

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

**PUBLIC MEETING**

---

**THURSDAY, AUGUST 26, 2021 (DS)  
10:00 A.M.**

**Telephone number for call in is 1-888-917-8050.  
When prompted enter passcode 9570961#**

---

The Commission will act on various matters at today's meeting, which is open to the public via telephonic participation. 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, are available on the Commission's web site. [www.puc.pa.gov](http://www.puc.pa.gov).

The Commissioners are:

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>Ralph V. Yanora</b>	<b>David W. Sweet</b>	<b>Gladys Brown Dutrieuille</b>	<b>John F. Coleman, Jr</b>	<b>Vacant</b>

The Next Public Meeting is Tentatively Scheduled for Wednesday, September 15, 2021 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 15, 2021 (RY)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR WEDNESDAY, SEPTEMBER 15, 2021 AT 10:00 A.M. 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 TELEPHONIC EXECUTIVE SESSION ON WEDNESDAY, SEPTEMBER 15, 2021, AT 11:00 A.M.

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.

Additionally, the Commission meets telephonically with staff to ensure the continuity of operations during the period it cannot access its physical facilities. No topics are discussed that are items appropriately discussed in executive session or that require consideration at an open meeting, as defined by the Sunshine Act. Topics are limited to those operational concerns necessary to ensure continuity and adequacy of service and public safety.

\*\*\*\*\*

**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.**

\*\*\*\*\*

# **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

## **FINAL AGENDA**

**August 26, 2021**

### **BUREAU OF ADMINISTRATION**

#### **AGENDA NO. 3027818-ADM**

**NAME AND SUBJECT: GENERAL ASSESSMENT UPON PUBLIC UTILITIES**

General Assessment upon Public Utilities and Supplemental Federal Shortfall Assessment on Gas Public Utilities for Fiscal Year 7/1/21 to 6/30/22.

**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 FY 7/1/21 to 6/30/22 on each applicable utility.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

#### **AGENDA NO. 3027819-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 7/1/21 to 6/30/22.

**RECOMMENDATION:** That the Commission approve the Assessments Section computation in accordance with Act 15 of 1977 § 904-A.1(b)(2) of the Administrative Code, the amount of the General Assessment for the FY 7/1/21 to 6/30/22 on each applicable utility

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3027820-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 7/1/21 to 6/30/22.

**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 FY 7/1/21 to 6/30/22 on each applicable utility.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3027824-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 7/1/21 to 6/30/22.

**RECOMMENDATION:** That the Commission approve the Assessments Section computation in accordance with Act 127 of 2011 for the amount of the Assessment for the FY 7/1/21 to 6/30/22 on each applicable utility

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3027825-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 7/1/21 to 6/30/22 on each applicable EGS and NGS.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Sweet
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3027826-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 Pa. Underground Utility Line Protection Act also known as the “One Call Law” – Billing for Fiscal year 7/1/21 to 6/30/22.

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 FY 7/1/21 to 6/30/22 on each applicable utility.

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Sweet
- Commissioner Coleman
- Commissioner Yanora

# **OFFICE OF COMPETITIVE MARKET OVERSIGHT**

## **AGENDA NO. 2381742-OCM**

### **DOCKET NO. I-2013-2381742**

#### **NAME AND SUBJECT: PENNSYLVANIA RETAIL NATURAL GAS SUPPLY MARKET INTERIM GUIDELINES**

Recommendation to continue the five-day waiting period when a customer chooses a natural gas supplier (NGS) or returns to natural gas distribution company (NGDC) service and, therefore, to maintain the waiver of the Commission's regulations at 52 Pa. Code §§ 59.93(2) (relating to customer contacts with NGSs) and 59.94 (relating to time frames for switching), to the extent necessary. Specifically, the Office of Competitive Market Oversight recommends that the waivers of this Commission's regulations at 52 Pa. Code §§ 59.93(2) and 59.94 be extended for an additional three years to allow for the potential revision of these regulations.

RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

#### Votes and Notes:

Chairman Dutrieuille

Vice Chairman Sweet

Commissioner Coleman

Commissioner Yanora

**OFFICE OF SPECIAL ASSISTANTS**

**AGENDA NO. 3009486-OSA**  
**DOCKET NO. C-2019-3009486**

**NAME AND SUBJECT: MYESHA BROWN VS PECO ENERGY COMPANY**

Formal Complaint filed on 4/26/19 alleging that PECO Energy Company (PECO) is threatening to, or already has, shut off Complainant’s electric service and requesting a payment arrangement. On 5/1/19, PECO filed an Answer denying all material allegations in the Complaint. A hearing was held on 6/4/19. In an Initial Decision served on 10/2/19, ALJ Vero granted the Complainant’s request to withdraw her Complaint. Complainant filed Exceptions on 11/1/19 and a Supplement Letter to Exceptions on 11/15/19. PECO filed Replies to Exceptions on 11/18/19.

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

- Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3012040-OSA**  
**DOCKET NO. C-2019-3012040 A-8911832**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS BARRY MILLS MOVING AND HAULING LLC**

Formal Complaint on 8/7/19 for failure to maintain evidence of liability and cargo insurance on file with the Commission. No Answer to the Complaint was filed. On 11/18/19, the Commission issued a Secretarial Letter, which cancelled the Respondent’s Certificate of Public Convenience. On 7/8/21, the Respondent filed a Petition for Reinstatement (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 Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3013805-OSA**

(PP from 8/5/2021)

**DOCKET NO. C-2019-3013805 C-2019-3013806 C-2019-3013807 C-2019-3013808**

**NAME AND SUBJECT: INTERSTATE GAS SUPPLY INC ET AL VS METROPOLITAN EDISON COMPANY ET AL**

Formal Complaint filed on 10/25/19, alleging that the Electric Distribution Companies (EDC) engaged in discriminatory billing practices in violation of the Public Utility Code. On 11/14/19 the EDCs filed an Answer and New Matter denying the material allegations of the Complaint. On 12/4/19 the Electric Generation Suppliers (EGS) filed an Answer to the EDCs New Matter. On 1/24/20 the Retail Energy Supply Association filed a Petition to Intervene. On 2/7/20 the Office of Consumer Advocate (OCA) filed a Notice of Intervention. On 6/30/20 an evidentiary hearing was held. On 11/18/20 the ALJ issued the Initial Decision. On 12/8/20, the EDCs and the OCA file Exceptions. On 12/18/20 the EGSs filed Replies to Exceptions.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Sweet
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3015130-OSA**

**DOCKET NO. C-2019-3015130**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS SNYDER BUS LINES LLC**

Formal Complaint filed on 12/26/19, alleging that Respondent failed to maintain evidence of liability insurance on file with the Commission. On 12/2/20, the Commission issued a Secretarial Letter (December 2020 Secretarial Letter) directing Respondent to pay a civil penalty of \$500 for failure to maintain evidence of insurance on file with the Commission. On 12/29/20, Respondent filed a Petition for Reconsideration from Staff Action (Petition) relating to the December 2020 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 Sweet
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3018929-OSA**

**DOCKET NO. R-2020-3018929 C-2020-3022400 C-2020-3022414 C-2020-3022745**

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

Tariff Gas – Pa. PUC No. 4 filed on 9/30/20, proposing an annual increase in base rate revenues of \$68.7 million, or approximately 8.9%, based on data for the fully projected future test year ending 6/30/22. An evidentiary hearing was held on 2/17/21. By Recommended Decision issued on 4/12/21, Deputy Chief ALJ Pell recommended the approval of an increase in annual revenues in the amount of \$23,892,217. On 4/26/21, PECO Energy Company – Gas Division (PECO), The Bureau of Investigation and Enforcement (BIE), the Office of Consumer Advocate (OCA), the Office of Small Business Administration (OSBA), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed Exceptions. On 5/3/21, PECO, BIE, the OCA, the OSBA, and the Philadelphia Area Industrial Energy Users Group (PAIEUG) filed Replies to Exceptions. Also, on 5/3/21, PAIEUG filed a Motion to Strike a portion of the OSBA’s Exceptions. On 5/24/21, the OSBA filed an Answer to the Motion to Strike. On 6/22/21, an Opinion and Order was entered. PECO filed a Petition for Reconsideration on 7/7/21. On 7/19/21, BIE and the OCA filed Answers to the Petition.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Sweet
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3023309-OSA**

