

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, MAY 8, 2025 (KB)  
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 CHAIR</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>John F. Coleman, Jr.</b>	<b>Kimberly Barrow</b>	<b>Stephen M. DeFrank</b>	<b>Kathryn L. Zeffuss</b>	<b>Ralph V. Yanora</b>

The Next Public Meeting is Tentatively Scheduled for Thursday, May 22, 2025 at 10:00 A.M.

Minutes of the Meeting of Thursday April 10, 2025 (KZ)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MAY 22, 2025, 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 HELD AN EXECUTIVE SESSION ON WEDNESDAY, MAY 7, 2025, AT 2:00 PM IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING. THE COMMISSION WILL HOLD ITS NEXT EXECUTIVE SESSION ON WEDNESDAY, MAY 21, 2025, 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. THE ELEVATORS WILL NOT OPERATE ONCE THE EVACUATION ALARM SOUNDS. ONCE YOU MOVE DOWN THE STAIRS, EXIT ONTO NORTH STREET AND PROCEED TO THE PUC ASSEMBLY AREA, UNLESS YOU ARE DIRECTED TO ASSEMBLE ELSEWHERE. TAKE YOUR BELONGINGS WITH YOU, ONLY IF THEY ARE READILY AVAILABLE. DO NOT RETURN TO THE BUILDING UNTIL THE ALL-CLEAR IS GIVEN. EMPLOYEES IN ANY PUC OFFICE SPACE AT THE TIME OF AN EVACUATION MUST ESCORT THEIR VISITOR(S) TO THE ASSEMBLY AREA TO BE ACCOUNTED FOR. RESTROOMS ARE LOCATED ON THE ATRIUM/PLAZA LEVEL IN THE NORTHWEST AND NORTHEAST HALLWAYS.**

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## FINAL AGENDA

May 8, 2025

### OFFICE OF SPECIAL ASSISTANTS

#### AGENDA NO. 3032708-OSA

**DOCKET NO. M-2025-3032708**

#### **NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS UGI UTILITIES INC - GAS DIVISION**

Informal investigation instituted on or about 6/1/22, regarding UGI Utilities, Inc. – Gas Division’s compliance with Chapter 56 regulations involving personal contact requirement prior to the termination of residential service. On 3/24/25, The Bureau of Investigation and Enforcement filed a Joint Petition for Approval of Settlement and Statements in Support.

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

#### Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

#### AGENDA NO. 3042412-OSA

**DOCKET NO. M-2025-3042412**

#### **NAME AND SUBJECT: PUC BUREAU OF INVESTIGATION AND ENFORCEMENT VS POCONO WATERWORKS COMPANY INC**

Informal investigation instituted on or about 10/23/23, regarding Pocono Waterworks Company, Inc.'s (Pocono Waterworks) alleged failure to test its meters and maintain records of water meter tests as required by 52 Pa. Code §§ 65.8(b) and (c). On 1/22/25, the Parties filed a Joint Petition for Approval of Settlement Agreement (Settlement) and a Statement in Support of the Settlement with the Commission.

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

#### Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

**AGENDA NO. 3049343-OSA**

**DOCKET NO. P-2024-3049343 G-2024-3049351 C-2024-3049618**

**NAME AND SUBJECT: PENN RENEWABLES LLC VS UGI UTILITIES INC - ELECTRIC**

On 5/31/24, UGI Utilities, Inc. – Electric Division (UGI) filed for approval of its Default Service Program V. On 2/20/25, the Commission entered an Opinion and Order (February 2025 Order) that: (1) denied Penn Renewables LLC’s (Penn Renewables) Exceptions to the Recommended Decision (RD) of ALJs Buckley and Arnold, issued on 12/3/24; (2) adopted the RD, without modification; and (3) granted the Joint Petition for Non-Unanimous Settlement filed by UGI, the Office of Consumer Advocate, and the Office of Small Business Advocate. On 3/18/25, Penn Renewables filed a Petition for Review in the Nature of an Appeal and an Application for Stay of the Commission’s February 2025 Order with the Commonwealth Court of Pa. On 3/21/25, the Commonwealth Court of Pa. denied the Application for Stay. On 3/25/25, Penn Renewables filed a Petition for Relief in the Form of a Stay (Petition for Stay). On 4/4/25, UGI filed an Answer to the Petition for Stay.

