



STATE OF THE COMMISSION

House Consumer Affairs Committee Informational Meeting

February 12, 2009



Attributes of Independent Agencies

- Multi-Headed
- Staggered Terms of Office
- For-Cause Job Protection
- Political Minority Provision
- Quasi-Judicial (Adjudications)
- Quasi-Legislative (Rulemaking)
- Quasi-Executive (Enforce Laws and Regulations)



Attributes of Independent Agencies, cont.

- PUC's antecedents: Railroad Commission of 1907 and Public Service Commission of 1913
- Public Utility Commission created in 1937
- PUC = PA's premier independent agency
- We are creature of, agents of General Assembly



About the PUC

- The PUC is comprised of 5 full-time members nominated by the Governor to staggered 5-year terms. Commissioners must be approved by a majority in the state Senate.



- The Governor appoints one commissioner as Chairman. The Vice Chairman is elected by his or her peers.
- Commissioners can meet in Executive Session on personnel, litigation, and other confidential matters.
- Each Commissioner has Assistants, usually for each of the primary industries we oversee. At least one Assistant serves as Counsel to that Commissioner.



About the PUC, cont.

There are about 500 employees at the PUC. We're based in Harrisburg, but have regional offices in Altoona, Philadelphia, Pittsburgh and Scranton.





Quasi-Judicial Agency

- PUC operates as a quasi-judicial agency
- Filings are made with the PUC, similar to the way documents are filed with courts
- Hearings are held when there are material facts in dispute
- PUC must make decisions on the basis of the evidence in the record
- Decisions must be made at Public Meeting

What We Regulate

- Electricity
- Natural Gas
- Local Telephone Service
- Water/ Wastewater
- Transportation Services



What We Don't Regulate



- Cell phone providers
- Cable companies
- Internet service providers
- Long-distance telephone rates
- School buses
- Municipalities
- Bottled water
- Heating oil
- Rural Electricity Cooperatives





A Very Busy Commission

For FY 2007/2008, there were:

- 23 Public Meetings
- 1,277 Reports and Orders processed
- 4,854 Total New Cases Received
- 4,231 Total Documents Served
- 87,000 Total Documents Filed

E-filings: Since the Pilot Program Go-Live date of Dec. 8, 2008, through and including Jan. 14, 2009, 9 Pilot Participants have made 108 e-filings.