**DOCKET NO. C-2020-3023309 A-8923247**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS BEEHIVE TRANSPORTATION INC**

Formal Complaint filed 12/5/20, alleging that Respondent failed to maintain evidence of insurance on file with the Commission and seeking a \$500 civil penalty. Respondent did not file an Answer to the Complaint. By Secretarial Letter issued 3/24/21, the Commission informed Respondent that due to its failure to file an Answer to the Complaint and to pay the civil penalty, the allegations in the Complaint were deemed admitted and the Complaint was sustained. On 3/26/21, the owner, Georgy Nicholson, filed a Petition for Reconsideration from Staff Action (Petition). No Answers to the Petition have been filed.

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

Votes and Notes:

- Chairman Dutrieuille
- Vice Chairman Sweet
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3023890-OSA**  
**DOCKET NO. A-2021-3023890 A-6423768**

**NAME AND SUBJECT: ABUNDANTLY BLESSED HOME CARE LLC**  
Application filed on 1/28/21 for Motor Common Carriers of Persons in Paratransit Service. By Secretarial Letter issued 1/29/21, the Bureau of Technical Utility Services (TUS) notified the company that additional data was required in order for TUS to proceed with the Application. On 2/4/21, the company timely filed its responses. By Secretarial Letter issued 2/5/21, TUS restated the proposed service territory for clarification and notified the company that a response was required only if the proposed service territory required clarification. No written response was received. By Secretarial Letter issued 4/26/21, the Commission notified the company that the Application was conditionally approved pending receipt of proof of liability insurance (Form E) and an acceptable tariff. By Secretarial Letter issued 7/6/21, the Commission dismissed the Application for failure to file a Form E and an acceptable tariff. On 7/6/21, the company filed the instant 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 Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3023970-OSA**  
**DOCKET NO. R-2021-3023970 C-2021-3024126 C-2021-3024293**

**NAME AND SUBJECT: PA PUC ET AL VS PHILADELPHIA GAS WORKS**  
On 3/1/21, Philadelphia Gas Works (PGW) made its definitive annual Gas Cost Recovery (GCR) filing (2021-2022 GCR Filing). The Bureau of Investigation and Enforcement (BIE) filed a Notice of Appearance on 2/3/21. The Office of Consumer Advocate (OCA) and the Office of Small Business Advocate (OSBA) filed Complaints on 2/11/21 and 2/26/21, respectively. Philadelphia Industrial and Commercial Gas Users Group (PICGUG) filed a Petition to Intervene on 2/17/21. On 5/13/21, PGW and the OCA filed a Joint Stipulation (PGW/OCA Joint Stipulation) of terms regarding PGW’s Renewable Natural Gas (RNG) Pilot Program Proposal (RNG Pilot) that was included in PGW’s GCR filing. On 6/4/21, PGW, the OCA and the OSBA filed a Joint Petition for Settlement (Settlement), addressing all issues pertaining to the 2021-2022 GCR Filing, except for PGW’s RNG Pilot. BIE and PICGUG do not oppose the Settlement. On 6/24/21, the Commission issued the Recommended Decision of ALJ Heep recommending approval of the Settlement, without modification, and the RNG Pilot with minor modifications. On 7/1/21, BIE filed Exceptions and the OSBA filed a Letter in Lieu of Exceptions to the ALJ’s Recommended Decision. On 7/6/21, PGW and the OCA filed Reply Exceptions.

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

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3024155-OSA**

**DOCKET NO. C-2021-3024155**

**NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS ELITE EXCAVATING SERVICES LLC**

Formal Complaint filed on 2/9/21, alleging that the 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 2/23/21, the Complaint was served on the Respondent by the Commission's Secretary. The Respondent did not file an Answer to the Complaint. On 7/13/21, the Commission issued a Secretarial Letter notifying Elite Excavating that its Certificate was cancelled and that it was assessed a civil penalty of \$500 for failure to maintain evidence of insurance on file with the Commission. On 7/14/21, Shawn M. Wertz filed the instant Petition for Reconsideration from Staff Action (Petition) on behalf of Elite Excavating. 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 Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026524-OSA**

