

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

**THURSDAY, AUGUST 24, 2023 (KZ)
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, September 21, 2023 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 13, 2023 (SD)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 21, 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, SEPTEMBER 20, 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.

**MOTIONS AND STATEMENTS OF THE CHAIRMAN
AND COMMISSIONERS WILL BE AVAILABLE
ON THE COMMISSION'S WEBSITE AT
WWW.PUC.PA.GOV AFTER PUBLIC MEETING.**

FOR YOUR SAFETY, PLEASE TAKE NOTE OF THE EXITS, DOWN THE STAIRS ON EITHER SIDE OF THE HALLWAY OUTSIDE OF HEARING ROOM 1. IN A TRUE EMERGENCY, A PUC EMPLOYEE IN AN ORANGE VEST WILL BE THERE TO HELP THOSE WHO NEED ASSISTANCE. ONCE YOU MOVE DOWN THE STAIRS, PLEASE EXIT ONTO NORTH STREET. ALSO, FOR YOUR CONVENIENCE, RESTROOMS ARE LOCATED ON THE ATRIUM LEVEL NEAR THE CAFETERIA.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

August 24, 2023

BUREAU OF ADMINISTRATION

AGENDA NO. 3042117-ADM

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

Assessment upon Pipeline Operators applicable under Act 127 of 2011 – Billing for Fiscal year 7/1/23 to 6/30/24.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Act 127 of 2011 for the amount of the Assessment for the Fiscal Year 7/1/23 to 6/30/24 on each applicable pipeline operator.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3042118-ADM

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

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

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with M-2014-2448825 for the amount of the supplemental fee for FY 7/1/23 to 6/30/24 on each applicable EGS and NGS.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3042119-ADM

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

Assessment upon applicable public utilities under Act 50 of 2017 – The Pennsylvania Underground Utility Line Protection Act also known as the “One Call Law” – Billing for Fiscal year 7/1/23 to 6/30/24.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Act 50 of 2017 “One Call Law” for the amount of the Assessment for the Fiscal Year 7/1/23 to 6/30/24 on each applicable public utility.

Votes and Notes:

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

AGENDA NO. 3042120-ADM

NAME AND SUBJECT: OCA GENERAL ASSESSMENT UPON PUBLIC UTILITIES

Office of the Consumer Advocate (Attorney General’s Office) General Assessment upon Public Utilities for Fiscal Year 7/1/23 to 6/30/24.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Act 15 of 1977 (Section 904-A.1(b)(2) of the Administrative Code), the amount of the General Assessment for the Fiscal Year 7/1/23 to 6/30/24 on each applicable utility.

Votes and Notes:

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

AGENDA NO. 3042121-ADM

NAME AND SUBJECT: OSBA GENERAL ASSESSMENT UPON PUBLIC UTILITIES

Office of the Small Business Advocate (Department of Community and Economic Development) General Assessment upon Public Utilities for Fiscal Year 7/1/23 to 6/30/24.

RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with 73 P.S. §399-46, the amount of the General Assessment for the Fiscal Year 7/1/23 to 6/30/24 on each applicable public utility.

Notes and Votes:

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

AGENDA NO. 3042122-ADM

NAME AND SUBJECT: GENERAL ASSESSMENT UPON PUBLIC UTILITIES

General Assessment upon Public Utilities for Fiscal Year 7/1/23 to 6/30/24.

RECOMMENDATION: That the Commission approve the Assessments Section computation in accordance with Section 510 of the Public Utility Code, the amount of the General Assessment for the Fiscal Year 7/1/23 to 6/30/24 on each applicable utility.

Notes and Votes:

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

BUREAU OF AUDITS

AGENDA NO. 3030260-AUD

DOCKET NO. D-2022-3030260

NAME AND SUBJECT: **RIEMER NATURAL GAS LLC**

Gas Cost Rate audit for the twelve months ended 8/31/21, 8/31/20, 8/31/19, 8/31/18, and 8/31/17.

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. 3031465-AUD

DOCKET NO. D-2022-3031465

NAME AND SUBJECT: **PECO ENERGY COMPANY - ELECTRIC**

Universal Service Fund Charge audit for the twelve months ended 12/31/21, 12/31/20, and 12/31/19.