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

Votes and Notes:

- Chairman DeFrank
- Vice Chair Barrow
- Commissioner Zerfuss
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3050294-OSA**

**DOCKET NO. C-2024-3050294**

**NAME AND SUBJECT: DONTISSA WILMER VS AT&T ENTERPRISES LLC**

Formal Complaint (FC) filed on 7/24/24, alleging that Complainant’s AT&T Enterprises LLC (AT&T) cellphone account was hacked and that another account is erroneously associated with her account. On 9/5/24, AT&T filed a Certificate of Satisfaction to the FC. On 9/18/25, the Complainant filed a Disagreement of Satisfaction. A hearing was held on 11/6/24. In an Initial Decision issued on 2/19/25, ALJ Brady found that the case should be dismissed due to a lack of Commission jurisdiction. The Complainant filed Exceptions on 3/14/25. AT&T filed Reply Exceptions on 3/27/25.

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

Votes and Notes:

- Chairman DeFrank
- Vice Chair Barrow
- Commissioner Zerfuss
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3051334-OSA**  
**DOCKET NO. A-2024-3051334**

**NAME AND SUBJECT: DIAMOND CHAUFFEURS LLC**

Application filed on 9/23/24, for the right to operate as a Motor Common Carrier of Persons in Limousine Service. On 10/7/24, the Commission issued a Secretarial Letter denying the Application for failure to establish fitness. On 10/22/24, the Applicant 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 DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3051390-OSA**  
**DOCKET NO. A-2024-3051390 A-6427454**

**NAME AND SUBJECT: PA TRANSIT SERVICES LLC**

Application filed on 9/26/24, seeking certification to transport, as a common carrier, by motor vehicle, persons in paratransit service from points in the City and County of Philadelphia, to points of Pa., and return. On 10/12/24, the Commission published notice of the Application in the Pa. Bulletin and the notice established a protest date of 10/28/24. No protests were filed. On 11/19/24, the Commission issued a Secretarial Letter conditionally approving the Application. On 1/31/25, the Commission issued a Secretarial Letter indicating that because the Applicant failed to fulfill the conditions for approval, the Application was dismissed. On 2/28/25, the Applicant 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 DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3052357-OSA**

**DOCKET NO. R-2024-3052357 R-2024-3052359**

**NAME AND SUBJECT: PA PUBLIC UTILITY COMMISSION ET AL VS PIKE COUNTY LIGHT & POWER COMPANY**

Supplement No. 127 to Tariff Gas – Pa. P.U.C. No. 6 filed on 12/30/24, containing changes in gas rates, rules, and regulations, with a proposed revenue increase of \$905,900 (Supplement No. 127). On 1/14/25, Pike County Light & Power Company (Pike) filed Supplement No. 105 to Tariff Electric – Pa. P.U.C. No. 8, containing changes in electric rates, rules, and regulations, with a proposed revenue increase of \$2,143,900 (Supplement No. 105). For both Supplement No. 127 and Supplement No. 105, Pike proposed returns on equity utilizing the Quarterly Earnings Report (QER) contained in the Bureau of Technical Utility Services (TUS) Report on the Quarterly Earnings of Jurisdictional Utilities. On 3/18/25, the Office of Consumer Advocate (OCA) filed Subpoena Applications seeking the workpapers of TUS related to the QER for the years ended 6/30/24 and 9/30/24 and requesting expedited consideration. On 3/26/25, ALJs Guhl and Arnold issued Orders granting the Subpoena Applications (Subpoena Orders). TUS filed Objections to the Subpoena Applications on 3/28/25. On 4/10/25, TUS filed a Petition for Interlocutory Review and Answer to Material Question (Petition) seeking, in part, the rescission of the Subpoena Orders. The OCA filed a Brief in Opposition to the Petition on 4/18/25. On 4/21/25, TUS filed a Brief in Support of its Petition.