**DOCKET NO. A-2021-3026524**

**NAME AND SUBJECT: IRONTON TELEPHONE COMPANY AND TELEPORT COMMUNICATIONS AMERICA LLC**

Joint Petition filed on 6/14/21, requesting approval of an Interconnection Agreement, pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026534-OSA**

**DOCKET NO. A-2021-3026534**

**NAME AND SUBJECT: CITIZENS TELEPHONE COMPANY OF KECKSBURG AND TELEPORT COMMUNICATIONS AMERICA LLC**

Joint Petition filed on 6/14/21, requesting approval of an Interconnection Agreement, pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026562-OSA**

**DOCKET NO. A-2021-3026562**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND BCN TELECOM INC F/K/A NUI TELECOM INC**

Joint Petition filed on 6/15/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026563-OSA**

**DOCKET NO. A-2021-3026563**

**NAME AND SUBJECT: VERIZON NORTH LLC AND D-TEL LLC**

Joint Petition filed on 6/15/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026564-OSA**

**DOCKET NO. A-2021-3026564**

**NAME AND SUBJECT: VERIZON NORTH LLC AND COOPERATIVE COMMUNICATIONS INC**  
Joint Petition filed on 6/15/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026566-OSA**

**DOCKET NO. A-2021-3026566**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND COOPERATIVE COMMUNICATIONS INC**

Joint Petition filed on 6/15/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026568-OSA**

**DOCKET NO. A-2021-3026568**

**NAME AND SUBJECT: VERIZON NORTH LLC AND BCN TELECOM INC F/K/A NUI TELECOM INC**

Joint Petition filed on 6/15/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026569-OSA**  
**DOCKET NO. A-2021-3026569**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND D-TEL LLC**  
Joint Petition filed on 6/15/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026579-OSA**  
**DOCKET NO. A-2021-3026579**

**NAME AND SUBJECT: VERIZON PENNSYLVANIA LLC AND AIRUS INC F/K/A INTELEPEER INC**  
Joint Petition filed on 6/16/21, seeking approval of an Interconnection Agreement and Amendment pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026580-OSA**  
**DOCKET NO. A-2021-3026580**

**NAME AND SUBJECT: VERIZON NORTH LLC AND AIRUS INC F/K/A INTELEPEER INC**  
Joint Petition filed on 6/16/21, seeking approval of an Interconnection Agreement and Amendment pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 6/26/21. No comments or protests were received.

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

Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026639-OSA**

**DOCKET NO. A-2021-3026639**

**NAME AND SUBJECT: COMMONWEALTH TELEPHONE COMPANY D/B/A FRONTIER COMMUNICATIONS COMMONWEALTH TELEPHONE COMPANY LLC AND ONVOY LLC**

Joint Petition filed on 6/18/21, seeking approval of an Amendment to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 7/3/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Sweet

Commissioner Coleman

Commissioner Yanora

**AGENDA NO. 3026644-OSA**

**DOCKET NO. A-2021-3026644**

**NAME AND SUBJECT: CITIZENS TELECOMMUNICATIONS OF NEW YORK INC ET AL AND ONVOY LLC**

Joint Petition filed on 6/18/21, seeking approval of Amendments to Interconnection Agreements pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was published in the Pa. Bulletin on 7/3/21. No comments or protests were received.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Sweet

Commissioner Coleman

Commissioner Yanora

## **BUREAU OF TECHNICAL UTILITY SERVICES**

### **AGENDA NO. 3009782-TUS**

#### **DOCKET NO. A-2019-3009782**

##### **NAME AND SUBJECT: PENNDOT**

Application filed on 5/9/19 for approval to alter the public below grade crossing by widening State Route 0051 which crosses under the track of Wheeling & Lake Erie Railway Company (DOT No. 472 722 J) in Rostraver Township, Westmoreland County, and the allocation of costs incident thereto. Secretarial Letter approving the Application was issued on 7/24/19.

RECOMMENDATION: That the Commission adopt the proposed Order.

##### Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

### **AGENDA NO. 3023033-TUS**

#### **DOCKET NO. A-2020-3023033**

##### **NAME AND SUBJECT: PENNDOT**

Application filed on 11/25/20 for approval to alter the public crossings where State Route 2114 crosses, above grade, the tracks of Norfolk Southern and Union Railroad in Duquesne and the tracks of CSX Transportation and Union Railroad in McKeesport, Allegheny County, for the approval of exemption from the minimum overhead clearance requirements of 52 Pa. Code Section 33.121.

RECOMMENDATION: That the Commission adopt the proposed Order.

##### Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3023391-TUS**

**DOCKET NO. A-2020-3023391 A-2020-3023392 A-2020-3023393 A-2020-3023394**

**NAME AND SUBJECT: COMMUNICATIONS VENTURE CORPORATION D/B/A INDIGITAL**  
Application filed on 11/2/20, for the approval to offer, render, furnish, or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the Service Territories of all 37 Incumbent Local Exchange Carriers within Pa.; Facilities-Based Interexchange Carrier (detariffed) within Pa.; Interexchange Carrier Reseller (detariffed) within Pa.; and as a Competitive Access Provider within Pa. No protests were filed and no hearings were held.

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

- Votes and Notes:  
Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3023559-TUS**

**DOCKET NO. M-2021-3023559**

**NAME AND SUBJECT: ELECTRIC GENERATION SUPPLIER LICENSE CANCELLATIONS**  
The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric General 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 8/17/21, 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 Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3024060-TUS**

**DOCKET NO. R-2021-3024060**

**NAME AND SUBJECT: PA PUC VS VICINITY ENERGY PHILADELPHIA INC**

On 4/30/21, Vicinity Energy Philadelphia, Inc. (Vicinity Energy), filed Supplement No. 31 to Tariff Heating and Cooling Pa. P.U.C. No. 4 (Supplement No. 31) to become effective on 7/1/21. Supplement No. 31 is proposing changes in rates, rules, and regulations calculated to produce an increase of approximately \$1.9 million in annual base rate revenues, an increase of approximately 5.1% on a total bill basis for customers affected by the increase. On 6/3/21, Vicinity Energy filed Supplement No. 32 postponing the effective date to 9/1/21. On 6/30/21, Petitions to Intervene were filed by the Trustees of the University of Pennsylvania and the Hospital at the University of Pennsylvania and by the Presbyterian Medical Center of the University of Pennsylvania Health System, Pennsylvania Hospital of the University of Pennsylvania Health System, and Penn Medicine at Rittenhouse. No complaints or protests were filed.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3024778-TUS**

**DOCKET NO. A-2021-3024778 A-2021-3024777**

**NAME AND SUBJECT: STONE FORTRESS COMMERCIAL LLC**

Joint Application filed on 3/19/21 for approval, *nunc pro tunc*, of: the right to transfer, by sale, substantially all of the wastewater assets of The Meadows at Watsonstown, LLC (Meadows); the right of Stone Fortress Commercial LLC (Stone Fortress) to begin to offer, render, furnish and supply wastewater service to the public in a portion of Delaware Township, Northumberland County, Pa.; and the right of Meadows to abandon wastewater service to the public in Delaware Township, Northumberland County, Pa. Meadows and Stone Fortress 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 Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3025829-TUS**

**DOCKET NO. P-2021-3025829**

**NAME AND SUBJECT: PIKE COUNTY LIGHT & POWER CO-ELECTRIC**

Petition filed on 5/10/21, for approval of the company's Electric Supply Agreement II (ESA II) consistent with its approved Default Service Plan for the period 6/1/21 through 5/31/24. The ESA II provides the details by which Orange and Rockland Utilities will provide electricity supply for the company to serve its electric customers.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3025909-TUS**

**DOCKET NO. P-2021-3025909**

**NAME AND SUBJECT: NATIONAL FUEL GAS DISTRIBUTION CORPORATION**

Petition filed on 5/17/21, to establish a mechanism to distribute the tax saving associated with the Tax Cuts and Jobs Act of 2017 for the period between 10/1/17 and 6/30/18. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3026130-TUS**