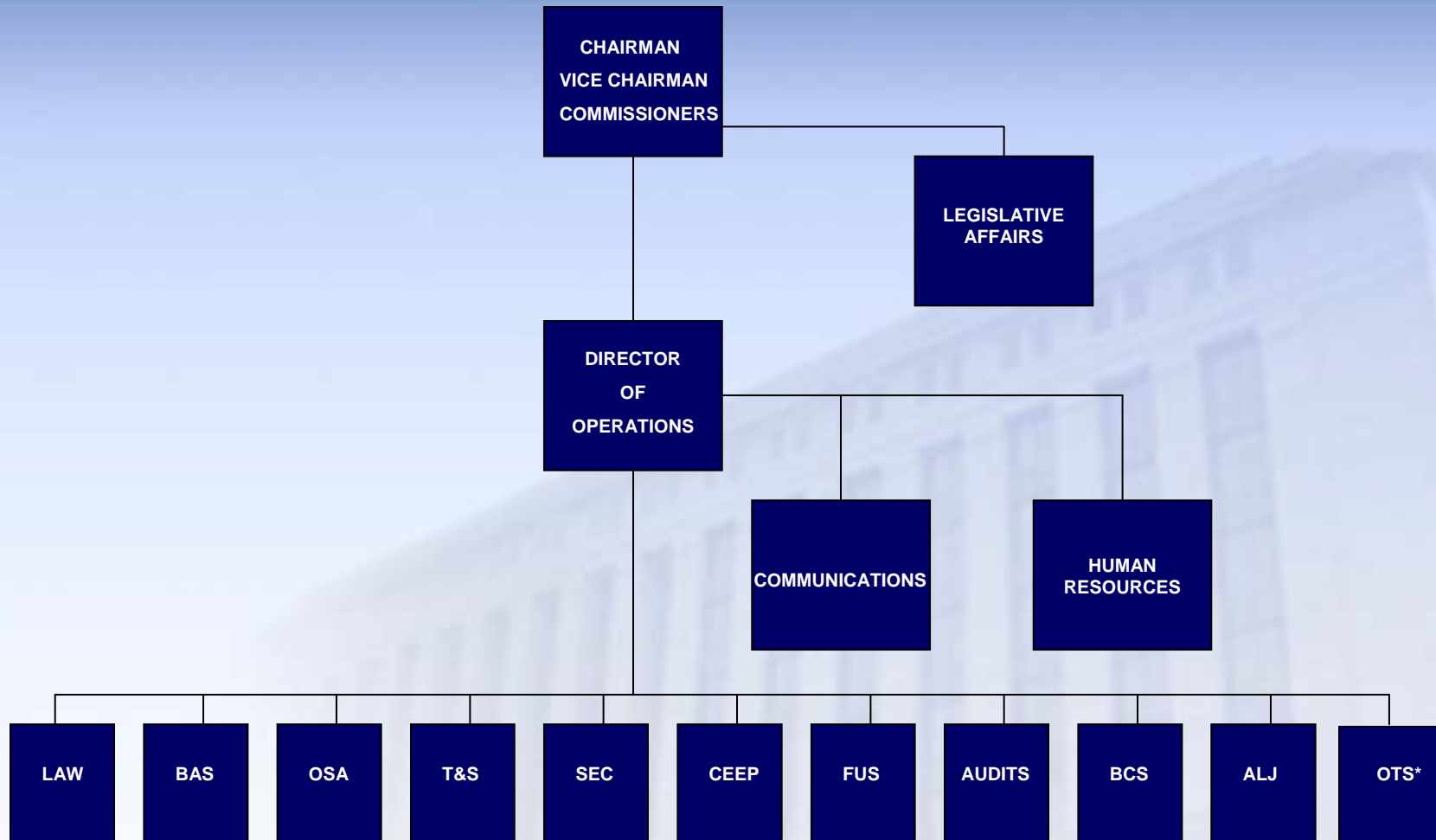


A Very Busy Commission, cont.

- Current request for 2009-10 = \$55,970,000 (\$52,581,000 in state funds)
- Funded by assessments on utilities
- Regulate nearly 8,000 utilities
 - Mostly Transportation Providers
 - 11 Electric Distribution Companies
 - 44 Licensed Electric Generation Suppliers
 - 31 Regulated Natural Gas Distribution Companies
 - 83 Licensed Natural Gas Suppliers
 - 719 Telecommunications Carriers
 - 193 Water and Wastewater Companies



Organizational Chart





Thank You for InfoMAP

- The Information Management and Access Project is a comprehensive document and case management system that automates workflows and reduces reliance on paper copies.
- Fully funded in previous budgets
- Case management system overhaul went live in January 2008 and has been implemented in phases since.
- In the fall 2008, a pilot project began for electronic filings.
- As of mid-February 2009, all users will be able to submit e-filings and pay filing fees via e-commerce.
- InfoMAP is one way we're controlling the docket and eliminating backlogs.





Act 129 Information

This is an example of a page on our Web site that can be accessed by members of the public if they want to learn more about a certain topic. No docket numbers are needed since this can be accessed by clicking on Electricity and then choosing the document. All publicly available documents on this subject are accessible here.

A screenshot of a web browser window displaying the Pennsylvania Public Utility Commission's Act 129 Information page. The browser is Microsoft Internet Explorer, and the address bar shows the URL: http://www.puc.state.pa.us/electric/Act_129_info.aspx. The page has a blue header with the PUC logo and navigation links for Electricity, Natural Gas, Telecommunications, Water, and Transportation/Safety. The main content area is titled "Act 129 Information" and includes a sidebar with "Utility Navigation" links such as Electric Price Estimates, Prepare Now for Winter, Electric Companies, Suppliers, AEPS Web Site, Alternative Energy, Act 129 Information, Rates & Tariffs, Sustainable Energy Fund, Reliability, Electric Competition Law, Utility Choice, Issues, and Related Links. The main text area provides information about the implementation of Act 129 of 2008, signed by Governor Rendell on October 15, 2008. It mentions House Bill 2200 and the Energy Efficiency and Conservation (EE&C) Program. Key sections include "Implementation Order" adopted on January 15, 2009, and "Secretarial Letter" regarding the draft staff proposal and extension of comment period. The browser's taskbar at the bottom shows the Start button, several open applications, and the system clock indicating 1:23 PM.



Search the PUC Website

If members of the public wish to access documents about a certain case, they can go to our Search documents page and insert the docket number in the first field.

The screenshot shows a Microsoft Internet Explorer browser window displaying the PUC website's search page. The address bar shows the URL <http://www.puc.state.pa.us/general/search.aspx>. The page has a blue header with the PUC logo and navigation links: Home, Site Map, Contact Us, and Search. A left sidebar contains a "General Navigation" menu with links to various sections like "Search for Documents", "Announcements", "Prepare Now for Winter", etc. The main content area is titled "Search the PUC Website" and "Search For Public Documents". It includes a paragraph explaining the search capabilities and a section for "Search by Specific Criteria". This section contains several input fields: "Docket Number" (with the value "M-2008-2037613"), "Reference Docket Number", "eFiling Confirmation Number", "Case Type" (a dropdown menu), "Public Meeting Date" (with "From" and "To" date pickers), "Document Received Date" (with "From" and "To" date pickers), "Document Title", "Document Type" (a dropdown menu), "Utility Code", and "Utility Name". The browser's taskbar at the bottom shows the Start button, several open applications, and the system clock displaying 1:18 PM.

Search - Microsoft Internet Explorer provided by PA Public Utility Commission

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites

Address <http://www.puc.state.pa.us/general/search.aspx> Go Links

PUC Pennsylvania Public Utility Commission Home | Site Map | Contact Us | Search

General Navigation

- Search for Documents
- Announcements
- Prepare Now for Winter
- Meet Commissioners
- Staff Directory
- Press Releases
- File Complaints
- Obtain/File Information
- Public Meeting Calendar
- New Case, Daily Actions & Hearings
- Online Forms
- Publications & Reports
- Consumer Education
- Regulatory Information
- Career Opportunities
- Utility Choice
- InfoMAP

Search the PUC Website

Home \ Search

Search For Public Documents

The Public Documents Search contains documents associated with a case such as public meeting orders, motions and statements, administrative law judge decisions, secretarial letters, etc. Documents dated from mid-2000 to present are available. Certain information in the blue area below may not be available for documents prior to 2009, for example eFiling Confirmation Number. Other filed documents, such as testimony, formal complaints and petitions for reconsideration, are not available electronically at this time. Please contact the Secretary's Bureau at (717) 783-0704 to obtain these documents.