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. 3005572-OSA

DOCKET NO. M-2021-3005572

NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION VS COLUMBIA GAS OF PENNSYLVANIA INC

Informal Investigation instituted on 2/8/19, regarding allegations of over-pressurization events that occurred in Columbia Gas of PA, Inc.'s (Columbia) Fayetteville and Rimersburg distribution systems. On 6/8/21, the Bureau of Investigation and Enforcement (BIE) and Columbia submitted a Joint Petition for Approval of Settlement (Petition). On 5/20/22, the Commission denied the Petition and referred the matter back to BIE. On 3/17/23, BIE and Columbia filed a Revised Joint Petition for Approval of Settlement (Revised Settlement). Both Parties filed Statements in Support of the Revised Settlement. By Order entered 4/20/23, the Commission issued the Revised Settlement for comments. Comments were filed on 6/1/23, by Mr. Richard C. Culbertson. On 6/7/23, the Commission issued a Secretarial Letter stating that although Mr. Culbertson's comments were untimely filed, his comments will be placed on the record of the docket.

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. 3032341-OSA

DOCKET NO. C-2022-3032341

NAME AND SUBJECT: MICHELE DUFFY VS PENNSYLVANIA POWER COMPANY

Formal Complaint (FC) filed on 4/25/22, alleging incorrect charges on Complainant's bills and further alleging Pennsylvania Power Company (Penn Power) improperly began billing her at the Company's demand billing rate. On 5/25/22, Penn Power filed an Answer to the FC. A hearing was held on 8/24/22. In an Initial Decision issued on 1/31/23, ALJ Dunderdale recommended that the Commission dismiss the FC. The Complainant filed Exceptions on 2/21/23. Penn Power filed Replies to Exceptions on 3/3/23.

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. 3035951-OSA
DOCKET NO. C-2022-3035951

NAME AND SUBJECT: DIAMOND SICCHITANO VS WEST PENN POWER COMPANY
Formal Complaint (FC) filed on 10/4/22, alleging, *inter alia*, that West Penn Power Company (West Penn) threatened to terminate Complainant's service and there were incorrect charges on her account balance. As relief, the Complainant requested, *inter alia*, a Commission payment arrangement. On 10/26/22, West Penn filed an Answer and New Matter. A telephonic hearing was held in this matter on 3/27/23. On 6/22/23, the Commission issued ALJ DeVoe's Initial Decision (ID), dismissing the FC for failure to prosecute because the Complainant failed to appear for the hearing. On 7/10/23, the Complainant filed Exceptions to the ALJ's ID. Replies to Exceptions were filed by West Penn on 7/24/23.

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. 3036486-OSA
DOCKET NO. A-2022-3036486 A-8925552

NAME AND SUBJECT: KELVIN D FERGUSON & SONS LLC
Application for Broker of Household Goods in Use filed on 11/1/22. Following clarification requests from two prior data requests, on 3/2/23, Kelvin D. Ferguson & Sons LLC (Ferguson LLC) filed an Application for Motor Common Carrier or Motor Contract Carrier of Household Goods in Use (MCC Application). On 3/6/23, the Bureau of Technical Utility Services (TUS) sent a third data request to Ferguson LLC, notifying it that additional data was again required for TUS to proceed with its review of the MCC Application. On 3/7/23, Ferguson LLC filed a timely response to that request. By Secretarial Letter dated 3/9/23, the Commission denied the MCC Application for failure to demonstrate required fitness. On 3/29/23, Ferguson LLC filed a Petition for Reconsideration from Staff Action (First Petition). By Opinion and Order entered 5/18/23, the Commission, *inter alia*, granted the First Petition and referred the matter to TUS for further action as necessary. On 5/23/23, TUS sent a fourth data request to Ferguson LLC, notifying it that additional data was again required for TUS to proceed with its review. On 6/5/23, Ferguson LLC filed its response to that request. By a Secretarial Letter dated 6/8/23, the Commission again denied the Application for failure to demonstrate required fitness. On 6/28/23, Ferguson LLC filed a second Petition for Reconsideration from Staff Action (Second Petition). No response to the Second 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. 3036798-OSA
DOCKET NO. C-2022-3036798

NAME AND SUBJECT: COLBY SIMPKINS VS PECO ENERGY COMPANY - ELECTRIC

Formal Complaint (FC) filed on 11/3/22, alleging, *inter alia*, incorrect charges and requesting, *inter alia*, a payment arrangement. On 12/5/22, PECO Energy Company (PECO) filed an Answer to the FC. A hearing was held on 3/23/23. In an Initial Decision (ID) issued on 6/8/23, ALJ Vero denied the FC. On 6/28/23, the ID became final, pursuant to Section 332(h) of the Public Utility Code. On 7/13/23, Petitioner filed a Petition for Rescission. On 7/19/23, PECO filed an Answer to the Petition.