**DOCKET NO. A-2021-3026130**

**NAME AND SUBJECT: MID-ATLANTIC INTERSTATE TRANSMISSION LLC**

On 4/30/21, Mid-Atlantic Interstate Transmission filed a Letter Of Notification for approval to reconstruct the Hunterstown-Lincoln 115 kV Transmission Line in Straban Township, Adams County, Pa.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3027256-TUS**

**DOCKET NO. A-2021-3027256**

**NAME AND SUBJECT: BRADLEY R LEWIS**

Application filed on 7/14/21, for a license to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to small commercial, large commercial, and governmental customers in the electric distribution company service territories of Duquesne Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, Pennsylvania Power Company, PPL Electric Utilities Corporation, UGI Utilities, Inc., and West Penn Power Company within Pa.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Sweet

Commissioner Coleman

Commissioner Yanora

## LAW BUREAU

### AGENDA NO. 3023580-LAW

**DOCKET NO. P-2021-3023580**

**NAME AND SUBJECT: STARLINK SERVICES LLC**

Petition filed on 1/4/21, for designation as an Eligible Telecommunications Carrier (ETC) in Pa. The company is required to obtain a designation as an ETC from the Commission in order for it to be eligible to receive the federal high-cost support funding it has been awarded in the Federal Communications Commission's (FCC) rural Digital Opportunity Fund Auction (Auction 904). Accordingly, the company is required to certify to the FCC that it has received designation as a high-cost ETC in all of the eligible census block groups in Pa. for which it submitted a winning bid and has been awarded Auction 904 support.

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

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

### AGENDA NO. 3023604-LAW

**DOCKET NO. P-2021-3023604**

**NAME AND SUBJECT: YOUNGSVILLE TELEVISION CORPORATION D/B/A BLUE FIBER CORP**

Petition filed on 1/6/21, for designation as an Eligible Telecommunication Carrier (ETC) in portions of Crawford and Warren counties. The company is required to obtain designation as an ETC from the Commission to be eligible to receive the federal high-cost support funding it has been awarded in the Federal Communications Commission's (FCC) Rural Digital Opportunity Fund Auction (Auction 904). Accordingly, the company is required to certify to the FCC that it has received designation as a high-cost ETC in all of the eligible census block groups in Pa. for which it was assigned awarded Auction 904 support.

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

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3023915-LAW**

**DOCKET NO. P-2021-3023915**

**NAME AND SUBJECT: CONNECT EVERYONE LLC**

Petition filed on 1/29/21, for designation as an Eligible Telecommunications Carrier (ETC) in Pa. The company is required to obtain a designation as an ETC from the Commission in order for it to be eligible to receive the federal high-cost support funding it has been awarded in the FCC's rural Digital Opportunity Fund Auction (Auction 904). Accordingly, the company is required to certify to the Federal Communications Commission that it has received designation as a high-cost ETC in all of the eligible census block groups in Pa. for which it submitted a winning bid and has been awarded Auction 904 support.

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

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3027909-LAW**

**DOCKET NO. P-2021-3027909 P-00971281**

**NAME AND SUBJECT: COMMONWEALTH TELEPHONE COMPANY LLC D/B/A FRONTIER COMMUNICATIONS COMMONWEALTH TELEPHONE COMPANY ET AL AND CTSI LLC D/B/A FRONTIER COMMUNICATIONS CTSI**

Joint Petition filed 1/25/21, requesting the Commission to designate CTSI, LLC d/b/a Frontier Communications CTSI, LLC as an Eligible Telecommunications Carrier in Pa. for the purpose of receiving federal Universal Service Fund high-cost support.

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

Notes and Votes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

**AGENDA NO. 3023965-ALJ**

**DOCKET NO. R-2021-3023965 C-2021-3024558 C-2021-3024609**

**NAME AND SUBJECT: PA PUC ET AL VS PEOPLES NATURAL GAS COMPANY LLC**

On 4/1/21, pursuant to 66 Pa.C.S.A. § 1307(f), the Respondent filed its definitive Purchased Gas Cost rate to be effective on and after 10/1/21. By operation of 66 Pa.C.S.A. § 1307(f)(2), an investigation was instituted 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. The Pennsylvania Independent Oil & Gas Association (PIOGA) filed a Petition to Intervene. On 4/9/21, a prehearing conference was held. On 6/22/21, a Joint Petition for Settlement was filed by the Respondent, the Bureau of Investigation and Enforcement, Office of Consumer Advocate and the Office of Small Business Advocate.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3023967-ALJ**