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

Votes and Notes:

- Chairman DeFrank
- Vice Chair Barrow
- Commissioner Zerfuss
- Commissioner Coleman
- Commissioner Yanora

**AGENDA NO. 3052880-OSA**

**DOCKET NO. A-2025-3052880**

**NAME AND SUBJECT: LUCKY DRIVER LLC**

Application filed on 1/10/25, for the right to operate as a Motor Common Carrier of Persons Group and Party Service in Vehicles Seating 11 to 15, including the Driver. On 2/12/25, the Commission issued a Secretarial Letter denying the Application for failure to file the required information. On 2/20/25, the Applicant 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 DeFrank
- Vice Chair Barrow
- Commissioner Zerfuss
- Commissioner Coleman
- Commissioner Yanora

**BUREAU OF TECHNICAL UTILITY SERVICES**

**AGENDA NO. 3053428-TUS**

**DOCKET NO. A-2025-3053428**

**NAME AND SUBJECT: HORIZON POWER AND LIGHT LLC**

Application filed on 2/11/25, to offer, render, furnish, or supply natural gas supply services as a supplier to residential, small commercial, large commercial, industrial and governmental customers in the natural gas distribution company service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, PECO Energy Company, Peoples Natural Gas Company, LLC – 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.

Notes and Votes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

**AGENDA NO. 3053431-TUS**

**DOCKET NO. R-2025-3053431 R-2025-3053432 P-00961115F1000 P-00961116F1000**

**NAME AND SUBJECT: TDS TELECOM/MAHANNOY & MAHANTANGO TELEPHONE COMPANY AND TDS TELECOM/SUGAR VALLEY TELEPHONE COMPANY**

2025 combined Price Index/Service Price Index Report Filing filed on 2/28/25. No protests were filed and no hearings were held.

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

Notes and Votes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

**AGENDA NO. 3053612-TUS**  
**DOCKET NO. A-2025-3053612**

**NAME AND SUBJECT: HORIZON POWER AND LIGHT LLC**

Application filed on 2/11/25, for a license to offer, render, furnish or supply electricity or electric generation services as a supplier 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 DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3054088-TUS**  
**DOCKET NO. A-2025-3054088**

**NAME AND SUBJECT: PAETEC COMMUNICATIONS LLC**

Application filed on 3/7/25 for the Discontinuance and Abandonment of Competitive Access Provider Services to the public within Pa. No protests were filed and no hearings were held.

RECOMMENDATION: That the Commission adopt the proposed Order.

Votes and Notes:

Chairman DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3054401-TUS**  
**DOCKET NO. M-2025-3054401**

**NAME AND SUBJECT: QUARTERLY EARNINGS REPORT OF JURISDICTIONAL UTILITIES**

The Bureau of Technical Utility Services staff has completed a quarterly earnings report of Pa. utilities for the quarter ended 12/31/24, representing the earned and adjusted returns on rate base and common equity capital for Pa. non-telephone fixed utilities with jurisdictional operating revenues of over \$1,000,000. Staff has included detailed, market-based analysis of the current cost of equity across industry-wide groups.

RECOMMENDATION: That the Commission make the earnings report public.

Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

## LAW BUREAU

### AGENDA NO. 3017232-LAW

(PP from 4/24/2025)

**DOCKET NO. L-2020-3017232**

#### **NAME AND SUBJECT: CERTIFICATED WATER AND WASTEWATER UTILITY ACQUISITIONS, MERGERS, AND TRANSFERS**

On 12/16/21, the Commission entered a Notice of Proposed Rulemaking Order (NOPR) to amend and update its regulations at 52 Pa. Code §§ 3.501 and 3.502. On 10/25/24, the Commission entered a Final-Form Rulemaking Order, which was delivered to the Independent Regulatory Review Commission (IRRC) and the Legislative Committees on 11/6/24. At IRRC's Public Meeting on 3/20/25, the final-form regulation was disapproved.

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

#### Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

**AGENDA NO. 2038543-ALJ**

**DOCKET NO. I-2008-2038543 A-2018-3001366 A-2012-2323368 A-2018-3001046 A-2018-3006384**

**NAME AND SUBJECT: READING BLUE MOUNTAIN AND NORTHERN RAILROAD COMPANY, LEVEL 3 COMMUNICATIONS LLC AND CTSI LLC DBA FRONTIER COMMUNICATIONS CTSI LLC**

The Commission instituted an investigation into the safety of the bridge carrying the tracks of Reading Blue Mountain and Northern Railroad Company over State Route 61 in Muhlenberg Township, Berks County, Pa. by Order entered 5/1/08. In the spring of 2023, the Bureau of Investigation and Enforcement's Rail Safety Division hosted a site meeting with the Parties at the bridge location to discuss the Aerial Parties' facilities, with the goal of closing out the dockets in these matters. A Prehearing Conference was held on 1/9/24. A Joint Petition for Approval of Revised Settlement was filed on 1/10/25.