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. 3036979-OSA
DOCKET NO. A-2022-3036979

NAME AND SUBJECT: PREMIER MOVERS LLC

Application for Motor Contract Carrier of Household Good in Use filed on 11/30/22. On 12/7/22, the Commission issued a Secretarial Letter (December 2022 Secretarial Letter) denying the Application in accordance with 52 Pa. Code § 41.14, stating that the Applicant lacked a propensity to operate safely and legally. On 7/5/23, the Applicant filed an untimely Petition for Reconsideration from Staff Action (Petition) relating to the December 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. 3040511-OSA

DOCKET NO. A-2023-3040511 A-8926222

NAME AND SUBJECT: RAFAEL MENDEZ T/A CAPORAL TRANSPORTS

Application filed on 5/8/23, seeking the right to begin operating as a commercial carrier of property for compensation between points in Pa. On 5/10/23, the Commission issued a Secretarial Letter notifying the Applicant that a Certificate of Public Convenience shall only be issued upon its insurer filing acceptable evidence of bodily injury and property damage liability insurance or Form E and evidence of cargo liability insurance or Form H. On 7/19/23, the Commission issued a Secretarial Letter (July 2023 Secretarial Letter) dismissing the Application for failure of the Applicant to file an acceptable Form E and Form H. On 7/28/23, the Applicant filed a Petition for Reconsideration from Staff Action (Petition) in response to the July 2023 Secretarial Letter. No response to the Petition has been 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

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO. 3023947-TUS

DOCKET NO. A-2021-3023947

NAME AND SUBJECT: HOTWIRE COMMUNICATIONS LTD

Application filed on 1/29/21, for approval of the Abandonment and Discontinuance of telecommunications services to the public in 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. 3031218-TUS

(PP from 8/3/2023)

DOCKET NO. M-2022-3031218

NAME AND SUBJECT: AQUA PENNSYLVANIA INC

The Commission initiated its periodic review of Aqua Pennsylvania Inc.'s (Aqua) Long Term Infrastructure Improvement Plan by Secretarial Letter on 3/31/22. For the purposes of the periodic review, the Commission established a 30-day comment period and a 20-day reply comment period. On 4/26/22, comments were filed from customer Richard Gage. On 5/2/22, Aqua filed comments. On 5/23/22, Aqua filed reply comments. No other comments were 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. 3037455-TUS
DOCKET NO. M-2023-3037455

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

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained. As of 8/15/23, 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. 3037849-TUS
DOCKET NO. A-2023-3037849

NAME AND SUBJECT: MERCURY ENERGY MARKETING LLC

Application filed on 1/25/23, to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial, and large commercial customers in the natural gas distribution company service territories of Peoples Natural Gas Company, LLC – Peoples Natural Gas Division and Peoples Natural Gas Company, LLC – Peoples Gas Division 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. 3038652-TUS

DOCKET NO. A-2023-3038652 A-2023-3038653

NAME AND SUBJECT: ZAYO GROUP LLC

Application filed on 2/24/23, approval to offer, render, furnish, or supply telecommunications services as an Interexchange Carrier Reseller in Pa. and as an Interexchange Toll Facilities-Based Carrier in 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. 3038862-TUS

DOCKET NO. A-2023-3038862 A-2023-3038864

NAME AND SUBJECT: THE YORK WATER COMPANY AND CONEWAGO INDUSTRIAL PARK WATER AND SEWER COMPANY

Joint Application (JA) filed on 3/7/23. Proofs of publication were submitted and service to the appropriate entities was made. On 3/16/23, the Office of Small Business Advocate (OSBA) filed a protest to the JA and the matter was assigned to the Office of Administrative Law Judge (OALJ) for hearings. On 3/31/23, OSBA filed a Letter of Satisfaction stating that its concerns regarding the JA were resolved. On 4/19/23, The York Water Company-Wastewater (York Water) filed a motion to transfer the JA from OALJ to the Commission’s Bureau of Technical Utility Services. By an Interim Order dated 4/27/23, York Water’s Motion was granted. No further 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. 3039958-TUS

DOCKET NO. R-2023-3039958 P-00981435F1000

NAME AND SUBJECT: THE NORTH-EASTERN PENNSYLVANIA TELEPHONE COMPANY
2023 Price Stability Index/Service Price Index Report Filing made on 5/1/23.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3041099-TUS

DOCKET NO. A-2023-3041099

NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC
Letter of Notification filed on 6/2/23, for approval to construct the Mansfield – Niles Valley 115 kV
Transmission Line bypass in Middlebury Township, Tioga 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. 3041221-TUS

DOCKET NO. A-2023-3041221

NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC
Letter of Notification filed on 6/9/23, for approval to construct two 115 kV transmission line loops to Cly
Substation in Newberry Township, York 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. 3041246-TUS
DOCKET NO. A-2023-3041246

NAME AND SUBJECT: GOOD ENERGY LP

Application filed on 6/15/23, 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 in all the electric distribution company service territories within Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3041330-TUS
DOCKET NO. A-2023-3041330

NAME AND SUBJECT: NATIONAL FUEL GAS DISTRIBUTION CORPORATION

Application filed on 6/16/23, seeking approval for a Certificate of Public Convenience to abandon natural gas distribution service to one residential premises located in Conneautville, Crawford County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3041452-TUS
DOCKET NO. A-2023-3041452

NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC

Letter of Notification filed on 6/23/23, for approval to construct the Hunterstown – Lincoln 115 kV Transmission Line Loop located in Straban Township, Adams County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Notes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3041609-TUS
DOCKET NO. A-2023-3041609

NAME AND SUBJECT: PINE-ROE NATURAL GAS COMPANY INC AND BLUE FLAME GAS INC
Joint application filed on 6/29/23, seeking Certificates of Public Convenience for the approval of the rights for Pine-Roe Natural Gas Company, Inc. (Pine-Roe) to offer, render, furnish or supply natural gas distribution service to the public in the additional territories of Toby and Porter Township, Clarion County, Pa. and seeking approval to acquire customers, pipelines, meters, and regulators from Blue Flame Gas, Inc. (Blue Flame). On 7/21/23, Pine-Roe and Blue Flame jointly filed an Amendment to the Application requesting that PUC jurisdiction over Blue Flame be abandoned upon approval of the Application.

RECOMMENDATION: That the Commission adopt the proposed Order.

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

AGENDA NO. 3041669-TUS
DOCKET NO. S-2023-3041669

NAME AND SUBJECT: NATIONAL FUEL GAS DISTRIBUTION CORPORATION
Registration of the Securities Certificate filed on 7/10/23. National Fuel Gas Distribution Corporation voluntarily extended the consideration period to 8/25/23.

RECOMMENDATION: That the Commission adopt the proposed Order.

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

AGENDA NO. 3041782-TUS
DOCKET NO. S-2023-3041782

NAME AND SUBJECT: DUQUESNE LIGHT COMPANY

Registration of Securities Certificate filed on 7/18/23. Duquesne Light Company voluntarily extended the consideration period to 8/25/23.

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. 3040646-LAW

(PP from 8/3/2023)

DOCKET NO. L-2023-3040646 P-2010-2217748

NAME AND SUBJECT: PROPOSED RULEMAKING TO AMEND PA UNIVERSAL SERVICE FUND REGULATIONS

Advance Notice of Proposed Rulemaking Order (ANOPR) to amend the Commission's regulations governing the Pennsylvania Universal Service Fund (Pa. USF) at 52 Pa. Code §§ 63.161-63.171).

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3042180-LAW

DOCKET NO. M-2023-3042180

NAME AND SUBJECT: VENANGO WATER COMPANY

An Ex Parte Emergency Order was issued on 8/11/23, directing an Investigation into whether the Commission should order a capable public utility to acquire Venango Water Company, and directed Aqua Pennsylvania, Inc. to serve as receiver, beginning 8/11/23, and continuing during the pendency of the Section 529 proceeding.