Feel free to email us your comments, compliments or suggestions for this page.

Search by Specific Criteria:
* The date ranges can not exceed 60 days.

Docket Number:

Reference Docket Number:

eFiling Confirmation Number:

Case Type:

Public Meeting Date: * (MM/DD/YYYY)
From: To:

Document Received Date: * (MM/DD/YYYY)
From: To:

Document Title:

Document Type:

Utility Code:

Utility Name:

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Search Results

After Search is clicked, this is the screen that appears. It lists the documents that have been filed by parties or issued by the Commission at that docket number. If the document number is clicked, the Consolidated Case View appears.

Search - Microsoft Internet Explorer provided by PA Public Utility Commission

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites

Address <http://www.puc.state.pa.us/general/search.aspx> Go Links

Pennsylvania Public Utility Commission

Electricity Natural Gas Telecommunications Water Transportation/Safety

Home | Site Map | Contact Us | Search

Search Results

Home \ Search

Search Results for Public Documents

[Return to Search](#)

Total 6 result(s) found.

Document Name	Public Meeting Date	Received Date	Docket Number	Reference Docket Number	Document Type	Case Type	Utility Name	Utility Type	Utility Code	eFiling Confirm Number
Request for final order-Law Bureau - NATIONAL FUEL GAS DISTRIBUTION		26-Nov-2008	M-2008-2037613		Case Related Document	Miscellaneous	NATIONAL FUEL GAS DISTRIBUTION	Gas	121850	N/A
Statement of RFP NFG One Call Violation 2037613-OSA-0003.DOC - NATIONAL FUEL GAS DISTRIBUTION	10/23/2008		M-2008-2037613		Statement			Gas		
Opinion and Order 2037613 - NATIONAL FUEL GAS DISTRIBUTION	10/23/2008		M-2008-2037613		Order			Gas		
Statement of Com Powelson PUC LAW v. NFG 2037613-OSA.DOC - NATIONAL FUEL GAS DISTRIBUTION	02/05/2009		M-2008-2037613		Statement	Miscellaneous	NATIONAL FUEL GAS DISTRIBUTION	Gas	121850	N/A
Opinion and Order 2037613-OSA-0013 2-5-09 LBPS v NFGDC Final settlement.doc - NATIONAL FUEL GAS DISTRIBUTION	02/05/2009		M-2008-2037613		Order	Miscellaneous	NATIONAL FUEL GAS DISTRIBUTION	Gas	121850	N/A
Settlement Agreement - NATIONAL FUEL GAS DISTRIBUTION			M-2008-2037613		Other			Gas		

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Consolidated Case View

This page provides:

- 1) the case summary, which identifies the applicant, respondent, responsible bureau, etc.
- 2) the daily action on that case, starting from when it was started until the last action taken, and
- 3) links to all public documents.

Welcome to the Pennsylvania Public Utility Commission - Microsoft Internet Explorer provided by PA Public Utility Com...

Address: http://www.puc.state.pa.us/general/ConsolidatedCaseView.aspx?Docket=M-2008-2037613

Consolidated Case View

Go Back

The consolidated case view displays the case information (identified by Docket Number **M-2008-2037613**), any Daily Actions performed on the case, and lists all public documents associated with that case.

Case Summary

Docket Number M-2008-2037613			
Applicant:	PA PUC LAW BUREAU PROSECUTORY STAF	Utility Code:	121850
Complainant:	PA PUC LAW BUREAU PROSECUTORY STAFF	Utility Name:	NATIONAL FUEL GAS DISTRIBUTION
Respondent:	National Fuel Gas Distribution Corporation	Utility Type:	
Responsible Bureau:	Office of Special Assistants	eFiling Confirmation Number (Case):	
Date Filed:	4/21/2008 12:00:00 AM	Date Case Posted:	4/24/2008 12:00:00 AM
Case Description:	Case Created		

Daily Actions

Action Date	Description	Posted Date
04/24/2008	Case Created - M-2008-2037613 - Settlement Agreement filed.	04/24/2008
04/24/2008	Case Assigned to Bureau - OSA	04/24/2008
11/03/2008	Document Served - Other - See Comments - order entered 11/3/08	11/03/2008
12/05/2008	Document Attached to Case - Request for final order-Law Bureau - Law Bureau filed Request for Final Order.	12/05/2008
02/05/2009	Document Published on Web - Document 'Statement of Com Powelson PUC LAW v. NFG 2037613-OSA.DOC' is made public	02/05/2009
02/06/2009	Document Served - Other - See Comments - order entered 2/6/09	02/06/2009
02/06/2009	Document Published on Web - Document 'Opinion and Order 2037613-OSA-0013 2-5-09 LBPS v NFGDC Final settlement.doc' is made public	02/06/2009

