

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, FEBRUARY 8, 2018 (AP)  
1:00 P.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. However, since adequate forums have been made available for public participation in cases before the Commission, there will be no opportunity for the public to address the Commission.

The attached agenda is complete at the time of issuance, but other items may be added and some stricken without further notice.

The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, its decision---except on routine, uncontested tariff filings---will be put in writing and served on the interested parties and made public at the time it is entered and served.

All public documents---such as orders, opinions, hearing transcripts, comments, initial and recommended decisions, and the like---relating to items on the agenda, may be examined in the Commission's File Room located in Room N-201, Second Floor, this Building.

The Commissioners seated on the bench are:

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>David W. Sweet</b>	<b>Andrew G. Place</b>	<b>Gladys M. Brown</b>	<b>Norman J. Kennard</b>	<b>John F. Coleman, Jr.</b>

**THE TAKING OF PHOTOGRAPHS IS PERMITTED PROVIDED FLASH IS NOT USED.**

The Next Public Meeting is Tentatively Scheduled for Thursday, March 1, 2018 at 10:00 A.M.

Minutes of the Meeting of Thursday, December 21, 2017 (DS)

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

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MARCH 1, 2018, 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, FEBRUARY 28, 2018, AT 1:00 PM IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, COMMONWEALTH KEYSTONE BUILDING.

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. THE EXECUTIVE SESSION ON WEDNESDAY, FEBRUARY 7, 2018, AT 1:00 PM WAS RESCHEDULED TO FRIDAY, FEBRUARY 9, 2018, AT 9:00 AM IN THE JR EXECUTIVE CHAMBERS. 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.**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**FINAL AGENDA**

**February 08, 2018**

**BUREAU OF AUDITS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2584891-AUD (PP from 01/18/2018)</b>	<b>D-2017-2584891</b>	<b>PIKE COUNTY LIGHT AND POWER COMPANY AND LEATHERSTOCKING GAS COMPANY LLC</b>  - Focused Management and Operations Audit of Pike County Light and Power Co. and Leatherstocking Gas Co. The companies submitted an Implementation Plan dated 12/28/17, indicating acceptance of all 33 recommendations.  <b>RECOMMENDATION:</b>  That the Commission make the Audit Report and the Implementation Plan public.

**BUREAU OF CONSUMER SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2534323-BCS</b>	<b>M-2016-2534323</b>	<p>DUQUESNE LIGHT COMPANY</p> <p>- On 9/15/17, Duquesne filed a Joint Petition on behalf of itself, the Coalition for Affordable Utility Services and Energy Efficiency in PA, and the OCA. The Joint Petition seeks to further amend Duquesne's 2017-2019 Universal Service and Energy Conservation Plan by modifying Duquesne's Customer Assistance Program (CAP) and requests a waiver from 52 Pa. Code § 54.74(a)(1-2) to allow its Amended Proposed Plan to be effective through 2022. On 12/29/17, Duquesne also filed a petition for approval of a new CAP bill design and customer communication plan.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>

**OFFICE OF COMPETITIVE MARKET OVERSIGHT**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2526627-OCM</b>	<b>P-2016-2526627</b>	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Recommendation from the Office of Competitive Market Oversight concerning operational issues concerning the implementation of PPL Electric Utilities' Customer Assistance Program Standard Offer Program (PPL CAP-SOP). On 11/8/17, the Commission adopted a Tentative Order in this proceeding seeking comment on various implementation issues including how to handle customers who are receiving service from an electric generation supplier (EGS) after 6/1/17, and subsequently enroll in CAP. Through this Final Order, we provide direction as to the actions PPL and EGSs are to take regarding customers who are either currently participating in PPL's CAP or enroll into CAP in the future.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Final Order.</p>