**DOCKET NO. R-2021-3023967 C-2021-3024551 C-2021-3024610 C-2021-3026236**

**NAME AND SUBJECT: PA PUC ET AL VS PEOPLES GAS COMPANY LLC**

On 4/1/21, pursuant to 66 Pa.C.S. A. § 1307(f), Respondent filed its definitive Purchased Gas Cost rate to be effective on and after 10/1/21. By operation of 66 Pa.C.S.A. § 1307(f)(2), an investigation was instituted 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. The Pennsylvania Independent Oil & Gas Association (PIOGA) filed a Petition to Intervene. On 4/9/21, a prehearing conference was held. On 6/22/21, a Joint Petition for Settlement was filed by Respondent, Bureau of Investigation and Enforcement, Office of Consumer Advocate and the Office of Small Business Advocate.

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

Votes and Notes:

Chairman Dutrieuille  
Vice Chairman Sweet  
Commissioner Coleman  
Commissioner Yanora

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Carry-In Agenda

August 26, 2021

### OFFICE OF SPECIAL ASSISTANTS

#### AGENDA NO. 3019223-OSA

DOCKET NO. C-2020-3019223

NAME AND SUBJECT: **MELVIN WILLIAMS VS PITTSBURGH WATER AND SEWER**

#### **AUTHORITY**

On 3/2/20, Complainant filed a Formal Complaint (Complaint) against Pittsburgh Water and Sewer Authority (PWSA) alleging that PWSA damaged the sewer line at his service address and requested that the damage be repaired. On 4/2/20, PWSA filed an Answer to the Complaint. An evidentiary hearing was held on 9/15/20. In an Initial Decision, issued on 1/22/21, ALJ Dunderdale sustained the Complaint finding that PWSA provided unreasonable service by damaging the Complainant's sewer lateral and sewer vent and assessed a \$5,000 civil penalty. On 2/11/21, PWSA filed Exceptions; the Complainant filed Replies to Exceptions on 2/23/21. On 8/6/21, an Opinion and Order was entered. PWSA filed a Petition for Reconsideration (Petition) on 8/20/21. 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 Sweet  
Commissioner Coleman  
Commissioner Yanora

## **BUREAU OF TECHNICAL UTILITY SERVICES**

### **AGENDA NO. 3027282-TUS**

### **DOCKET NO. P-2021-3027282**

#### **NAME AND SUBJECT: CONSTELLATION NEWENERGY INC**

Petition filed on 7/15/21, requesting that the Commission affirm the certification of certain Tier II alternative energy credits which are subject to specific purchase and sale contracts entered into by Constellation NewEnergy, Inc. prior to 11/23/20.

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

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

Chairman Dutrieuille

Vice Chairman Sweet

Commissioner Coleman

Commissioner Yanora

## LAW BUREAU

### AGENDA NO. 3027005-LAW

**DOCKET NO. P-2021-3027005 A-2018-3006524 A-20183006525 et al**

**NAME AND SUBJECT: CONSOLIDATED COMMUNICATIONS OF PENNSYLVANIA LLC**

Request filed on 5/25/21, to approve changes to the existing Amended Chapter 30 Plan. This filing was made by Consolidated Communications of Pennsylvania LLC (CCPA), as a consequence of the Commission-approved merger and intra-company consolidation between CCPA and two other rural incumbent local exchange carriers, Bentleyville Communications Corporation (BCC) and Marianna & Scenery Hill Telephone Company (M&SH). By Secretarial Letter dated 5/13/19, the Commission approved, inter alia, the merger and an intra-company consolidation and transfer of 100% of the assets and control of two rural local exchange carriers, BCC and M&SH, to CCPA. This filing consolidates and aligns the Price Stability Plans of each company so that CCPA may continue to be regulated under an alternative from of regulation as set forth in its Second Amended Chapter 30 Plan.

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

Votes and Notes:

Chairman Dutrieuille

Vice Chairman Sweet

Commissioner Coleman

Commissioner Yanora