Public Documents

Document Title	Document Type	eFiling Confirmation Number	Received Date	Reference Docket Number
Settlement Agreement - NATIONAL FUEL GAS DISTRIBUTION	Other			
Statement of RFP NFG One Call Violation 2037613-OSA-0003.DOC - NATIONAL FUEL GAS DISTRIBUTION	Statement			
Opinion and Order 2037613 - NATIONAL FUEL GAS DISTRIBUTION	Order			
Request for final order-Law Bureau - NATIONAL FUEL GAS DISTRIBUTION	Case Related Document	N/A	11/26/2008	
Statement of Com Powelson PUC LAW v. NFG 2037613-OSA.DOC - NATIONAL FUEL GAS DISTRIBUTION	Statement	N/A		
Opinion and Order 2037613-OSA-0013 2-5-09 LBPS v NFGDC Final settlement.doc - NATIONAL FUEL GAS DISTRIBUTION	Order	N/A		



21st Century PUC



At our request, provisions in Act 129:

- Eliminated a statutory requirement for specific offices and bureaus.
- Retained the powers and duties performed by those offices and bureaus with the Commission pending this review.

The goal is to align the Commission's structure to meet the current responsibilities delegated by the General Assembly and the utility challenges of the 21st Century.

The Commission is reviewing our current structure and will proceed in a deliberate manner.

Budget Reductions

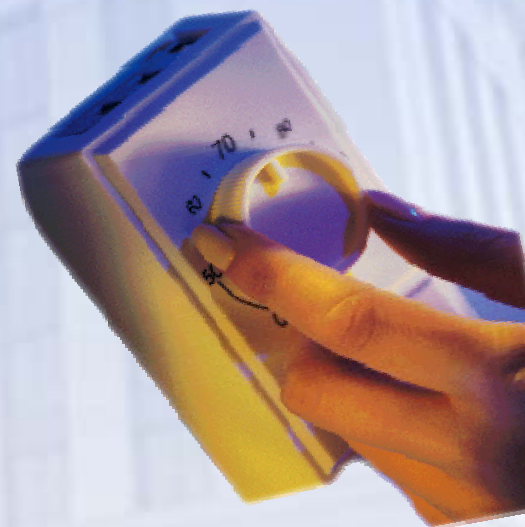
- Governor asked independent agencies to join his spending reduction initiative
- Restrictions on new hiring
- Restrictions on out-of-state travel
- Reviewing all operating expenditures to determine whether they can be further reduced
- Suspended longevity increases for 182 management and non-represented employees
- Commissioners committed to returning their statutory COLAs after the deduction of income taxes
- All money saved during this year will be used to offset utility assessments that are invoiced in the fall of 2009 to support our fiscal year 2009-10 authorized budget
- Carrying about 40 vacancies (out of an authorized complement of 519)
- The Governor's budget would reduce the Commission's complement to 499