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2507068-OSA</b>	<b>C-2015-2507068</b>	<p>ONE TEN ASSOCIATES LLC VS DUQUESNE LIGHT COMPANY</p> <p>- Formal Complaint filed on 9/29/15, wherein the Complainant was identified as John Lee, Utilisave, LLC. The Complainant alleged that the recorded demand is billed on a noncoincident maximum basis rather than allegedly properly on a coincident peak demand basis. On 10/25/15, Duquesne filed an Answer and New Matter and Preliminary Objections. On 11/12/15, an Amended Complaint was filed wherein the Complainant was identified as John G. Harris, Esquire (Utilisave, LLC). On 12/1/15, Duquesne filed an Answer and New Matter, and Preliminary Objections. On 12/18/15, One Ten Associates, LLC filed a Second Amended Complaint. On 1/11/16, Duquesne filed an Answer and New Matter. By Order dated 1/21/16, the ALJ denied Duquesne's Preliminary Objections. An evidentiary hearing was held on 4/11/16. On 9/26/16, the Commission issued ALJ Haas' Initial Decision, which dismissed the Complaint. On 10/14/16, One Ten filed Exceptions to the ALJ's Initial Decision. On 10/21/16, Duquesne filed Reply Exceptions.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order.</p>
<b>2532893-OSA</b>	<b>C-2016-2532893</b>	<p>BRONWYN A FISCHER VS PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Formal Complaint filed on 3/5/16, alleging that PPL failed to provide adequate, efficient, safe, and reasonable service. On 3/28/16, PPL filed an Answer to the Complaint. A hearing was held on 6/10/16. On 1/6/17, ALJ Buckley issued an Initial Decision dismissing the Complaint. The Complainant filed Exceptions on 1/27/17. Replies to Exceptions were filed by PPL on 2/3/17.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that denies the Exceptions, and adopts the ALJ's Initial Decision, consistent with the Opinion and Order.</p>

- 2537014-OSA C-2016-2537014** PUC - INVESTIGATION AND ENFORCEMENT VS CHARLES H EDWARDS JR
- Complaint filed on 4/26/16, for operating call and demand service without authority from the Commission. On 6/6/16, the Respondent filed a Letter in response to the Complaint. The Complaint was assigned to the OALJ for hearing and the issuance of an Initial Decision. On 12/8/16, I&E filed a Motion for Judgment on the Pleadings. By Initial Decision issued 6/6/17, ALJ Long denied the Motion and the Complaint. On 6/26/17, I&E filed Exceptions. No Reply Exceptions have been filed.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order.
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- 2538182-OSA A-2016-2538182** KEYSTONE TRANSPORTATION LLC
- Application filed on 4/5/16, to provide paratransit service between points in thirty-eight counties in PA and return. Notice for the application was published in the Pa. Bulletin on 4/30/16. Thirteen Protesting Parties filed timely protests. A hearing was held on 7/27/16. By Initial Decision issued on 10/28/16, ALJ Barnes recommended that the application be denied. Keystone filed Exceptions on 11/17/16. Each of the Protesting Parties filed Replies to Exceptions between 11/21/16 and 11/28/16.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order.
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- 2546422-OSA M-2016-2546422** PUC – INVESTIGATION AND ENFORCEMENT VS SFE ENERGY PENNSYLVANIA INC
- On 7/21/16, I&E instituted an informal investigation of SFE Energy regarding its marketing practices as an electric generation supplier in PA. The investigation related to allegations that a door-to-door sales agent of SFE Energy was charged with burglary, criminal trespass and drug possession. I&E was prepared to allege in a formal complaint that SFE Energy or its agent permitted a person to conduct door-to-door sales marketing activities before it had obtained and reviewed a criminal history record for the person as required under 52 Pa. Code § 111.4(b). On 12/6/16, the parties submitted a Settlement Agreement to resolve this matter. By Order entered 8/3/17, the Commission issued the Settlement for comments. No comments were filed.
- RECOMMENDATION:
- That the Commission adopt the proposed Opinion and Order.

**2547561-OSA C-2016-2547561**

**PUC - INVESTIGATION AND ENFORCEMENT VS AUGUSTUS REED JR T/A AUGUSTUS REED JR LIMOUSINE**

- Complaint filed on 5/26/16, alleging that the Respondent failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$815 (consisting of the outstanding assessment balance of \$652 and a civil penalty of \$163) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/2/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and the civil penalty. No Answer to the Motion was filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants the Motion for Default Judgment.

**2547565-OSA C-2016-2547565**

**PUC - INVESTIGATION AND ENFORCEMENT VS MAIDENS TAXI SERVICE LLC**

- Complaint filed on 5/26/16, alleging that the Respondent failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$805 (consisting of the outstanding assessment balance of \$700 and a civil penalty of \$105) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/2/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the remaining outstanding assessment and the civil penalty. On 1/11/18, the Respondent's Certificate was cancelled. No Answer to the Motion was filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants the Motion for Default Judgment, consistent with the Opinion and Order.