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. 3020824-ALJ

DOCKET NO. M-2020-3020824

NAME AND SUBJECT: PPL ELECTRIC UTILITIES CORPORATION

Petition for approval of changes to Its Act 129 Phase IV Energy Efficiency and Conservation Plan filed on 12/30/22. A prehearing conference was held on 5/15/23. A Joint Petition for settlement of all issues was filed on 6/30/23.

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

Notes and Votes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3035736-ALJ

(PP from 8/3/2023)

DOCKET NO. C-2022-3035736

NAME AND SUBJECT: KATHRYN PITMAN VS PENNSYLVANIA ELECTRIC COMPANY

Formal Complaint filed on 9/29/22 alleging Pennsylvania Electric Company is threatening to shut off Complainant's service or has already shut off service. Complainant also requested a payment arrangement. Respondent filed an Answer on 10/24/22.

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

Notes and Votes:

Chairman Dutrieuille
Vice Chairman DeFrank
Commissioner Yanora
Commissioner Zerfuss
Commissioner Coleman

AGENDA NO. 3037928-ALJ

DOCKET NO. R-2023-3037928 C-2023-3038899 C-2023-3039644

NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION, ET AL VS PEOPLES NATURAL GAS COMPANY LLC

Definitive Filing pursuant to 66 Pa.C.S.A. § 1307(f) for its Purchased Gas Cost rate to be effective on and after 10/1/23 submitted on 3/31/23. By operation of 66 Pa.C.S.A. § 1307(f)(2), the Commission commenced an Investigation to determine the lawfulness, justness and reasonableness of the proposed rates and to satisfy the requirements of Sections 1307, 1317 and 1318 of the Public Utility Code. A prehearing conference was held on 4/13/23. A Joint Petition for Settlement was filed on 6/29/23.

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

Notes and Votes:

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

AGENDA NO. 3038630-ALJ

DOCKET NO. R-2023-3038630 C-2023-3038987 C-2023-3039472 D-2021-3026471

NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION, ET AL VS COLUMBIA GAS OF PENNSYLVANIA INC

Request for reconsideration of the Bureau of Audits report on Columbia Gas of Pennsylvania Inc.’s Purchased Gas Cost collections for the twelve-month periods ended 1/31/21, 1/31/20, and 1/31/19. On 3/31/23, it submitted its Purchased Gas Cost filing, pursuant to Section 1307(f) of the Public Utility Code in support of Supplement No. 362 to Tariff Gas of Pa. P.U.C. No. 9. A prehearing conference was held on 4/4/23. A Joint Petition for settlement of rate investigation was filed on 6/28/23.

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

Notes and Votes:

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

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

August 24, 2023

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO. 3012079-OSA

DOCKET NO. M-2022-3012079

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

Informal Investigation instituted on 7/31/19, regarding a natural gas explosion in Washington, Washington County, Pa. On 2/27/23, the Bureau of Investigation and Enforcement (BIE) and Columbia Gas of PA, Inc. (Columbia) submitted a Revised Joint Petition for Approval of Settlement (Revised Settlement). BIE's Statement in Support of the Revised Settlement was appended to the Revised Settlement as Appendix B and Columbia's Statement in Support of the Revised Settlement was appended to the Revised Settlement as Appendix C. By Order entered 4/20/23, the Commission issued the Revised Settlement for comments. On 4/5/23 and 4/13/23, Richard C. Culbertson filed Comments (Mr. Culbertson's Comments). On 5/31/23, Columbia filed Comments in response to Mr. Culbertson's Comments. On 8/3/23, the Commission entered an Opinion and Order approving the Revised Settlement without modification. On 8/17/23, Mr. Culbertson 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

LAW BUREAU

AGENDA NO. 3022877-LAW

DOCKET NO. M-2020-3022877

NAME AND SUBJECT: POLICY PROCEEDING – UTILIZATION OF STORAGE RESOURCES AS ELECTRIC DISTRIBUTION ASSETS

Proposed policy statement proposing guidelines for usage of electricity-storage assets as electric distribution assets in the Commonwealth.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille

Vice Chairman DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman

COMMISSIONERS

AGENDA NO. 3042331-CMR

NAME AND SUBJECT: **RATIFICATION OF EXECUTIVE DIRECTOR**

MOTION BY CHAIRMAN DUTRIEUILLE

Votes and Notes:

Chairman Dutrieuille

Vice Chairman DeFrank

Commissioner Yanora

Commissioner Zerfuss

Commissioner Coleman