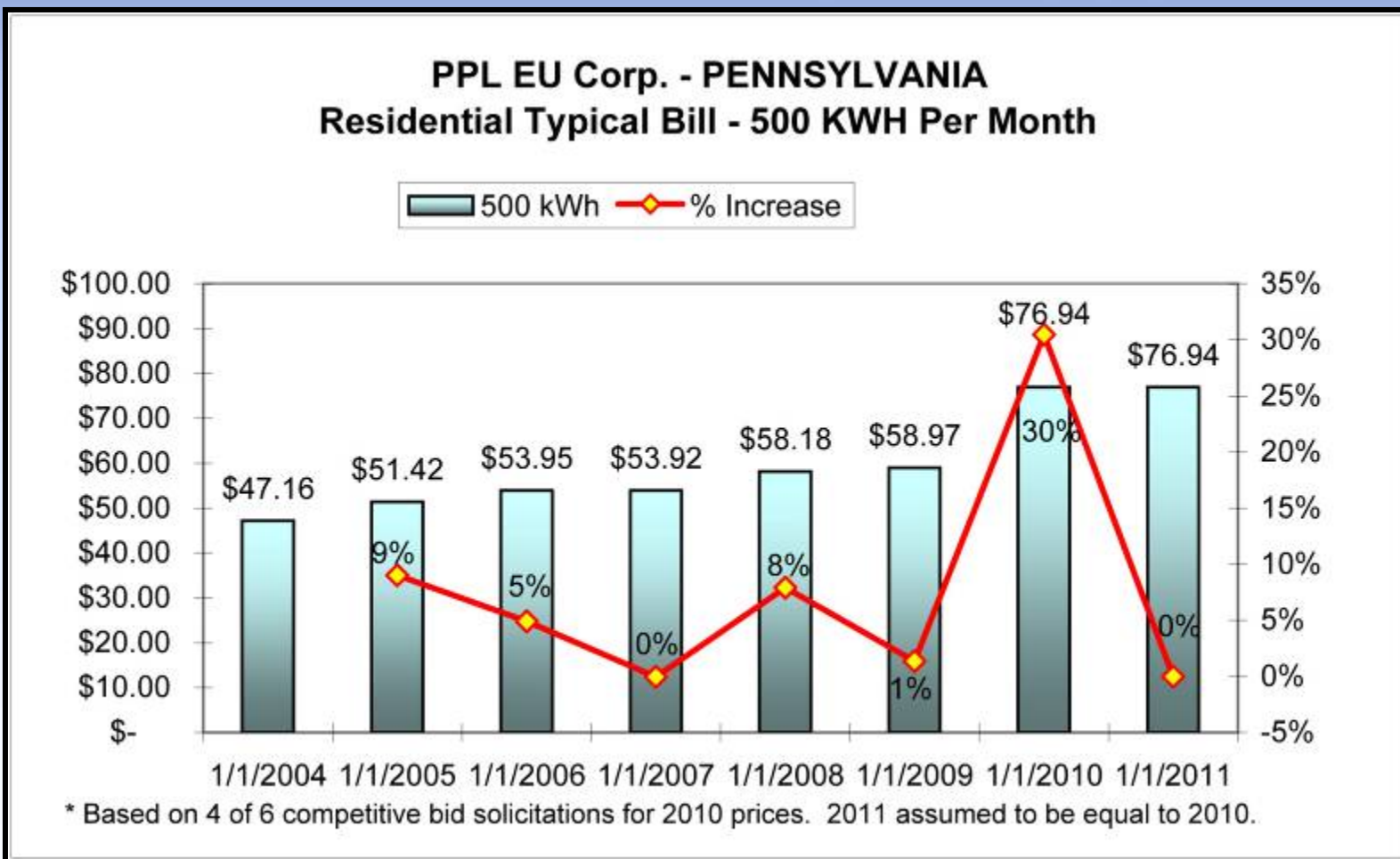
Electricity Price Mitigation

- PPL's rate caps expire Dec. 31, 2009
- Allegheny Power, Met-Ed, Penelec, PECO rate caps expire Dec. 31, 2010
- Continue to underscore mitigation measures from May 2007 Final Order:
 - Energy Efficiency
 - Demand Side Response
 - Default Service Supply Procurement
 - Rate Mitigation Programs
 - Updated Low-Income Programs
 - Removal of Barriers to Retail Choice
 - Consumer Education



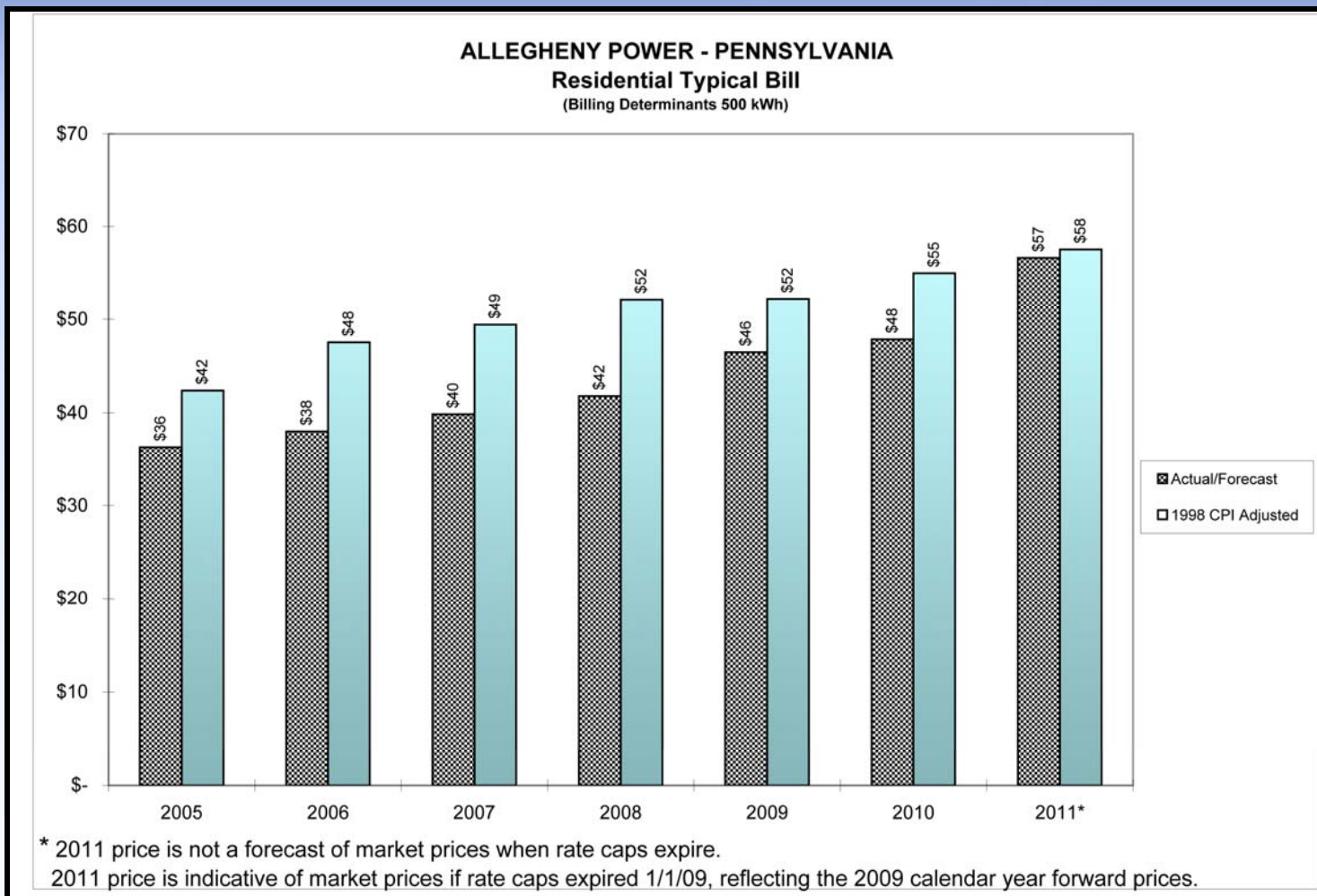


Electricity Price Mitigation, cont.



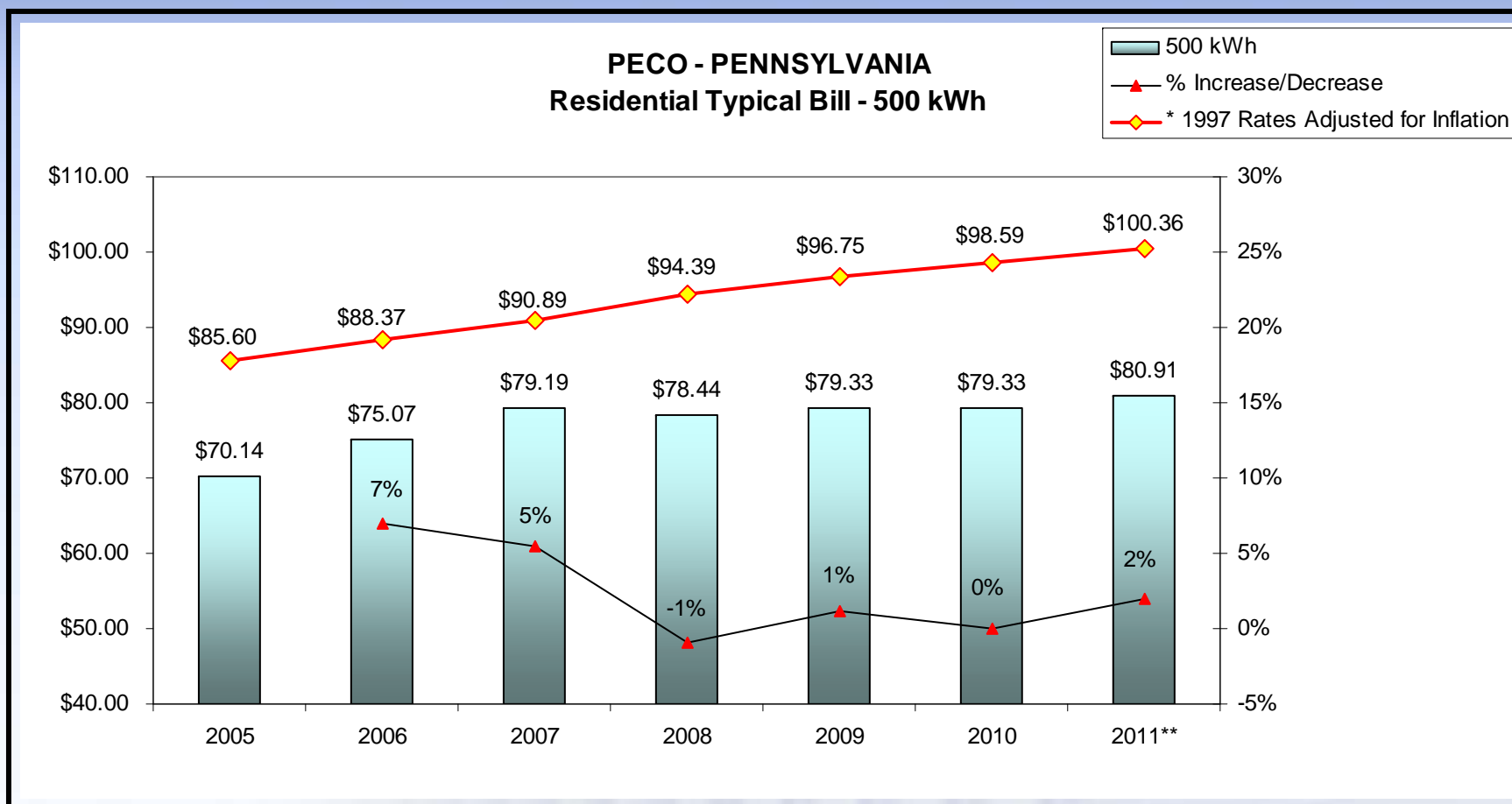


Electricity Price Mitigation, cont.



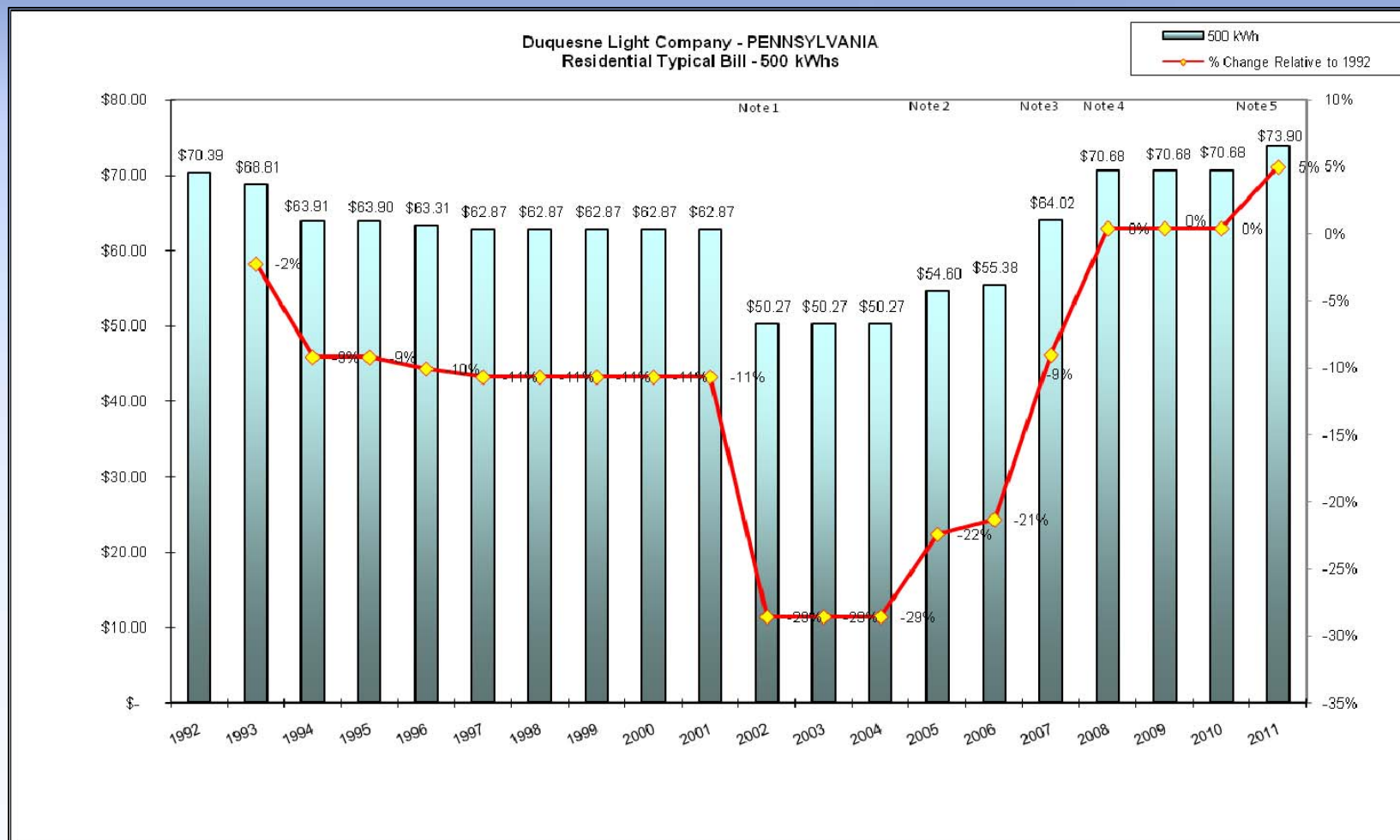


Electricity Price Mitigation, cont.