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

Votes and Notes:

Chairman DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora

**AGENDA NO. 3048888-ALJ**

**DOCKET NO. F-2024-3048888**

**NAME AND SUBJECT: RICHARD MAROTTO VS AQUA PENNSYLVANIA WASTEWATER INC**  
Formal Complaint (FC) filed on 4/19/24 alleging that Aqua Pennsylvania Wastewater, Inc. (Aqua) inappropriately charged Complainant for water which passed through his deduct water meter and did not pass through Aqua's sewer processing system. On 5/28/24, Aqua filed an Answer and New Matter. On 6/24/24, Complainant filed Reply to New Matter. A hearing was held on 12/9/24.

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

Votes and Notes:

Chairman DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora

# **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

## **Carry-In Agenda**

**May 8, 2025**

### **OFFICE OF EXECUTIVE DIRECTOR**

#### **AGENDA NO. 3054867-DIR**

**NAME AND SUBJECT: APPOINTMENT OF THE DIRECTOR OF THE BUREAU OF AUDITS**

The Commission appoints Christian Yother to the permanent position of Director of the Bureau of Audits effective 5/10/25.

**RECOMMENDATION:** That the Commission ratify the appointment.

**Votes and Notes:**

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

## **OFFICE OF SPECIAL ASSISTANTS**

### **AGENDA NO. 3004042-OSA**

(PP from 4-24-2025)

**DOCKET NO. C-2018-3004042**

#### **NAME AND SUBJECT: PAMELA R SCOTT VS DUQUESNE LIGHT COMPANY**

Formal Complaint (FC) filed on 8/16/18, challenging the installation of a smart meter at Complainant's service address. On 9/5/18, Duquesne Light Company (Duquesne) filed an Answer and New Matter to the FC (Answer). On 9/25/18, the Complainant filed a Reply to Answer. A prehearing conference was held on 11/8/18. An evidentiary hearing was held on 3/12/20. On 7/24/20, Duquesne filed a Brief. On 7/27/20, the Complainant filed a Brief. On 1/8/24, the Complainant filed a Supplemental Brief and Duquesne filed a Supplement Brief. In an Initial Decision issued on 10/29/24, ALJ Watson dismissed the FC, with prejudice. The Complainant filed Exceptions on 11/15/24. Duquesne filed Replies to Exceptions on 11/27/24. On 12/3/24, the Complainant filed a Petition to Reopen Proceeding (Petition to Reopen). On 12/13/24, Duquesne filed an Answer to the Petition to Reopen. On 4/10/25, the Commission entered an Opinion and Order in this matter. On 4/23/25, the Complainant filed a Petition for Reconsideration (Petition). No Answer to the Petition has been filed.

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

#### Votes and Notes:

Chairman DeFrank

Vice Chair Barrow

Commissioner Zerfuss

Commissioner Coleman

Commissioner Yanora

**AGENDA NO. 3044525-OSA**  
**DOCKET NO. C-2023-3044525**

**NAME AND SUBJECT: DAVID BORNSIDE VS PITTSBURGH WATER AND SEWER AUTHORITY**  
Formal Complaint (FC) filed on 11/30/23, alleging that Pittsburgh Water and Sewer Authority (PWSA) violated its tariff and requesting reimbursement for the expense of replacing PWSA's sewer main. On 12/21/23, PWSA filed an Answer and New Matter to the FC. On 12/25/23, the Complainant filed a Reply to New Matter. On 3/12/24, PWSA filed a Motion to Dismiss the FC on the grounds that the Commission lacked jurisdiction to award monetary damages or compensation to the Complainant. On 3/15/24, the Complainant filed an Answer to PWSA's Motion to Dismiss the FC. On 3/20/24, ALJ Watson, treating PWSA's Motion to Dismiss as a Motion for Judgment on the Pleadings, issued an Order granting in part, and denying, in part, PWSA's Motion for Judgment on the Pleadings. A hearing was held on 4/2/24. In an Initial Decision (ID) issued on 12/19/24, ALJ Watson sustained the FC. PWSA filed Exceptions on 1/8/25. The Complainant filed Replies to Exceptions on 1/14/25. On 4/10/25, the Commission entered an Opinion and Order adopting the ID. On 4/25/25, PWSA filed a Petition for Reconsideration and/or Clarification.

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

Votes and Notes:

Chairman DeFrank  
Vice Chair Barrow  
Commissioner Zerfuss  
Commissioner Coleman  
Commissioner Yanora