customers, in the electric distribution company service territories of Metropolitan Edison Company, PECO Energy Company, and PPL Electric Utilities Corporation within Pa. The company also 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 DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman

**AGENDA NO. 3034822-TUS**

**DOCKET NO. A-2022-3034822**

**NAME AND SUBJECT: PREMIER ENERGY ADVISORS LLC**

Application filed on 8/30/22, to offer, render, furnish, or supply natural gas services as a broker/marketer to residential, small commercial, large commercial, industrial and governmental customers, as well as residential and small commercial (limited to mixed meters) 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.

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3035511-TUS**

**DOCKET NO. A-2022-3035511**

**NAME AND SUBJECT: PREMIER ENERGY ADVISORS LLC**

Application filed on 9/22/22, for a license to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, industrial, and governmental customers, as well as residential and small commercial (limited to mixed meters) customers in all of the electric distribution company service territories within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

## **LAW BUREAU**

### **AGENDA NO. 3008014-LAW**

**DOCKET NO. A-2019-3008014**

**NAME AND SUBJECT: DANIEL J REITH LLC**

Petition for Rescission filed on 9/27/22, seeking: (1) rescission of the Commission's Final Order (entered 7/8/22), cancelling Daniel J. Reith, LLC's license to serve as a broker/marketer of electric generation supplier services in the Commonwealth 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. 3030743-LAW**

**DOCKET NO. P-2022-3030743**

**NAME AND SUBJECT: CHARGEVC-PA**

Petition filed on 2/4/22, pursuant to 66 Pa.C.S. §§ 510, 1301, 1330, 2807(f) and 1501, and 52 Pa. Code § 5.41, requesting the Commission to initiate a proceeding to issue a Policy Statement on electric utility rate design for electric vehicle (EV) charging in Pa. The Commission subsequently issued a Secretarial Letter on 2/25/22 seeking comments addressing whether to initiate a proceeding on EV charging and the parameters of such a proceeding, if opened. The comment period closed on 5/11/22.

**RECOMMENDATION:** The Law Bureau recommends that the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3033054-LAW**

**DOCKET NO. M-2022-3033054**

**NAME AND SUBJECT: POLICY STATEMENT ON PUBLIC AND PRIVATE FIRE PROTECTION**

On 6/16/22, the Commission directed the Bureau of Technical Utility Services, in conjunction with Law Bureau, to prepare a proposed policy statement addressing public and private fire protection for consideration at a Public Meeting. A Secretarial Letter was issued on 6/29/22, seeking comment from Class A water companies on the proposed policy statement. Comments were filed by Columbia Water Company, the National Association of Water Companies – Pennsylvania Chapter, and Aqua Pennsylvania.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3033879-LAW**

**DOCKET NO. M-2022-3033879 M-2010-2176183 R-00973953 P-00971265**

**NAME AND SUBJECT: PA PUC VS DELAWARE VALLEY REGIONAL ECONOMIC DEVELOPMENT FUND**

Complaint filed on 7/16/18, alleging, *inter alia*, breach of contract with respect to a prior Commission order at Application of PECO Energy Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code, et al. at Docket Nos. R-00973953 and P 00971265, (Order entered 7/14/98) (1998 PECO Restructuring Settlement Order) and prior settlement agreement at Agreement between Delaware Valley Regional Economic Development Fund (DVREDF) and the Commission, Docket No. M-2010-2176183, 7/20/10. On 6/22/22, the Commission and DVREDF reached a settlement agreement in principle, which has now been reduced to writing and is attached as Appendix A. Based upon the agreed upon settlement, the Commission must modify the 1998 PECO Restructuring Settlement Order and further seek comments on how to distribute the settlement proceeds.

RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3034353-LAW**

**DOCKET NO. L-2022-3034353**

**NAME AND SUBJECT: CYBER SECURITY SELF-CERTIFICATION AND CYBER INCIDENT REPORTING**

This Advance Notice of Proposed Rulemaking Order (ANOPR) is intended to review the Commission’s current rules relating to cybersecurity, including 52 Pa. Code §§ 57.11 (accident reporting for electric utilities), 59.11 (accident reporting for gas utilities), 61.11 (accident reporting for steam utilities), 61.45 (security planning for steam utilities), 65.2 (accident reporting for water utilities) and 101.1 – 101.7 (public utility preparedness through self-certification), and to seek comments from interested stakeholders about whether the Commission’s present requirements are sufficient, or if they need to be revised to ensure that they address public utility readiness in the current cybersecurity threat landscape.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3036374-LAW**

**DOCKET NO. M-2022-3036374**

**NAME AND SUBJECT: DELINQUENT ASSESSMENTS FOR MOTOR CARRIERS**

Tentative Order tentatively approving the cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A, pursuant to 66 Pa.C.S. § 510(c), for failure to pay their 2021-2022 assessments

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. 3031704-ALJ**

**DOCKET NO. R-2022-3031704 C-2022-3031902 C-2022-3032690**

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

Supplement No. 40 to Tariff Water – PA. P.U.C. No. 5 filed on 3/31/22, seeking approval to increase its rates to outside-Borough water customers. An Evidentiary Hearing was held on 8/2/22. On 9/2/22, the Borough of Ambler – Water Department, the Bureau of Investigation and Enforcement and the Office of Consumer Advocate filed a Joint Petition for Settlement.

COMMISSION REVIEW: That the Commission adopt ALJ Steven K. Haas’ and ALJ John Coogan’s Recommended Decision.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Carry-In Agenda

November 10, 2022

### OFFICE OF SPECIAL ASSISTANTS

#### 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 the utility is threatening to terminate Complainant's 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). On 10/13/22, the Commission entered an Opinion and Order granting the Petition pending review of, and consideration on, the merits. The Respondent filed an Answer to the Petition on 10/21/22.

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

#### Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

## **BUREAU OF TECHNICAL UTILITY SERVICES**

### **AGENDA NO. 3019522-TUS**

### **DOCKET NO. P-2020-3019522**

#### **NAME AND SUBJECT: DUQUESNE LIGHT COMPANY**

Petition filed on 10/4/22, for emergency approval of contingency modification to its Default Service Plan. Duquesne Light is seeking approval to procure one tranche of default supply for its medium commercial and industrial customers.

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

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

Chairman Dutrieuille

Vice Chairman DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman