

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

**PUBLIC MEETING**

---

**JULY 23, 2004 (KP)**

**10:00 A. M.**

**MAIN HEARING ROOM NO. 1  
SECOND FLOOR COMMONWEALTH KEYSTONE BUILDING**

---

The Commission will act on various matters at today's meeting, which is open to the public. 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> |
| Kim Pizzigrilli     | Robert K. Bloom      | Terrance J. Fitzpatrick | Glen R. Thomas      | Wendell F. Holland  |

|  |
|--|
| <b>BUREAU DIRECTORS AND MEMBERS<br/>OF THE LEGAL, TECHNICAL AND<br/>ADMINISTRATIVE STAFF OF THE<br/>COMMISSION</b> |
|--|

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

The Next Public Meeting is Tentatively Scheduled for Thursday, August 5, 2004 at 10:00 a.m.

**Minutes of the Meeting of June 24, 2004 (RB)**

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

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY AUGUST 5, 2004, 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.**

**ALSO, THE COMMISSION WILL HOLD AN EXECUTIVE SESSION, ON FRIDAY, JULY 23, 2004, AT 10:30 A.M., IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, KEYSTONE BUILDING. THE COMMISSION'S AGENDA WILL BE LIMITED TO:**

- 1. DISCUSSING PERSONNEL MATTERS.**
- 2. CONSULTING WITH ITS LEGAL OR TECHNICAL STAFF ABOUT ACTIONS WHICH THIS COMMISSION IS LITIGATING BEFORE OTHER ADMINISTRATIVE AGENCIES OR COURTS.**
- 3. DISCUSSING CASES WHICH WILL BE COMMENCED OR ADJUDICATED BY COMMISSION ACTION.**
- 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.**

**\*\*\*\*\***

**A LISTING OF THE COMPLAINTS INITIATED BY THE COMMISSION'S ENFORCEMENT BUREAUS, DURING THE CURRENT MONTH, IS AVAILABLE FOR PUBLIC INSPECTION IN ROOM N-201, SECOND FLOOR, COMMONWEALTH KEYSTONE BUILDING.**

**CASES OF SPECIAL INTEREST**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|--------------------------|---|
| <b>OSA-0181</b>          | <b>R-00038805, et al</b> | <b>PA PUC, et al v. AQUA PENNSYLVANIA INC.</b><br>Exceptions and Reply Exceptions filed by Various Parties to ALJ Fordham's June 16, 2004 Recommended Decision.<br><b>RECOMMENDATION</b> that the Commission conduct a Binding Poll of the issues in this proceeding. |
| <b>BINDING POLL</b>      |                          |   |

**BUREAU OF TRANSPORTATION AND SAFETY**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                      | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|---|--|
| <b>TSM-0063*</b>         | <b>A-00120375</b>                             | Application of <b>CONSHOHOCKEN LIMO COMPANY, INC.</b> , Bala Cynwyd, Montgomery County, for the transfer of the limousine authority of Bruce Voell, t/d/b/a Archway Limousine, authorized under the certificate issued at A-00114505.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application, and canceling the certificate of the transferor at A-00114505, by supplemental order. |
| <b>TSM-0107*</b>         | <b>A-00114027<br/>R-00049615</b>              | <b>TRISTATE HOUSEHOLD GOODS CONFERENCE, INC.</b> , on behalf of all participating members of Cambria County, Weleski Transfer/Johnstown, Inc. Motor Carrier rate increase in accordance with 52 PA Code §23.67.<br><b>RECOMMENDATION</b> that the Tariff Freight Pa. PUC No. 50, 10 <sup>th</sup> Revised Page 52 as filed by Tristate Household Goods Conference, Inc. be permitted to become effective July 26, 2004.      |
| <b>TSM-0108*</b>         | <b>A-00113409, F.1,<br/>AMA<br/>R00049616</b> | <b>ERIC WRIGHT ENTERPRISES, INC. t/d/b/a ERIC'S MOVING</b> , Philadelphia County.<br>Increase in Rates.<br><b>RECOMMENDATION</b> that the Tariff Freight Pa. PUC No. 4 as filed by the carrier be permitted to become effective July 26, 2004.   |
| <b>TSM-0114*</b>         | <b>A-00118810, F.1,<br/>Am-A</b>              | Application of <b>FELIX M. SZCZEPANSKI, t/a J B TAXI</b> , Beaver, Beaver County, for amendment to his common carrier certificate: <b><u>SO AS TO PERMIT</u></b> the transportation of persons upon call or demand in Beaver County.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.  |
| <b>TSM-0124*</b>         | <b>A-00120667</b>                             | Application of <b>KEVIN D. MORSE, t/a TOUCH OF CLASS LIMOUSINE</b> , Rome, Bradford County, for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.   |

**BUREAU OF TRANSPORTATION AND SAFETY**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                   | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--|--|
| <b>TSM-0125*</b>         | <b>A-00111994C0301<br/>A-00113363C0302</b> | <b>TRANSWOOD, INC. AND METRO MOVING AND STORAGE, INC.</b> By Commission Orders entered May 4, 2 004, the above carriers' Certificates of Public Convenience were cancelled for failure to respond to a Bureau Complaint alleging abandonment or discontinuance of service without having submitted a letter to this Commission. Newly discovered evidence indicates that answers were received prior to the cancellation of the certificate. <b>RECOMMENDATION</b> that the Commission rescind the orders that cancelled the certificates. |
| <b>TSM-0127*</b>         | <b>A-00120712</b>                          | Application of <b>AIRPORT ORBIT, INC.</b> , Slippery Rock, Butler County, for the transfer of the persons in airport transfer service authority of Cultural Studies Academy, Inc., t/a Lenz Travel Airport Shuttle Service, authorized under the certificate issued at A-00105543, subject to the same limitations and conditions. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application, and canceling the certificate of the transferor at A-00105543.  |
| <b>TSM-0128*</b>         | <b>A-00120696</b>                          | Application of <b>FAB LIMOUSINES, INC.</b> , Youngstown, Ohio, for the transfer of the persons in limousine service authority of Homer A. Berlew and Frederick R. Buckman, copartners, t/a A Formal Affair Limousine Service, authorized under the certificate issued at A-00111634, F.2, subject to the same limitations and conditions. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application, and canceling the certificate of the transferor at A-00111634, F.2.                                |
| <b>TSM-0131*</b>         | <b>A-00120191</b>                          | Application of <b>RONALD C. JONES</b> , Mifflintown, Juniata County, for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.   |

**BUREAU OF TRANSPORTATION AND SAFETY**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                      | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|---|---|
| <b>TSM-0132*</b>         | <b>A-00120855, F.<br/>6000 (ETA)</b>          | Application of <b>POSTEN TRANSPORTATION, INC.</b> , Wilkes-Barre, Luzerne County, for Emergency Temporary Authority (ETA), to transport, as a common carrier, by motor vehicle, persons in airport transfer service.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed Tentative Order denying the application for Emergency Temporary Authority. |
| <b>TSM-0133*</b>         | <b>A-00120706</b>                             | Application of <b>ROCK RIVER AND TRAIL OUTFITTERS, INC.</b> , Lock Haven, Clinton County, for the right to begin to transport persons, in group and party service.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.   |
| <b>TSM-0134*</b>         | <b>A-00120570</b>                             | Application of <b>ON SITE MEDICAL, LLC</b> , Aston, Delaware County, for the right to transport persons in paratransit service.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.  |
| <b>TSM-0135*</b>         | <b>A-00105690, F.1<br/>AMA<br/>R-00049617</b> | <b>JOHN M. FRINSKO t/a SIGMUND TRANSFER COMPANY</b> , Allegheny County.<br>Increase in Rates.<br><b>RECOMMENDATION</b> that the Tariff Freight Pa. PUC No. 8 as filed by the carrier be permitted to become effective July 26, 2004.  |
| <b>TSM-0136*</b>         | <b>A-00097509<br/>R00049618</b>               | <b>L. A. LEWIS, INC.</b> , Lackawanna County.<br>Increase in Rates.<br><b>RECOMMENDATION</b> that the Tariff Freight Pa. PUC No. 13 as filed by the carrier be permitted to become effective July 26, 2004.   |

**BUREAU OF TRANSPORTATION AND SAFETY**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>         | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|----------------------------------|--|
| <b>TSM-0137*</b>         | <b>A-00082096<br/>R-00049619</b> | <b>TRISTATE HOUSEHOLD GOODS CONFERENCE, INC.</b> , on behalf of all participating members of Indiana County, McNaughton Brothers, Inc. Motor Carrier rate increase in accordance with 52 PA Code §23.67.<br><b>RECOMMENDATION</b> that the Tariff Freight Pa. PUC No. 50, 10 <sup>th</sup> Revised Page 48 as filed by Tristate Household Goods Conference, Inc. be permitted to become effective July 26, 2004. |
| <b>TSM-0138*</b>         | <b>A-00120508</b>                | Application of <b>GEORGE MARAGIA AND MAKARIOUS CHORE, COPARTNERS, t/a INTERSTATE NURSING SERVICES</b> , Whitehall, Lehigh County, for the right to transport persons, in paratransit service.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application, as amended.   |
| <b>TSM-0139*</b>         | <b>A-00112674<br/>R-00049620</b> | <b>FRIEDA &amp; FRANCIS AMBROSE COPT.</b> , Philadelphia.<br>Increase in Rates.<br><b>RECOMMENDATION</b> that the Tariff Freight Pa. PUC No. 5 as filed by the carrier be permitted to become effective July 26, 2004.   |
| <b>TSM-0141*</b>         | <b>A-00086357, F.11</b>          | Application of <b>CARL R. BIEBER, INC.</b> , Kutztown, Berks County, for the additional right to transport, as a common carrier, by motor vehicle, persons in limousine service.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.  |

**BUREAU OF TRANSPORTATION AND SAFETY**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|--------------------------|---|
| <b>TSM-0142*</b>         | <b>A-00120714</b>        | Application of <b>MILDRED A. KISSEL, t/a KISSEL MOVING AND STORAGE</b> , Wexford, Allegheny County, for the transfer of the property, and household goods in use authority of Patrick A. Kissel, Sr. (deceased), authorized under the certificate issued at A-00099886, subject to the same limitations and conditions.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application, and canceling the certificate of the transferor at A-00099886., by supplemental order. |



**BUREAU OF AUDITS**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|--------------------------|---|
| <b>AUD-0019</b>          | <b>D-03DSC002</b>        | <b>THE YORK WATER COMPANY</b><br>York, PA<br>Auditor's Report on the Distribution System<br>Improvement Charge for the Year Ended<br>December 31, 2003.<br><b>RECOMMENDATION</b> to release the Audit Report. |

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>         | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|----------------------------------|--|
| <b>OSA-0025 R*</b>       | <b>A-00119378<br/>A-00119379</b> | <p>Application of the <b>CITY OF PITTSBURGH</b> for leave to continue prior overhead clearance for certain bridges...; Application of the City of Pittsburgh for approval of the alteration of the railroad crossings at Ridge Avenue, West Ohio Street, and North Avenue and Brighton Road Bridges....</p> <p>Exceptions to ALJ Gesoff's August 13, 2003 Recommended Decision, filed September 11, 2003, by Norfolk Southern Railway Co. and Pennsylvania Lines LLC. The City filed Reply Exceptions on September 11, 2003.</p> <p><b>RECOMMENDATION</b> that the Commission grant in part and deny in part Norfolk Southern's Exceptions and adopt the Recommend Decision to the extent that it is consistent with the proposed Opinion and Order.</p> |
| <b>OSA-0035 R*</b>       | <b>A-311281F7000</b>             | <p>Joint Petition of <b>VERIZON PA INC</b> and <b>CITYNET PENNSYLVANIA LLC</b> for approval of the adoption of an Interconnection Agreement between Verizon PA and Sprint.</p> <p>On November 28, 2003, Verizon PA and Citynet filed a Joint Petition for approval to adopt an existing Interconnection Agreement between Verizon PA and Sprint, at Docket No A-310183F0002.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order granting the Joint Petition.</p>  |
| <b>OSA-0136*</b>         | <b>A-00120055</b>                | <p>Application, filed June 25, 2003, of <b>CHOICE CAB COMPANY</b> ...for the right to begin to transport...persons in airport transfer service.</p> <p>Exceptions to ALJ Meehan's April 14, 2004 Initial Decision filed by the Applicant on May 4, 2004.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order which denies the Applicant's Exceptions, and adopts the Initial Decision to the extent that it is consistent with the proposed Opinion and Order.</p>   |

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>BUREAU NO.</u></b>                    | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>   |
|---|--------------------------|--|
| <b>OSA-0138*</b><br><b>(PP from 7/8/04)</b> | <b>C-20027195</b>        | <b>AT&amp;T COMMUNICATIONS OF PA INC v<br/>VERIZON NORTH INC AND VERIZON PA<br/>INC</b><br>Petition of Verizon PA, Verizon North, OSBA and<br>OCA for Resolution of Litigation; Verizon PA's<br>2003 Price Change Opportunity Filing; Verizon PA<br>and Verizon North's 2004 PCO Filings.<br><b>RECOMMENDATION</b> that the Commission<br>modify and reverse in part the ALJ's Recommended<br>Decision, and remand certain matters concerning<br>access charge reform to the ALJ for further<br>development of the record and issuance of a<br>Recommended Decision, consistent with the<br>proposed Opinion and Order.                  |
| <b>OSA-0169*</b>                            | <b>I-00990084</b>        | Investigation Upon the Commission's Own<br>Motion ...of the traveling public using the bridge that<br>carries Township Road 378 (AAR 145 117 K<br>formerly T-381) over and above the tracks of <b>CSX<br/>TRANSPORTATION, INC.</b> , in Summit Township,<br>Somerset County.<br>Exceptions to ALJ Gesoff's May 5, 2004<br>Recommended Decision, filed by PennDOT on May<br>24, 2004 and by CSX on May 25, 2004.<br><b>RECOMMENDATION</b> that the Commission grant<br>the Exceptions filed by PennDOT and CSX and<br>adopt the Recommended Decision to the extent that it<br>is consistent with the proposed draft Opinion and<br>Order. |

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>   | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|----------------------------|---|
| <b>OSA-0179*</b>         | <b>C-20028352</b>          | <b>GRACE SCRUTCHING v. PHILADELPHIA GAS WORKS</b><br>Exceptions to ALJ Fordham's July 10, 2003 Initial Decision filed by Complainant on July 30, 2003. Reply Exceptions were filed by PGW on August 11, 2003.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order reversing the Initial Decision and remanding the proceeding to the ALJ for such hearings as may be necessary and the issuance of a Supplemental Initial Decision on Remand that addresses a four-year period of review for the Complainant's account, consistent with the Public Utility Code and prior Commission decisions.       |
| <b>OSA-0180 R*</b>       | <b>A-311140F7000</b>       | Joint Petition of <b>VERIZON PA INC</b> and <b>COMCAST PHONE OF PA LLC, f/k/a AT&amp;T BROADBAND PHONE OF PA LLC</b> , for approval of the adoption of Amendment "A" to an Interconnection Agreement.<br>The Joint Petition, filed on June 2, 2004, seeks approval for the adoption of an existing Amendment of the Interconnection Agreement between Verizon PA and Comcast Business Communications Inc, f/k/a Comcast Telecommunications Inc, which became effective on May 25, 2001, at Docket No. A-310190F0003.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order granting the Joint Petition. |
| <b>OSA-0182*</b>         | <b>A-00089650F0002 AME</b> | Application of <b>WILLIAMSPORT MOVING COMPANY, INC. t/d/b/a KEYSTONE RELOCATION</b> .<br>Exceptions to ALJ Schnierle's May 6, 2004 Initial Decision, filed by Protestants on May 18, 2004. Replies to Exceptions filed by Applicant on May 24, 2004.<br><b>RECOMMENDATION</b> that the Commission deny the Exceptions and grant the Application, consistent with the proposed Opinion and Order.  |

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--------------------------|--|
| <b>OSA-0183 R*</b>       | <b>A-310183F7003</b>     | <p>Joint Petition of <b>COMMONWEALTH TELEPHONE COMPANY</b> and The United Telephone Company of Pa, d/b/a <b>SPRINT</b> for approval of a Negotiated Interconnection Agreement, filed June 3, 2004.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order granting the Joint Petition.</p>  |
| <b>OSA-0184 R*</b>       | <b>A-311275F7003</b>     | <p>Joint Petition of <b>COMMONWEALTH TELEPHONE COMPANY</b> and the Southwestern Bell Mobile Systems d/b/a <b>CINGULAR WIRELESS</b> for approval of a Negotiated Interconnection Agreement filed May 21, 2004.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order granting the Joint Petition.</p>   |
| <b>OSA-0185 R*</b>       | <b>A-311201F7000</b>     | <p>Joint Petition of <b>VERIZON PENNSYLVANIA INC</b> and <b>ECONODIAL LLC</b> for Approval of Adoption of an Interconnection Agreement.</p> <p>On June 18, 2004 Verizon PA and Econodial filed a Joint Petition seeking approval for the adoption of an existing Interconnection Agreement between Verizon PA and Z-tel Communications Inc.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order granting the Joint Petition.</p> |
| <b>OSA-0186 R*</b>       | <b>A-311201F7001</b>     | <p>Joint Petition of <b>VERIZON NORTH INC.</b> and <b>ECONODIAL LLC</b> for Approval of Adoption of an Interconnection Agreement.</p> <p>On June 18, 2004 Verizon North and Econodial filed a Joint Petition seeking approval for the adoption of an existing Interconnection Agreement between Verizon North and Z-tel Communications Inc.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order granting the Joint Petition.</p> |

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|--------------------------|---|
| <b>OSA-0189*</b>         | <b>A-310489F7000</b>     | <p>Joint Petition of <b>VERIZON PA INC.</b> and Celco Partnership, Pittsburgh SMSA Limited Partnership, Pennsylvania RSA No. 6(II) Limited Partnership, and Allentown SMSA Limited Partnership, collectively d/b/a <b>VERIZON WIRELESS</b>.<br/>On May 27, 2004 Verizon PA and Verizon Wireless filed a Joint Petition for approval of Amendment No. 3 to the Agreement approved as revised by Order entered December 17, 1998.<br/><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Opinion and Order granting the Joint Petition for Amendment.</p>   |
| <b>OSA-0190*</b>         | <b>A-310489F7001</b>     | <p>Joint Petition of <b>VERIZON NORTH INC</b> and Celco Partnership, Pennsylvania No. 4 Sector 2 Limited Partnership, Pittsburgh SMSA Limited Partnership, Pennsylvania RSA No. 6(II) Limited Partnership, Bell Atlantic Mobile Systems of Allentown, Inc., and Allentown SMSA Limited Partnership, collectively d/b/a <b>VERIZON WIRELESS</b>.<br/>On May 27, 2004 Verizon North and Verizon Wireless filed a Joint Petition for Approval of Amendment No. 3 to the Agreement approved by Order entered February 26, 1998.<br/><b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order granting the Joint Petition.</p> |

**BUREAU OF FIXED UTILITY SERVICES**

| <b><u>BUREAU NO.</u></b>                    | <b><u>DOCKET NO.</u></b>          | <b><u>NAME AND SUBJECT</u></b>  |
|---|-----------------------------------|---|
| <b>FUS-0434*</b>                            | <b>A-311316<br/>A-311316F0002</b> | Applications filed on February 25, 2004 by <b>CORNERSTONE TELEPHONE COMPANY, LLC</b> for approval to offer, render, furnish or supply telecommunication services as a Reseller of Interexchange Toll Services and a Competitive Local Exchange Carrier to the public in the Commonwealth of Pennsylvania.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Order approving the Applications.   |
| <b>FUS-0440*</b><br><b>(PP from 7/8/04)</b> | <b>P-00981410</b>                 | <b>THE UNITED TELEPHONE COMPANY OF PENNSYLVANIA d/b/a SPRINT</b><br>Annual Price Stability Mechanism Report filed September 2, 2003 in compliance with Sprint's Alternative Regulation Plan.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Order which (1) finds the 2003 PSM calculation in compliance with Sprint's Alternative Regulation Plan, (2) denies Sprint's proposal to apply its 2003 PSM revenue reduction of \$702,224 to fund its Pennsylvania USF contribution, and (3) directs Sprint to file another 2003 PSM Report showing how the \$702,224 will be returned to customers of its noncompetitive services through tariffed rate reductions. |
| <b>FUS-0447*</b>                            | <b>A-310155F2000</b>              | Application filed on March 25, 2004 by <b>VISTA INTERNATIONAL COMMUNICATIONS, INC.</b> , seeking approval of the Company's Discontinuance and Abandonment of Service as a Reseller of Interexchange Toll Service to the Public in Pennsylvania.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Order approving the Application.  |

**BUREAU OF FIXED UTILITY SERVICES**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                            | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|---|---|
| <b>FUS-0454*</b>         | <b>A-311307<br/>A-311307F0002<br/>A-311307F0003</b> | Application filed on January 5, 2004, by <b>SUSCOM BUSINESS SOLUTIONS OF PA, INC.</b> for approval to offer, render, furnish or supply telecommunication services to the public as a Reseller of Interexchange Toll services and Competitive Access Provider in the Commonwealth of Pennsylvania, and as a Competitive Local Exchange Carrier within the counties of York, Adams, Lycoming, Clinton, Centre, Union and Northumberland in the service territories of Verizon Pennsylvania, Inc., Verizon North, Inc., and United Telephone Company of Pennsylvania, Inc., <b>RECOMMENDATION</b> that the Commission adopt the proposed draft Order approving the Application, consistent with the Order. |
| <b>FUS-0463*</b>         | <b>A-311171F2001</b>                                | Application filed on May 10, 2004, by <b>WINSTAR of PENNSYLVANIA LLC</b> , seeking Commission approval of the Company's Partial Discontinuance and Abandonment of certain local and interexchange telecommunications services to the public in selected areas within the Commonwealth of Pennsylvania. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order approving the company's filing.   |
| <b>FUS-0469*</b>         | <b>M-00981068</b>                                   | <b>FULTON COUNTY'S 911 SYSTEM RENEWAL PLAN</b> was received May 6, 2004 from PEMA requesting that the Commission formally review the costs associated with the contribution rate of \$1.50 per access line per month and make a recommendation to PEMA within 90 days of the receipt date. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order approving the contribution rate of \$1.50 per access line per month.  |



**BUREAU OF FIXED UTILITY SERVICES**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--------------------------|--|
| <b>FUS-0835*</b>         | <b>A-23022F2000</b>      | Application filed December 3, 2003 by <b>BLUE KNOB WATER COMPANY</b> for approval of the sale of assets and for approval of the surrender and cancellation of the Applicant's certificate of public convenience concerning the provision of wastewater service to the public in portions of Greenfield Township in Blair County, Kimmel Township in Bedford County and Pavia Township in Bedford County, Pennsylvania.<br><b>RECOMMENDATION</b> that the Commission adopt the draft Order approving the Application. |
| <b>FUS-0836*</b>         | <b>A-212285F0116</b>     | Application filed on June 15, 2004 by <b>PENNSYLVANIA AMERICAN WATER COMPANY</b> for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of Conewago Township, Dauphin County, Pennsylvania.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Order approving the Application as filed.  |
| <b>FUS-1033*</b>         | <b>R-00049554</b>        | <b>PPL INTERSTATE ENERGY COMPANY</b> filed Supplement No. 1 to Tariff Pipeline-Pa PUC No 7 on June 4, 2004 to become effective August 3, 2004. This filing proposes to implement a technical correction to their tariff which would limit authorized overrun volumes on an annual basis instead of a monthly basis.<br><b>RECOMMENDATION</b> that the Supplement be approved as filed and that the Commission adopt the proposed draft Order which implements this recommendation.                                   |

**BUREAU OF FIXED UTILITY SERVICES**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                                 | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--|--|
| <b>FUS-1035 R*</b>       | <b>A-125130</b>  | <p>Application filed May 21, 2004 by <b>COMPASS ENERGY GAS SERVICES, LLC</b> to offer, render, furnish or supply natural gas supply services to commercial, industrial and governmental customers in the service territory of Columbia Gas of Pennsylvania, Inc., UGI Corporation – Gas Division, PPL Gas Utilities, National Fuel Gas Distribution Corporation, and Equitable Gas Company within the Commonwealth of Pennsylvania, as a supplier of natural gas service.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed draft Order approving the License Application.</p>   |
| <b>FUS-1342*</b>         | <b>A-310470F0010<br/>A-311307F0004<br/>A-310547F2000</b> | <p>Joint Application, filed April 9, 2004, by <b>TELCOVE OF PENNSYLVANIA, INC., SUSCOM BUSINESS SOLUTIONS OF PA, INC., SUSQUEHANNA FIBER SYSTEMS, INC., and SUSQUEHANNA ADELPHIA BUSINESS SOLUTIONS</b> for approval of the transfers of assets and the related transfers of customers to SusCom Business Solutions of PA, Inc., and TelCove of Pennsylvania, Inc., and the abandonment of service by Susquehanna Adelphia Business Solutions.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Order approving the transfers of assets, the related transfers of customers, and the subsequent abandonment of service.</p> |
| <b>FUS-1358*</b>         | <b>A-311256F0002<br/>A-311311</b>                        | <p>Joint Application filed on January 26, 2004 by <b>TELEGLOBE USA LLC and TELEGLOBE AMERICA, INC.</b>, for approval of (a) the entry by Teleglobe America, Inc., as a reseller of interexchange toll services, (b) the transfer of assets from Teleglobe USA LLC to Teleglobe America, Inc., and (c) the abandonment of service by Teleglobe USA LLC.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the Order approving the Joint Application.</p>   |

**BUREAU OF FIXED UTILITY SERVICES**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                                 | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--|--|
| <b>FUS-1359*</b>         | <b>A-310200F0009<br/>A-311163F0005</b>                   | <p>Joint Application filed on June 27, 2004 by <b>VERIZON PENNSYLVANIA, INC.,</b> and <b>AT&amp;T COMMUNICATIONS OF PENNSYLVANIA, LLC</b> for Certificates of Public Convenience to transfer, by sale, a portion of the property located at 210 Pine Street, Harrisburg, PA from Verizon PA to AT&amp;T.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Order approving the Application.</p>        |
| <b>FUS-1360*</b>         | <b>A-310743F0007<br/>A-310640F0003<br/>A-310915F0005</b> | <p>Joint Application filed June 2, 2004 by <b>PAETEC COMMUNICATIONS, INC., COVISTA, INC.,</b> and <b>CAPSULE COMMUNICATIONS, INC.,</b> collectively <b>COVISTA,</b> for approval of the transfer of certain Pennsylvania assets, including customer accounts, from Covista, Inc. to Paetec Communications, Inc.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Order approving the Application.</p> |

**COMBINED BUREAU AGENDA**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|--------------------------|---|
| <b>FUS-0817*</b>         | <b>R-00049134</b>        | <b>CLARENDON WATER COMPANY</b><br>Home Office – Clarendon, PA<br>Supplement No. 4 to Tariff Water – Pa. P.U.C. No. 2, filed January 13, 2004, proposing an annual increase in rates of \$6,746, voluntarily postponed to become effective July 1, 2004.<br><b>RECOMMENDATION</b> that the Commission institute an Investigation, noting that the Tariff was suspended by operation of law for a period not to exceed seven (7) months from July 1, 2004, and that the case be referred to the OALJ, consistent with the proposed Order. |
| <b>OTS-0001</b>          | <b>R-00049134</b>        | <b>CLARENDON WATER COMPANY</b><br>Supplement No. 4 to Tariff Water-Pa. P.U.C. No. 2, filed January 13, 2004, proposing an annual increase in rates of \$6,746, voluntarily postponed to become effective July 1, 2004.<br><b>RECOMMENDATION</b> that the Commission allow the Tariff to be suspended by operation of law.   |

LAW BUREAU

| <u>BUREAU NO.</u> | <u>DOCKET NO.</u>                       | <u>NAME AND SUBJECT</u>   |
|-------------------|---|---|
| L-0061*           | P-00042114                              | Petition of <b>THE FOURTH WAVE NETWORK, INC.</b> , t/a <b>AMERICAN IDEA NETWORK</b> .<br><b>RECOMMENDATION</b> that the Commission adopt the proposed Order, which denies The Fourth Wave Network, Inc., t/a American Idea Network's Petition for Declaratory Order.              |
| L-0064*           | C-20031974,<br>A-310572                 | <b>LBPS v. COLEMAN ENTERPRISES, INC.</b><br>Petition for Rescission of Commission Order adopted April 8, 2004.<br><b>RECOMMENDATION</b> that the Commission adopt the proposed Order that rescinds the Default Order.   |
| L-0066*           | P-00042101                              | Petition of the <b>ENERGY ASSOCIATION OF PENNSYLVANIA</b> for a Blanket Waiver of 49 C.F.R. §192.321(a) to authorize the installation of plastic pipe on bridges.<br><b>RECOMMENDATION</b> that the Commission adopt the Proposed Order dismissing <b>EAP's</b> Petition as moot. |
| L-0067*           | P-00042095                              | Petition of <b>EQUITABLE GAS COMPANY</b> for Expedited Approval of Interstate Pipeline Storage and Related Transportation Service Capacity Contracts.<br><b>RECOMMENDATION</b> that the Commission approve the Petition, consistent with the proposed Order.                      |
| L-0068*           | M-00011468F0003                         | <b>PERFORMANCE METRICS AND REMEDIES - 2004 UPDATES.</b><br><b>RECOMMENDATION</b> that the Commission approve the recommended changes and that the proposed Order be adopted.  |
| L-0069*           | R-0003817<br>A-122250F001<br>P-00032021 | <b>Pa PUC, OCA, et al. v. PEOPLES NATURAL GAS COMPANY</b> d/b/a <b>DOMINION PEOPLES</b><br><b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which approves the Settlement Agreement.  |

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

| <b><u>BUREAU NO.</u></b>                     | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>   |
|--|--------------------------|--|
| <b>ALJ-0352*</b><br><b>(PP from 5/7/04)</b>  | <b>P-00951005</b>        | <b>PETITION OF THE FRONTIER COMPANIES FOR APPROVAL UNDER CHAPTER 30 ...</b><br>On May 29, 2003, Frontier filed a Petition for a determination seeking to have the productivity offset contained within their Price Stability Mechanism lowered. An answer was filed on June 23, 2003. A Settlement Agreement was filed on November 7, 2003 and a Further Settlement Agreement was filed on December 23, 2003.<br><b>REVIEW</b> of ALJ Nene's Recommended Decision approving the Settlement Agreements. |
| <b>ALJ-0371*</b><br><b>(PP from 6/24/04)</b> | <b>C-20031476</b>        | <b>RONDA L. SHONTS v. NATIONAL FUEL GAS DISTRIBUTION CORPORATION</b><br>On October 6, 2003, a complaint was filed. An answer was filed on November 6, 2003. A hearing was held on April 13, 2004.<br><b>COMMISSION REVIEW</b> of ALJ Nene's Initial Decision dismissing the complaint.   |
| <b>ALJ-0372*</b><br><b>(PP from 7/8/04)</b>  | <b>F-01339719</b>        | <b>DONNA MACDOUGALL v. VERIZON NORTH INC.</b><br>On June 10, 2003, a complaint was filed alleging a service dispute. On July 16, 2003, an answer was filed. On October 7, 2003, a hearing was held.<br><b>COMMISSION REVIEW</b> of ALJ Schnierle's Initial Decision dismissing the complaint without prejudice.  |
| <b>ALJ-0377*</b>                             | <b>A-00107390C0301</b>   | <b>PA PUC BTS v. EXECUTIVE TRANSPORTATION SERVICES, INC.</b><br>On April 25, 2003, a complaint was filed alleging that Executive provided transportation while their operating rights were suspended for failing to have proof of insurance on file with the Commission. A hearing was held on October 27, 2003.<br><b>COMMISSION REVIEW</b> of ALJ Porterfield's Initial Decision sustaining the complaint.   |

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>                                       | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--|--|
| <b>ALJ-0378*</b>         | <b>A-00107168C0303<br/>A-00107168C0304<br/>A-00107168C0305</b> | <b>PA PUC BTS v. DONALD FIX, T/A DON FARR MOVING COMPANY</b><br>On April 3, May 27 and September 12, 2003, complaints were filed alleging numerous violations. Answers were filed. A Consolidated Settlement Agreement was filed on January 28, 2004.<br><b>COMMISSION REVIEW</b> of ALJ Porterfield's Initial Decision approving the Settlement.  |
| <b>ALJ-0379*</b>         | <b>C-20039345</b>  | <b>STEVEN L. EICHMAN v. THE UNITED TELEPHONE COMPANY OF PA, D/B/A SPRINT AND QWEST TELECOMMUNICATIONS, INC.</b><br>On January 17, 2003, a complaint was filed alleging Complainant's phone was being blocked. Respondents filed answers to the complaint. A hearing was held on December 9, 2003.<br><b>COMMISSION REVIEW</b> of ALJ Schnierle's Initial Decision dismissing the complaint with prejudice. |
| <b>ALJ-0381*</b>         | <b>F-01130435</b>  | <b>DAVID MINER v. PECO ENERGY COMPANY</b><br>On April 28, 2003, a complaint was filed alleging a service dispute. On June 9, 2003, an answer was filed. A hearing was held on November 4, 2003.<br><b>COMMISSION REVIEW</b> of ALJ Schnierle's Initial Decision sustaining the complaint in part.  |
| <b>ALJ-0382*</b>         | <b>F-01259309</b>  | <b>RONALD E. RICE, JR. v. PECO ENERGY COMPANY</b><br>On April 26, 2003, a complaint was filed alleging a billing dispute. On June 6, 2003, an answer was filed. A hearing was held on May 19, 2004.<br><b>COMMISSION REVIEW</b> of ALJ Smolen's Initial Decision sustaining the complaint in part.   |
| <b>ALJ-0383*</b>         | <b>F-01370307</b>  | <b>JAN SILVERMAN v. PECO ENERGY COMPANY</b><br>On September 8, 2003, a complaint was filed alleging a billing dispute. On October 15, 2003, an answer was filed. A hearing was held on April 23, 2004.<br><b>COMMISSION REVIEW</b> of ALJ Smolen's Initial Decision sustaining the complaint.  |

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b> | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|--------------------------|---|
| <b>ALJ-0384*</b>         | <b>M-FACE0401</b>        | <p><b>DUQUESNE LIGHT COMPANY 2003<br/>COMPETITIVE TRANSITION CHARGE<br/>RECONCILIATION FILING</b></p> <p>On February 16, 2004, Duquesne filed its CTC 1307(e) Reconciliation Statement for the year ending December 31, 2003. On April 21, 2004, a public hearing was held.</p> <p><b>REVIEW</b> of ALJ Colwell's Recommended Decision accepting the Statement insofar as it is undisputed.</p> |
| <b>ALJ-0385*</b>         | <b>M-FACP0401</b>        | <p><b>PPL INTERSTATE ENERGY COMPANY<br/>ANNUAL 1307(E) STATEMENT (PIPELINE)</b></p> <p>On February 27, 2004, PPL filed its 1307(e) Statement for the year ending January 31, 2004. On April 21, 2004, a public hearing was held.</p> <p><b>REVIEW</b> of ALJ Colwell's Recommended Decision accepting the Statement insofar as it is undisputed.</p>  |
| <b>ALJ-0386*</b>         | <b>Z-01401463</b>        | <p><b>GLORIA SIMMS v. PHILADELPHIA GAS<br/>WORKS</b></p> <p>On August 24, 2003, a complaint was filed alleging a billing dispute. On September 24, 2003, an answer was filed. A hearing was held on March 9, 2004.</p> <p><b>COMMISSION REVIEW</b> of ALJ Nguyen's Initial Decision dismissing the complaint with prejudice.</p>  |
| <b>ALJ-0387*</b>         | <b>Z-01456071</b>        | <p><b>MARY BULLOCK v. PECO ENERGY<br/>COMPANY</b></p> <p>On October 6, 2003, a complaint was filed. An answer was filed on November 17, 2003. A hearing was held on May 12, 2004.</p> <p><b>COMMISSION REVIEW</b> of S. A. Rumsey's Initial Decision dismissing the complaint with prejudice.</p>   |
| <b>ALJ-0388*</b>         | <b>Z-01458600</b>        | <p><b>HERBERT L. DWYER v. THE PEOPLES<br/>NATURAL GAS COMPANY, D/B/A DOMINION<br/>PEOPLES</b></p> <p>On October 14, 2003, a complaint was filed. An answer was filed on November 14, 2003. A hearing was held on May 14, 2004.</p> <p><b>COMMISSION REVIEW</b> of ALJ Corbett's Initial Decision denying the complaint.</p>   |



**OFFICE OF ADMINISTRATIVE LAW JUDGE**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>         | <b><u>NAME AND SUBJECT</u></b>  |
|--------------------------|----------------------------------|---|
| <b>ALJ-0389*</b>         | <b>R-00049157<br/>P-00042090</b> | <b>PA PUC v. PHILADELPHIA GAS WORKS (PGW); PETITION OF PGW TO ESTABLISH A CASH RECEIPTS RECONCILIATION CLAUSE</b><br>On March 1, 2004, PGW filed its annual Gas Cost Rate (GCR) 1307(f) Statement and a Petition to Establish a Cash Receipts Reconciliation Clause (CRRC). On May 11, 2004, a hearing was held. On June 1, 2004, a Joint Petition for Settlement of PGW 2004-2005 GCR Proceeding was filed. The CRRC record had previously been certified to the Commission.<br><b>REVIEW</b> of ALJ Rainey's Recommended Decision approving the Settlement. |

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CARRY-IN AGENDA**

**JULY 23, 2004**

**OFFICE OF SPECIAL ASSISTANTS**

| <b><u>BUREAU NO.</u></b> | <b><u>DOCKET NO.</u></b>               | <b><u>NAME AND SUBJECT</u></b>   |
|--------------------------|--|--|
| <b>OSA-0194*</b>         | <b>A-210104F0023<br/>A-210075F2000</b> | <b>Application of PENNSYLVANIA SUBURBAN WATER COMPANY (now AQUA PENNSYLVANIA, INC.) and EAGLE ROCK UTILITY CORPORATION for Approval... within East Union Township, Schuylkill County, PA. Petition for Reconsideration of Commission Order entered June 25, 2004.<br/><b>RECOMMENDATION</b> that the Commission grant the Petition for Reconsideration, pending review of and consideration on the merits.</b> |

**BUREAU OF FIXED UTILITY SERVICES**

|                 |                        |  |
|-----------------|------------------------|--|
| <b>FUS-0472</b> | <b>M-00900239F0008</b> | <b>ULTRATEC® - CAPTEL TECHNOLOGY TRIAL.<br/>Santa Monica, CA.<br/><b>RECOMMENDATION</b> that the Commission extend the CapTel™ service in Pennsylvania for six (6) months, or until January 31, 2005, consistent with the proposed Secretarial Letter.</b> |
|-----------------|------------------------|--|

**COMMISSIONERS**

|            |                   |   |
|------------|-------------------|---|
| <b>C-6</b> | <b>M-00041811</b> | <b>MOTION OF COMMISSIONER WENDELL F. HOLLAND IN RE: IDENTITY THEFT.</b> |
|------------|-------------------|---|