**2547569-OSA C-2016-2547569**

**PUC- INVESTIGATION AND ENFORCEMENT VS ROYAL  
TRANSPORTATION LLC**

- Complaint filed on 5/26/16, alleging that the Respondent failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$835 (consisting of the outstanding assessment balance of \$668 and a civil penalty of \$167) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/2/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and civil penalty. No Answer to the Motion was filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants the Motion for Default Judgment, as modified by the Opinion and Order.

**2548862-OSA C-2016-2548862**

**PUC - INVESTIGATION AND ENFORCEMENT VS FIRST CLASS  
TAXI CAB COMPANY D/B/A C-PRIDE TAXI COMPANY LLC**

- Complaint filed on 6/2/16, alleging that the Respondent failed to file an assessment report for the 2014 calendar year and failed to pay its assessment amount for fiscal year 2015-2016. I&E requested that the Respondent be ordered to pay \$2,235 (consisting of the outstanding assessment balance of \$988 and a civil penalty of \$1,247) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 11/2/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the outstanding assessment and civil penalty. No Answer to the Motion was filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants the Motion for Default Judgment, as modified by the Opinion and Order.

**2549574-OSA C-2016-2549574**

**PUC - INVESTIGATION AND ENFORCEMENT VS LUXURY LIMOUSINE SERVICE INC**

- Complaint filed on 6/6/16, alleging that the Respondent failed to pay its assessment amount for Fiscal Year 2015-2016. I&E requested that the Respondent be ordered to pay \$1,364 (consisting of the outstanding assessment balance of \$1,091 and a civil penalty of \$273) and that the Respondent's Certificate of Public Convenience be revoked if it failed to pay the assessment and civil penalty. The Respondent did not file an Answer to the Complaint. On 7/7/16, the Respondent paid \$363.66 toward its outstanding assessment balance. On 8/29/16, I&E filed a Motion for Default Judgment, requesting that the Commission direct the Respondent to pay the remaining outstanding assessment and the civil penalty. No Answer to the Motion was filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order, which grants the Motion for Default Judgment.

**2549949-OSA C-2016-2549949  
(PP from 01/18/2018)**

**JEAN THOMA VS PPL ELECTRIC UTILITIES CORPORATION**

- Formal Complaint filed on 5/16/16, claiming that Complainant experienced a reliability, safety or quality problem with her utility service. On 6/29/16, PPL filed an Answer to the Complaint. A hearing was held on 12/1/16. On 4/14/17, the Initial Decision of ALJ Heep was issued, in which ALJ Heep sustained the Complaint, in part, and denied it, in part. On 5/4/17, PPL filed Exceptions to the Initial Decision. No Replies to Exceptions were filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2551964-OSA F-2016-2551964**

**IFEDOO ENIGWE VS PHILADELPHIA GAS WORKS**

- Formal Complaint filed on 6/13/16, alleging that PGW caused him to be ineligible for a Utility Emergency Services Fund grant. For relief, the Complainant requested an equivalent credit and a lower payment arrangement. On 7/11/16, PGW filed an Answer to the Complaint. A hearing was held on 11/28/16. On 1/13/17, ALJ Calvelli issued an Initial Decision which denied, in part, and granted, in part, the Complaint. The Complainant filed Exceptions on 4/20/17. No Replies to Exceptions were filed.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2553988-OSA C-2016-2553988**

**HARRY LARRY BIERLEY VS NATIONAL FUEL GAS DISTRIBUTION CORPORATION**

- Formal Complaint filed on 6/27/16, alleging incorrect charges on his bill. The Complainant averred that there was a gas leak at his property which resulted in a higher gas bill than normal and health issues. As relief, the Complainant requested a refund of the amount to have been overpaid as a result of the alleged gas leak. On 7/20/16, NFGDC filed an Answer and New Matter. On 9/12/16 the Complainant filed a Reply to NFGDC's Answer and New Matter, within which he requested that the Commission award him \$500,000 compensation. On 9/22/16, NFGDC filed Preliminary Objections. By Order dated 3/23/17, the ALJ granted in part and denied in part NFGDC's Preliminary Objections. An evidentiary hearing was held on 5/18/17. On 8/14/17, the Commission issued ALJ Watson's Initial Decision which dismissed the Complaint. On 9/20/17, the Complainant filed Exceptions to the Initial Decision. On 10/2/17, NFGDC filed Replies to Exceptions.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2559985-OSA C-2016-2559985**

**NORBERT SLIWINSKI VS DUQUESNE LIGHT COMPANY**

- Complaint filed on 7/22/16, asserting that he is opposed to the installation of a smart meter at his residence. On 8/23/16, Duquesne filed an Answer and New Matter denying the allegations, as well as Preliminary Objections. On 9/6/16, the Complainant filed a reply to the New Matter. On 10/7/16, ALJ Watson issued an Interim Order Denying Preliminary Objections. On 11/15/16, Duquesne filed a Motion for Judgment on the Pleadings. On 1/17/17, the Commission issued ALJ Watson's Initial Decision, in which he granted Duquesne's Motion and dismissed the Complaint with prejudice. On 2/7/17, the Complainant filed Exceptions to the ALJs' Initial Decision. On 3/20/17, Duquesne filed Replies to Exceptions.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2585680-OSA C-2017-2585680  
(PP from 01/18/2018)**

**GLENN DEHAVEN VS PECO ENERGY COMPANY**

- Formal Complaint filed on 1/11/17, disputing charges on the Complainant's bill relating to a foreign load. On 2/3/17, PECO filed an Answer to the Complaint and Preliminary Objections. On 2/7/17, the Complainant filed an Answer to PECO's Preliminary Objections. On 4/27/17, the Initial Decision of ALJ Cheskis was issued, granting the Preliminary Objections and dismissing the Complaint. On 5/15/17, the Complainant filed Exceptions to the Initial Decision. On 5/18/17, PECO filed Replies to Exceptions.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2589346-OSA C-2017-2589346**

**WEST GOSHEN TOWNSHIP VS SUNOCO PIPELINE LP**

- On 3/30/17, West Goshen Township filed a Complaint against Sunoco Pipeline seeking enforcement of a Settlement Agreement at Docket No. U-2015-2486071. By Order entered 10/26/17, the Commission enjoined Sunoco from constructing Valve 344 on the Janiec 2 Tract and engaging in horizontal directional drilling related to Valve 344 on the Janiec 2 Tract. On 11/21/17, Sunoco filed a Petition to Rescind or Discontinue relative to the 10/26/17 Order. By Order entered 1/9/18, the Commission, inter alia, denied Sunoco's request for rescission and discontinued the injunction in the 10/26/17 Order. On 1/24/18, the Township filed a Petition for Reconsideration or, in the Alternative, Amendment of the 1/9/18 Order.

**RECOMMENDATION:**

That the Commission grant the petition pending further review of, and consideration on, the merits.

**2592410-OSA F-2017-2592410  
(PP from 01/18/2018)**

**RICHARD DINA VS PECO ENERGY COMPANY**

- Formal Complaint filed on 3/2/17, disputing charges on the Complainant's bill relating to a foreign load. On 3/9/17, PECO filed an Answer to the Complaint and Preliminary Objections. On 3/23/17, PECO filed amended Preliminary Objections. On 4/19/17, the Complainant filed an answer to PECO's Preliminary Objections. On 6/12/17, the Initial Decision of ALJ Salapa was issued, sustaining the Preliminary Objections and dismissing the Complaint. On 6/19/17, the Complainant filed Exceptions to the Initial Decision. On 6/20/17, PECO filed Replies to Exceptions.

**RECOMMENDATION:**

That the Commission adopt the proposed Opinion and Order.

**2625822-OSA C-2017-2625822**

**JIM W SHAFFER VS COLUMBIA GAS OF PENNSYLVANIA INC**

- Formal Complaint filed on 9/20/17, alleging incorrect charges on his utility bills and a threat to terminate his service. Additionally, the Complainant averred his opposition to being billed based on therms as opposed to cubic feet of gas. On 10/12/17 Columbia filed an Answer and New Matter, as well as Preliminary Objections, denying the allegations and requesting that the Complaint be dismissed in its entirety as a matter of law. On 11/28/17, the Commission issued ALJ Salapa's Initial Decision, which dismissed the Complaint. On 12/26/17, the Complainant filed Exceptions to the ALJ's Initial Decision. On 1/2/18, Columbia filed Replies to Exceptions.

**RECOMMENDATION:**

That the Commission adopt the Proposed Opinion and Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2491777-TUS</b>	<b>A-2015-2491777</b>	<b>PENNSYLVANIA TURNPIKE COMMISSION</b> - Application for approval to alter the public crossing (DOT 584 891 G) by the replacement of the existing bridge where the Pennsylvania Turnpike I-76 (Beaver River Bridge) crosses above grade, the tracks of CSX Transportation Inc., and Norfolk Southern Railway Co. located in Big Beaver Borough and North Sewickley Township, Beaver County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
<b>2608500-TUS</b>	<b>A-2017-2608500</b>	<b>SIGEL GAS LLC</b> - Application filed on 6/7/17, for approval to offer, render, furnish or supply natural gas distribution service to the public in the additional territories of Porter, Madison, and Toby Townships in Clarion County, PA, and Madison Township in Armstrong County, PA for the purpose of acquiring Nikkam Gas Inc.'s customers. RECOMMENDATION: That the Commission adopt the proposed Order.
<b>2611372-TUS</b>	<b>A-2017-2611372</b>	<b>THE YORK WATER COMPANY</b> - Application filed 6/23/17, for approval of: (1) York Water's right to begin to offer, render, furnish and supply water service to the public in additional portions of Lower Windsor and Hellam Townships, York County, PA; and (2) the acquisition by York Water of certain water system assets of the Wrightsville Borough Municipal Authority. RECOMMENDATION: That the Commission adopt the proposed Order.
<b>2635945-TUS</b>	<b>A-2017-2635945</b>	<b>LAMARR ENERGY LLC</b> - On 11/30/17, the Commission accepted Lamarr Energy's application 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 throughout PA. The license application is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809. RECOMMENDATION: That the Commission adopt the proposed Order.

- 2636803-TUS**      **A-2017-2636803**  
**A-2017-2636796**      **BIRCH COMMUNICATIONS OF THE NORTHEAST INC**  
- Application filed on 11/29/17, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA LLC; Verizon North LLC; Commonwealth Telephone Co. d/b/a Frontier Communications Commonwealth Telephone Co.; Consolidated Communications of PA Co.; Frontier Communications of PA, LLC; The United Telephone Company of PA LLC d/b/a CenturyLink; Windstream Conestoga, Inc.; Windstream D&E, Inc.; and Windstream PA, LLC, and as a Reseller Interexchange Carrier (detariffed) throughout PA. No protests were filed, and no hearings were held.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order.
- 2637693-TUS**      **A-2017-2637693**  
**BLUE LINE MARKETING LLC**  
- On 2/12/17, the Commission accepted Blue Line Marketing's application to offer, render, furnish, or supply natural gas services as a broker/marketer to small commercial, large commercial, and industrial customers in the natural gas distribution company service territories of Columbia Gas, NFGD Corp., PECO Energy, Peoples Natural Gas Co., Peoples Natural Gas Co. - Equitable Division, Peoples Gas Co., PGW, UGI Central Penn Gas, UGI Penn Natural Gas, UGI Utilities, and Valley Energy, within PA. The license application was filed pursuant to Section 2208 of the Natural Gas Choice and Competition Act and Title 52, Chapter 62, Subchapter D.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order.
- 2638232-TUS**      **A-2017-2638232**  
**PPL ELECTRIC UTILITIES CORPORATION**  
- Letter of Notification filed on 12/12/17, for approval to site and construct approximately 0.4 miles of new 230 kV transmission lines in Bear Creek Township, Luzerne County, PA. No protests were filed and no hearings were held.  
**RECOMMENDATION:**  
That the Commission adopt the proposed Order.
- 2639869-TUS**      **S-2017-2639869**  
**FIBERNET TELECOMMUNICATIONS OF PENNSYLVANIA LLC AND LUMOS NETWORKS OF WEST VIRGINIA INC**  
- Securities Certificate filed on 12/22/17, with respect to pledging of assets and guarantee of debt up to an aggregate amount of \$1.75 billion. No protests were filed and no hearings were held.  
**RECOMMENDATION:**  
That the Commission register the securities certificate consistent with the proposed Order.

- 2640827-TUS M-2018-2640827** ELECTRIC GENERATION SUPPLIER (EGS) LICENSE CANCELLATIONS
- The Commission's regulations at 52 Pa. Code §54.40(a) state that an EGS license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. 52 Pa. Code §54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained. As of 1/30/18, 2018, 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.
- 
- 2641151-TUS A-2018-2641151** PPL ELECTRIC UTILITIES CORPORATION
- Letter of Notification filed on 1/2/18, for approval to relocate approximately 0.15 miles of the South Fogelsville-Breinigsville #1 & #2 138/69 kV Transmission Line in Upper Macungie Township, Lehigh County, PA. No protests were filed and no hearings were held.
- RECOMMENDATION:
- That the Commission adopt the proposed Order.
- 
- 2641163-TUS A-2018-2641163** MID-ATLANTIC INTERSTATE TRANSMISSION LLC
- Letter of Notification filed on 1/3/18, for approval to site and construct the Hosensack-South Reading 230 kV Transmission Line Loop in Robeson Township, Berks County, PA. No protests were filed and no hearings were held.
- RECOMMENDATION:
- That the Commission adopt the proposed Order.

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2645983-LAW</b>	<b>M-2018-2645983</b>	<p>PUC VS NORTH HEIDELBERG SEWER COMPANY</p> <p>- North Heidelberg Sewer Co. (NHSC) serves approximately 273 customers in North Heidelberg and Jefferson Townships in northern Berks County. Since May 2010, NHSC has accumulated an approximate \$193,000 arrearage on its electric service bills from the Metropolitan Edison Co. (Met-Ed). Met-Ed has issued termination notices as required by law. On 10/7/17, the Commission issued an Order providing conditions on which NHSC could remedy the arrearage and provided for further direction if NHSC failed to do so. The instant Order implements the terms of the 10/7/17 Order.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed order.</p>
<b>2604692-LAW (PP from 01/18/2018)</b>	<b>L-2017-2604692</b>	<p>RULEMAKING PERTAINING TO MINIMUM REQUIREMENTS FOR MOTOR CARRIERS OF PASSENGERS - 52 PA CODE CHAPTER 32</p> <p>- The Commission issued an Advanced Notice of Proposed Rulemaking on 6/14/17, wherein the Commission determined it was appropriate to reexamine our regulations governing the motor carrier industry. After receiving comments from the industry, the Commission proposes to amend the minimum insurance requirements for motor common carriers transporting less than 16 passengers.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order.</p>



**OFFICE OF ADMINISTRATIVE LAW JUDGE**

- 2565296-ALJ**      **A-2016-2565296**      **PENNSYLVANIA ELECTRIC COMPANY**  
**et al.**  
**(PP from 01/18/2018)**
- Application filed on 9/1/16, seeking approval to locate, construct, operate and maintain a high-voltage transmission line referred to as the Bedford North-Central City West 115 kV HV Transmission Line Project. Penelec also filed 19 applications to exercise the power of eminent domain to obtain property rights for the construction and operation of the Project. A hearing was held on 5/24/17.
- COMMISSION REVIEW:**  
That the Commission adopt ALJ Watson's Recommended Decision granting the application.
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- 2565506-ALJ**      **C-2016-2565506**      **JODY BUTTS VS COLUMBIA GAS OF PENNSYLVANIA INC**
- Formal Complaint filed 9/6/16, alleging that there were incorrect charges on her bill. On 9/26/16 Columbia filed Preliminary Objections and an Answer with New Matter. The New Matter asserted that the Complainant previously filed an identical complaint at Docket No. C-2015-2505611 with the Commission. The Initial Decision was served on 5/8/17. By Opinion and Order entered 8/31/17, the Commission reversed the Initial Decision and remanded the case to OALJ for such further proceedings as may be necessary. A hearing on remand was held on 10/26/17.
- COMMISSION REVIEW:**  
That the Commission adopt ALJ Salapa's Initial Decision on Remand denying the Complaint.
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- 2586450-ALJ**      **C-2017-2586450**      **CLEATUS W SANTEE JR VS PECO ENERGY COMPANY**
- Formal Complaint filed 1/23/17, alleging an inability to pay his electricity bills and requesting an affordable payment arrangement. PECO filed an Answer on 2/3/17, denying all material allegations of fact and conclusions of law in the Complaint. A hearing was held on 4/13/17.
- COMMISSION REVIEW:**  
That the Commission adopt ALJ Vero's Initial Decision dismissing the Complaint in its entirety.

