

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, MARCH 2, 2023 (JFC)  
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, March 16, 2023 at 10:00 A.M.

Minutes of the Meeting of Thursday, January 12, 2023 (RY)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MARCH 16, 2023, 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, MARCH 15, 2023, 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

March 2, 2023

## BUREAU OF AUDITS

### AGENDA NO. 3025522-AUD

**DOCKET NO. D-2021-3025522**

NAME AND SUBJECT: **METROPOLITAN EDISON COMPANY**

Auditor's report on the Company's price to compare default service rate and hourly pricing default service rate audit for the 12 months ended 5/31/18, 5/31/19, and 5/31/20.

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

#### Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

### AGENDA NO. 3025523-AUD

**DOCKET NO. D-2021-3025523**

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

Auditor's report on the Company's price to compare default service rate and hourly pricing default service rate for the 12 months ended 5/31/18, 5/31/19, and 5/31/20.

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

#### Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3025524-AUD**  
**DOCKET NO. D-2021-3025524**

**NAME AND SUBJECT: PENNSYLVANIA ELECTRIC COMPANY**

Auditor's report on the Company's price to compare default service rate and hourly pricing default service rate to compare for the 12 months ended 5/31/18, 5/31/19, and 5/31/20.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3025525-AUD**  
**DOCKET NO. D-2021-3025525**

**NAME AND SUBJECT: PENNSYLVANIA POWER COMPANY**

Auditor's report on the Company's price to compare default service rate and hourly pricing default service rate for the 12 months ended 5/31/18, 5/31/19, and 5/31/20.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3028874-AUD**  
**DOCKET NO. D-2021-3028874**

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

Auditor's report on the Company's Universal Service Plan for the 12 months ended 12/31/18, 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 DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3030321-AUD**  
**DOCKET NO. D-2022-3030321**

**NAME AND SUBJECT: PHILADELPHIA GAS WORKS**

Management and Operational audits are required of certain Pennsylvania-based utility companies pursuant to 66 Pa. C.S. § 516(a). The 2022 Management and Operations audit report of Philadelphia Gas Works is complete and contains 32 recommendations. In response, the company submitted an Implementation Plan dated 2/15/23, indicating acceptance of 26 recommendations; three recommendations accepted in part; and rejection of three recommendations.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3030518-AUD**  
**DOCKET NO. D-2022-3030518**

**NAME AND SUBJECT: TELECOMMUNICATIONS RELAY SERVICE**

Audit report on the Telecommunications Relay Services Program Administration and Fund Activity for 12 months ended 2/29/20 and 2/28/21.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**OFFICE OF SPECIAL ASSISTANTS**

**AGENDA NO. 3018499-OSA**

**DOCKET NO. P-2020-3018499**

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

Petition for Declaratory Order filed on 2/13/20, and an Amended Petition (Petition) on 7/6/20. Pennsylvania-American Water Company (PAWC) requested, *inter alia*, that the Commission declare, regarding certain allegations in Eric Talbert’s pending Complaint in federal court, that PAWC complied with the Public Utility Code, the Commission’s Regulations and Orders, and PAWC’s tariff in providing service to Mr. Talbert. Evidentiary hearings were held on 1/26/22, 1/27/22, and 4/26/22. The Parties filed Main Briefs and Reply Briefs on 5/27/22 and 6/10/22, respectively. In the Initial Decision served on 9/13/22, ALJ Dunderdale granted PAWC’s Petition. Mr. Talbert filed Exceptions on 10/3/22, and PAWC filed Replies to Exceptions on 10/13/22.

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. 3020643-OSA**

**DOCKET NO. M-2023-3020643**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS GREAT AMERICAN POWER LLC**

Informal Investigation instituted by letter dated 1/28/21, regarding alleged: (1) misleading and deceptive sales tactics; (2) unauthorized customer enrollments; and (3) billing violations. On 1/13/23, the Parties submitted a Settlement Agreement (Settlement) and Statements in Support of the Settlement.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3031237-OSA**  
**DOCKET NO. M-2023-3031237**

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

Informal Consumer Complaints received In January 2022, alleging that Aqua Pennsylvania, Inc. (Aqua) terminated water service for non-payment after the 10-day shut off notices expired, and seeking assistance to have water service restored. On 2/10/22, the Bureau of Consumer Services (BCS) spoke with Aqua representatives concerning the expired 10-day shut off notices. On 2/28/22, BCS referred the matter to the Commission’s Bureau of Investigation and Enforcement (BIE). BIE issued data requests to which Aqua responded. On 1/27/22, BIE and Aqua filed a Joint Petition for Approval of Settlement (Settlement) and Statements in Support of the Settlement.

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

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

**AGENDA NO. 3032205-OSA**  
**DOCKET NO. C-2022-3032205**

**NAME AND SUBJECT: THADDEUS PICKLO VS PECO ENERGY COMPANY - ELECTRIC**

Formal Complaint (FC) filed on 4/22/22 by Complainant requesting a payment arrangement. On 5/9/22, PECO Energy Company (PECO) filed an Answer to the FC. A hearing was held on 9/1/22. In an Initial Decision issued on 12/21/22, ALJ Vero denied the FC. Complainant filed Exceptions on 1/20/23. PECO filed Reply Exceptions on 2/1/23.

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. 3032647-OSA**

(PP from 2/9/2023)

**DOCKET NO. M-2022-3032647**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS  
DUQUESNE LIGHT COMPANY**

Informal Investigation instituted on 5/12/22, regarding Duquesne Light Company's (Duquesne Light) alleged release of customer information in a mailing of materials to customers. On 11/3/22, the Bureau of Investigation and Enforcement (BIE) and Duquesne Light submitted a Settlement Agreement (Settlement) and Statements in Support of the Settlement. By Order entered 12/8/22, the Commission issued the Settlement for comments. No comments were filed.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3036024-OSA**

**DOCKET NO. A-2022-3036024**

**NAME AND SUBJECT: BARRETT TRUCKING LLC**

Application filed on 10/12/22, to transport property, excluding household goods in use, as a motor common carrier. On 10/14/22, a Secretarial Letter (SL) was issued notifying Applicant that a Certificate of Public Convenience shall only be issued upon its insurance agent/broker filing acceptable evidence of bodily injury and property damage liability insurance or Form E; and evidence of cargo liability insurance or Form H. On 1/3/23, a SL was issued (January 2023 SL) dismissing the Application for failure of Applicant to file an acceptable Form E and Form H. On 1/3/23, Applicant filed a Petition for Reconsideration from Staff Action (Petition) relating to the January 2023 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 DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3036749-OSA**  
**DOCKET NO. A-2022-3036749**

**NAME AND SUBJECT: BLUE BRIDGE MEDICAL TRANSPORTATION LLC**

Application filed on 11/10/22, seeking approval as a motor common carrier for authority to operate as a paratransit service provider within Pa. On 11/16/22, the Bureau of Technical Utility Services sent a Data Request requesting the Applicant to fully answer the questions in the Application, provide an updated balance sheet and clarification of the proposed service area information. No response was received from the Applicant to the Data Request, and the Commission issued a Secretarial Letter dismissing the Application on 12/16/22. On 12/30/22, the Applicant filed a Petition for Reconsideration from Staff Action (Petition). 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. 3036815-OSA**  
**DOCKET NO. A-2022-3036815 A-6325739**

**NAME AND SUBJECT: CAPITOL TRANSIT CO**

Application filed on 11/15/22, seeking approval to operate as a common carrier of persons upon call or demand (taxi service). By Secretarial Letter (SL) issued 11/17/22 (11/17 SL), the Bureau of Technical Utility Services (TUS) notified the Company that additional data was required in order to proceed with the Application. On 12/1/22, the Company filed its responses to the 11/17 SL. By SL issued 12/2/22 (12/2 SL), TUS notified the Company that additional data was required in order to proceed with the Application. On 12/29/22, the Company filed its responses to the 12/2 SL. By SL issued 1/5/23, the Commission dismissed the Application for failure to demonstrate required fitness. On 1/26/23, the Company 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. 3036919-OSA**

**DOCKET NO. A-2022-3036919 A-6425756**

**NAME AND SUBJECT: M & M LIMOUSINE & TRANSPORTATION SERVICE INC**

Application filed on 11/22/22, seeking approval to begin the exercise of the right and privilege of operating motor vehicles as a common carrier of persons in limousine service, between points in Chester and Delaware Counties, Pa. and return. By Secretarial Letter issued on 11/30/22, the Commission issued a Dismissal Letter dismissing the Application (November 2022 Secretarial Letter). On 12/19/22, the Applicant filed a Petition for Reconsideration from Staff Action (Petition) in response to the November 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

## **BUREAU OF TECHNICAL UTILITY SERVICES**

### **AGENDA NO. 3032929-TUS**

(PP from 2/9/2023)

**DOCKET NO. P-2022-3032929**

#### **NAME AND SUBJECT: OFFICE OF CONSUMER ADVOCATE, OFFICE OF SMALL BUSINESS ADVOCATE AND THE PENNSYLVANIA UTILITY LAW PROJECT**

Petition requesting initiation of a proceeding on federal funding opportunities for utilities under the Infrastructure Investment and Jobs Act was filed on 6/10/22, pursuant to 52 Pa. Code § 5.41. On 6/23/22, the Commission served a Secretarial Letter upon all jurisdictional fixed utilities that included a copy of the Petition and established 7/25/22, as the deadline for responsive pleadings. Answers to the Petition were filed by numerous utilities and utility trade associations.

RECOMMENDATION: That the Commission adopt the proposed Order.

#### Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

### **AGENDA NO. 3033838-TUS**

**DOCKET NO. A-2022-3033838**

#### **NAME AND SUBJECT: PROGRESSIVE LIGHT & POWER LLC**

Application filed on 7/18/22, to offer, render, furnish, or supply natural gas services as a supplier to residential and small commercial 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 – Peoples Natural Gas Division, Peoples Natural Gas Company, LLC – Peoples Gas Division, 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. 3035970-TUS**

(PP from 2/9/2023)

**DOCKET NO. A-2022-3035970**

**NAME AND SUBJECT: VIA ENERGY SOLUTIONS LLC**

Application filed on 10/7/22, for the approval to offer, render, furnish, or supply natural gas 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 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 – Peoples Natural Gas Division, Peoples Natural Gas Company, LLC – Peoples Gas Division, 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. 3036095-TUS**

(PP from 2/9/2023)

**DOCKET NO. A-2022-3036095**

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

Application filed on 10/12/22, seeking a Certificate of Public Convenience for the right to offer, render, furnish and supply wastewater service to the public in an additional portion of New Garden Township, Chester County, Pa. The company submitted proofs of publication and service to the appropriate entities. No protests were filed, and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

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

**AGENDA NO. 3036285-TUS**  
**DOCKET NO. A-2022-3036285**

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

Application filed on 10/19/22, seeking approval to: (1) acquire certain wastewater system assets from Mr. James M. Haigney; and (2) offer, render, furnish and supply wastewater service to the public in an additional portion of East Bradford Township, Chester County, Pa. The company submitted proofs of publication and service to the appropriate entities. No protests were filed, and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3036491-TUS**  
**DOCKET NO. R-2022-3036491**

**NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION VS ELVERSON WATER COMPANY INC**

Supplement No. 11 filed on 10/31/22, with an effective date of 1/1/23. On 11/29/22, Elverson Water Company, Inc. (EWC) filed Supplement No. 12 to Tariff Water - Pa. P.U.C. No. 2, which voluntarily postponed the effective date of Supplement No. 11 to 4/1/23. Supplement No. 11 proposed to increase EWC's total annual operating revenues for water service by approximately \$41,031 or 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. 3037027-TUS**

(PP from 2/9/2023)

**DOCKET NO. A-2022-3037027**

**NAME AND SUBJECT: ENERGY LINK I LLC**

Application filed on 12/1/22, to become a licensed electric generation supplier (EGS) as a broker/marketer to small commercial (25 kW and under demand) customers, in the electric distribution company (EDC) service territories of Duquesne Light Company and PECO Energy 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. 3037301-TUS**

**DOCKET NO. A-2022-3037301**

**NAME AND SUBJECT: US SIGNAL COMPANY LLC**

Application filed on 12/19/22, seeking Commission approval for the Discontinuance and Abandonment of Interexchange Carrier, 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 DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3037305-TUS**  
**DOCKET NO. A-2022-3037305**

**NAME AND SUBJECT: BRIGHT POWER INC**

Application filed on 12/20/22, 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 in all of the electric distribution company service territories within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3037368-TUS**  
**DOCKET NO. R-2022-3037368**

**NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION VS UGI UTILITIES INC - ELECTRIC DIVISION**

Proposed Supplements filed on 1/27/23, to become effective 3/28/23. The tariff supplements propose an annual overall rate increase of \$11,400,000 (7.5%) in additional annual revenues, an increase in residential customer's bills using 1,000 kWh's from \$192.73 to \$209.96/month (8.9%). On 2/3/23, a Formal Complaint was filed by the Office of Consumer Advocate. On 2/8/23, a Formal Complaint was filed by the Office of Small Business Advocate. Various oppositions were also 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. 3037457-TUS**  
**DOCKET NO. M-2023-3037457**

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

As of 2/21/23, the companies listed in Table 1 and Table 2 of the Tentative Order are not in compliance with Section 2208 of the Pennsylvania Public Utility Code (Code), at 66 Pa.C.S. § 2208(h).

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. 3037582-TUS**  
**DOCKET NO. S-2023-3037582**

**NAME AND SUBJECT: METROPOLITAN EDISON COMPANY**

Securities Certificate filed on 1/11/23, in respect of the proposed issuance and sale of debt securities and/or credit facilities in a principal amount not to exceed \$425 million. No protests were filed and no hearings were held. Metropolitan Edison Company agreed to voluntarily extend the statutory consideration period of the filing to 3/2/23.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3037630-TUS**  
**DOCKET NO. P-2023-3037630**

**NAME AND SUBJECT: DUQUESNE LIGHT COMPANY**

Petition filed on 1/13/23, for approval to modify the company's Supplier Master Agreement to implement a capacity proxy price for its March 2023 default service auction.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3037682-TUS**  
**DOCKET NO. R-2023-3037682 P-00951005F1000**

**NAME AND SUBJECT: FRONTIER COMMUNICATIONS OF BREEZEWOOD LLC ET AL**

2023 Price Stability Index (PSI) and Service Price Index (SPI) Report filed on 2/1/23, for Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC; Frontier Communications of Lakewood, LLC; Frontier Communications of Oswayo River, LLC; and Frontier Communications of Pennsylvania, LLC (collectively "Frontier" or "the Companies"). The Companies' combined annual PSI/SPI Report was made under the provisions of Act 183 of 2004, P.L. 1398 (66 Pa.C.S. §§ 3011-3019) (Chapter 30) and pursuant to the Companies' Amended Joint Streamlined Regulation and Network Modernization Plan (Amended Joint Chapter 30 Plan) that this Commission approved at Docket No. P-00951005F1000.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3037683-TUS**  
**DOCKET NO. R-2023-3037683 P-00961024F1000**

**NAME AND SUBJECT: COMMONWEALTH TELEPHONE COMPANY D/B/A FRONTIER COMMUNICATIONS COMMONWEALTH TELEPHONE COMPANY**  
2023 Price Stability Index (PSI) and Service Price Index (SPI) Report filed on 1/31/23, for Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company (the Company). The Company's annual PSI/SPI filing was made under the provisions of Act 183 of 2004, P.L. 1398 (66 Pa.C.S. §§ 3011-3019) (Chapter 30) and pursuant to the Company's Amended Alternative Regulation and Network Modernization Plan (Amended Chapter 30 Plan) that this Commission approved at Docket Number P-00961024F1000.

RECOMMENDATION: That the Commission adopt the proposed Order.

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

**AGENDA NO. 3037687-TUS**  
**DOCKET NO. A-2023-3037687**

**NAME AND SUBJECT: COLUMBIA GAS OF PENNSYLVANIA INC**  
Application filed on 1/17/23, seeking a Certificate of Public Convenience authorizing the company to abandon natural gas distribution service to four inactive and six active residential premises located in Waynesburg, Greene County, Pa. The Application was filed pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. §1102(a)(2).

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. 2293611-LAW

(PP from 2/9/2023)

**DOCKET NO. M-2012-2293611**

#### **NAME AND SUBJECT: DISTRIBUTION SYSTEM IMPROVEMENT CHARGE - ACT 11**

Petition for Clarification and Reconsideration filed on 11/10/22 by the Office of Consumer Advocate, of the Commission's Supplemental Implementation Order entered 10/27/22. This Order (i) revised the Model Tariff adopted by the Commission on 8/2/12 to update the formula used to calculate the Distribution System Improvement Charge (DSIC) and (ii) required each utility to file a pro forma tariff supplement reflecting the updated formula by 12/1/22. The Model Tariff was revised pursuant to the Pennsylvania Supreme Court's 7/21/21 Opinion in *McCloskey v. Pa. Public Utility Commission*, 255 A.3d 416 (Pa. 2021), which held that utilities must include the tax adjustments required by 66 Pa.C.S. § 1301.1(a) when calculating their DSIC rates.

RECOMMENDATION: That the Commission adopt the proposed Order.

#### Votes and Notes:

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**

Tentative Order entered on 12/8/22, which approved a Settlement Agreement between the Commission and the Delaware Valley Regional Economic Development Fund (DVREDF). The Settlement Agreement obligates DVREDF to distribute \$6 million of its PECO ratepayer funds, which it received from the PECO market restructuring as a result of the Electricity Generation Customer Choice and Competition Act, among the following remedies provided in the Commission's Complaint in this matter: PECO's hardship fund, Universal Service Programs, PECO customer rate relief, and/or the Sustainable Development Fund (SDF). This Final Order proposes distributing the entirety of the Settlement Amount to the SDF.

RECOMMENDATION: That the Commission adopt the proposed Final Order.

#### Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

**AGENDA NO. 3026070-ALJ**

**DOCKET NO. C-2021-3026070**

**NAME AND SUBJECT: FRED DEIULIIS VS PITTSBURGH WATER AND SEWER AUTHORITY**  
Formal Complaint filed on 5/8/21, alleging the Company initiated a lead line replacement in Complainants area, that the water meter that was originally located between the foundation and a finished wall was moved to a different location outside of the finished wall, “creating an obstacle.” Respondent filed its Answer on 6/10/21. A hearing was held on 9/20/22.

**COMMISSION REVIEW:** That the Commission adopt DCALJ Hoyer’s Initial Decision.

**Notes and Votes:**

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3030253-ALJ**

**DOCKET NO. P-2022-3030253 R-2020-3017951**

**NAME AND SUBJECT: PITTSBURGH WATER AND SEWER AUTHORITY**  
Petition filed on 1/3/22, requesting approval to implement a Pilot Private Service Line Leak Repair and Expanded Conservation Program for Eligible Low-Income Customers (Pilot Program) and to authorize Pittsburgh Water and Sewer Authority (PWSA) to track the Pilot Program costs as a regulatory asset so that it may seek cost recovery. Answers were filed to the Petition. A Joint Petition for Full Settlement Regarding PWSA’s Pilot Program was filed on 12/1/22.

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

**Notes and Votes:**

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

**AGENDA NO. 3032454-ALJ**  
**DOCKET NO. C-2022-3032454**

**NAME AND SUBJECT: HOPE CURRY VS PENNSYLVANIA ELECTRIC COMPANY**

Formal Complaint filed on 9/30/22, against Respondent requesting a payment arrangement (PAR) from the Commission. Respondent filed an Answer and New Matter on 6/2/22, denying that Complainant is entitled to a subsequent Commission PAR. A hearing was held on 9/8/22 and a further hearing was held on 9/19/22. The record closed on 10/11/22.

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

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Carry-In Agenda

March 2, 2023

### OFFICE OF SPECIAL ASSISTANTS

#### AGENDA NO. 3031660-OSA

**DOCKET NO. C-2022-3031660**

#### **NAME AND SUBJECT: HAL HERSHGORDON VS PECO ENERGY COMPANY, GREEN MOUNTAIN ENERGY AND CLEAN SKY ENERGY**

Formal Complaint (FC) filed on 3/30/22, alleging that changes were made to the Complainant's electric generation supplier and his natural gas supplier without his authorization. On 4/20/22, PECO Energy Company (PECO) filed an Answer to the FC. A telephonic hearing was held on 6/8/22. In an Initial Decision (ID) issued on 11/10/22, ALJ Heep denied the FC. No Exceptions were filed. By Commissioner motion at the 1/12/23 Public Meeting, the Commission entered an Opinion and Order on 1/30/23 modifying the ID and referring the matter to the Commission's Bureau of Investigation and Enforcement. On 2/14/23, Green Mountain Energy filed a Petition for Reconsideration. By notational vote, the Commission entered an Opinion and Order on 2/24/23 to preserve Commission jurisdiction.

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

## LAW BUREAU

### AGENDA NO. 3031727-LAW

### DOCKET NO. M-2022-3031727

#### **NAME AND SUBJECT: PPL ELECTRIC UTILITIES CORPORATION**

By Order entered on 2/9/23, the Commission approved the company's 2023 Universal Service and Energy Conservation Plan and directed it to make certain modifications. On 2/23/23, the Pennsylvania Coalition of Local Energy Efficiency Contractors, Inc., filed a Petition for Clarification and Reconsideration of the Order. Pursuant to Pa. R.A.P. 1701, the Commission must act to grant a Petition for Reconsideration within 30 days of the date of entry of the Order for which reconsideration is sought or otherwise lose jurisdiction to do so if a Petition for Review is timely filed.

RECOMMENDATION: That the Commission adopt the proposed Order.

#### Votes and Notes:

Chairman Dutrieuille  
Vice Chairman DeFrank  
Commissioner Yanora  
Commissioner Zerfuss  
Commissioner Coleman