**2601961-ALJ F-2017-2601961**  
**(PP from 01/18/2018)**

**WAYNE O AULTMAN JR VS PECO ENERGY COMPANY**

- Formal Complaint filed 4/24/17, in a timely BCS decision. Complainant stated he would like the Commission to invalidate PECO's newly adopted structure for low income individuals. Complainant contends that the new program "eviscerates" the low income assistance because in the calculation of what a low income customer can pay for PECO services, there is no deduction for or consideration of other standard living expenses such as rent. PECO filed an answer on 4/24/17. A hearing was held on 7/7/17.

**COMMISSION REVIEW:**

That the Commission adopt ALJ Heep's Initial Decision dismissing the Complaint.

**2612646-ALJ F-2017-2612646**

**SHANTELE THOMAS VS PHILADELPHIA GAS WORKS**

- Formal Complaint filed 6/30/17, requesting a payment arrangement stating that Complainant cannot afford the arrangement that was presented. The Complainant also indicated that her service would be terminated if she did not receive a payment arrangement. The Complainant alleged that she was out of work for about a year and a half and PGW would not accept her significantly decreased income information. PGW filed an Answer on 7/26/17. A hearing was held on 9/5/17.

**COMMISSION REVIEW:**

That the Commission adopt ALJ Jones' Initial Decision dismissing the Complaint.

**2619800-ALJ C-2017-2619800**

**ROSEANN RAIMO VS METROPOLITAN EDISON COMPANY**

- Formal Complaint filed 8/3/17, alleging that an electrical wire crossing over the roof of her residence was unsafe and requests that the Commission order Met Ed to relocate the wire and remove its associated pole from the customer's property. Met Ed filed an Answer on 9/6/17. A hearing was held on 10/17/17.

**COMMISSION REVIEW:**

That the Commission adopt ALJ Myers' Initial Decision dismissing the Complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Carry-In Agenda

February 08, 2018

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2447138-OSA	C-2014-2447138 C-2014-2447169	<p>OCA VS HIDDEN VALLEY UTILITY SERVICES LP</p> <p>- On 10/9/14, the OCA filed a Formal Complaint against HVUS alleging failure to provide adequate, safe and reasonable water service at Docket No. C-2014-2447138. Also, on 10/9/14, the OCA filed a Formal Complaint against HVUS for alleged wastewater service problems at Docket No. C-2014-2447169. On 10/29/14, HVUS filed Answers to both Complaints. On 6/25/15, public input hearings were held. By Order dated 8/8/15, Robert J. Kollar and Kellie A. Kuhleman (Intervenors) were permitted to intervene. An evidentiary hearing was held on 11/17/15. By Initial Decision issued 9/9/16, ALJ Watson sustained the Complaints. On 9/29/16, the OCA, HVUS, and the Intervenors filed Exceptions. On 10/10/16, the Intervenors filed Replies to Exceptions; the OCA and HVUS filed Replies to Exceptions on 10/11/16. By Order entered 1/18/18, the Commission adopted the Initial Decision, as modified. HVUS filed a Petition for Clarification, Reconsideration and Amendment on 2/2/18.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants the petition pending further review and consideration on the merits.</p>
2626908-OSA	A-2017-2626908	<p>SUEZ WATER PENNSYLVANIA INC</p> <p>- On 9/28/17, SUEZ Water filed an application seeking to expand its service territory in additional areas in Columbia County and Montour County. No protests were filed, and no hearings were held. On 1/18/18, the Commission entered an Opinion and Order that approved the application and, inter alia, directed SUEZ Water to include certain items in its next base rate case. On 1/30/18, SUEZ Water filed a Petition for Partial Reconsideration and Clarification of the 1/18/18 Order.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that grants the petition pending review of and consideration on the merits.</p>