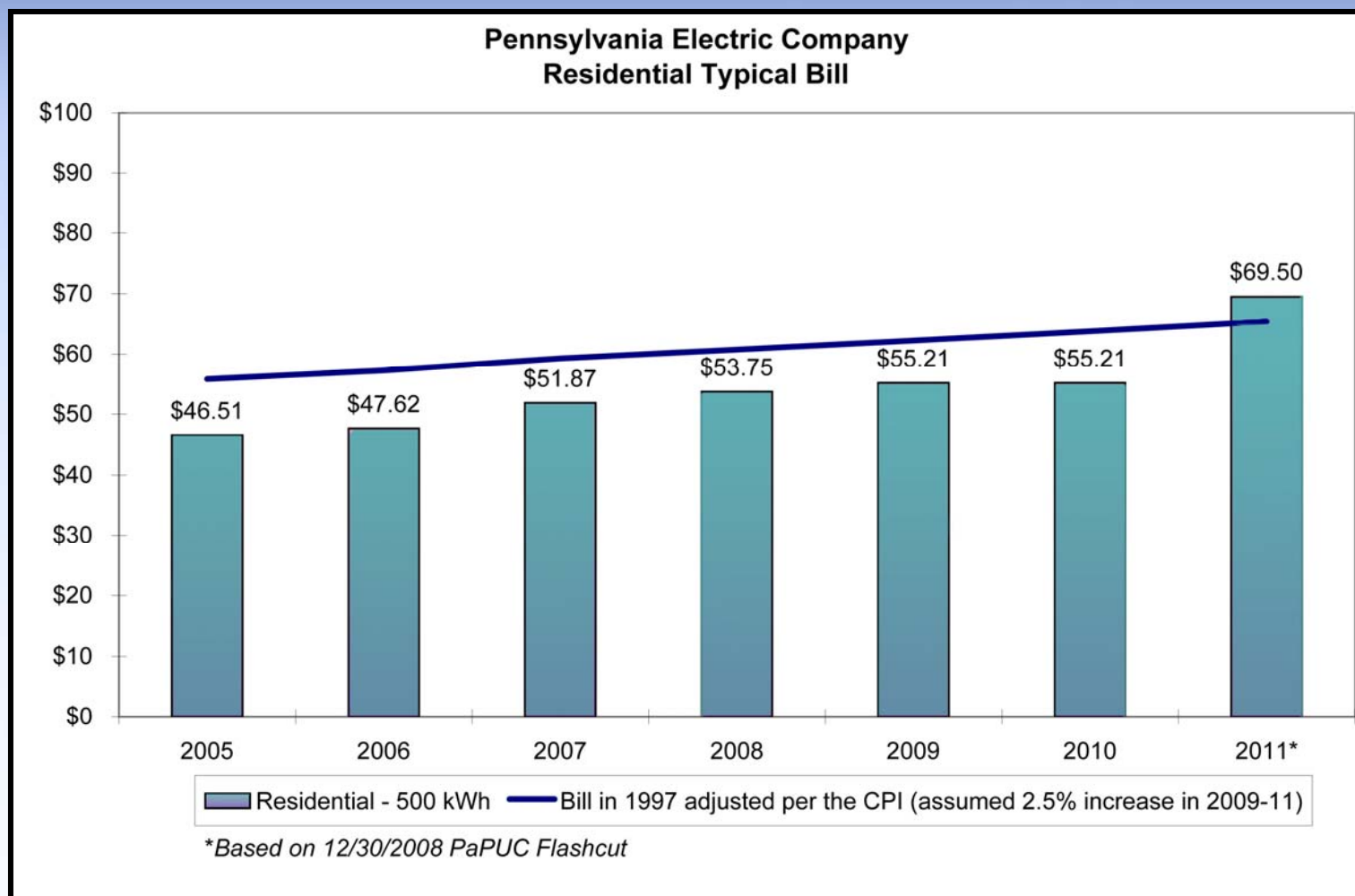


Electricity Price Mitigation, cont.



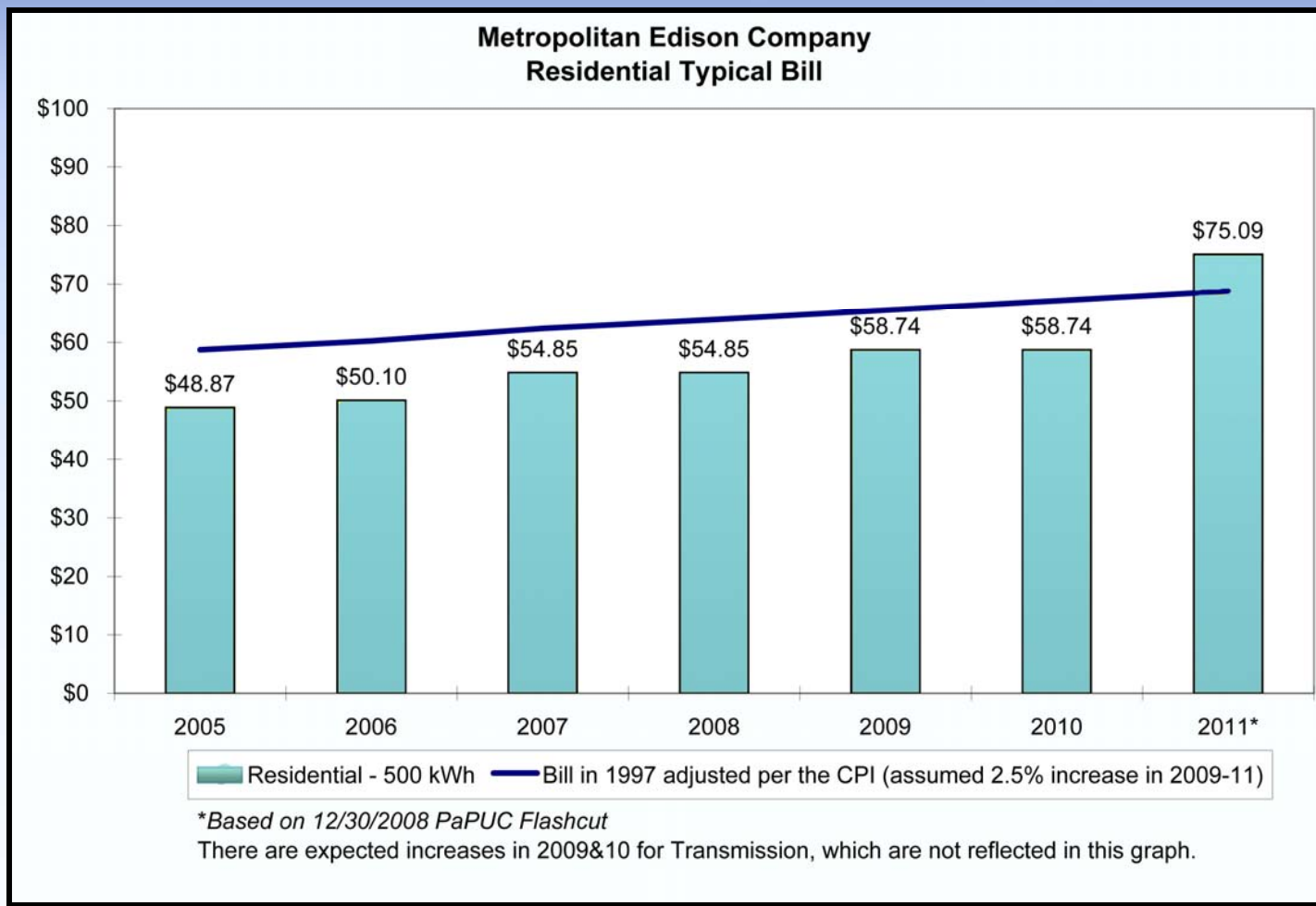


Electricity Price Mitigation, cont.



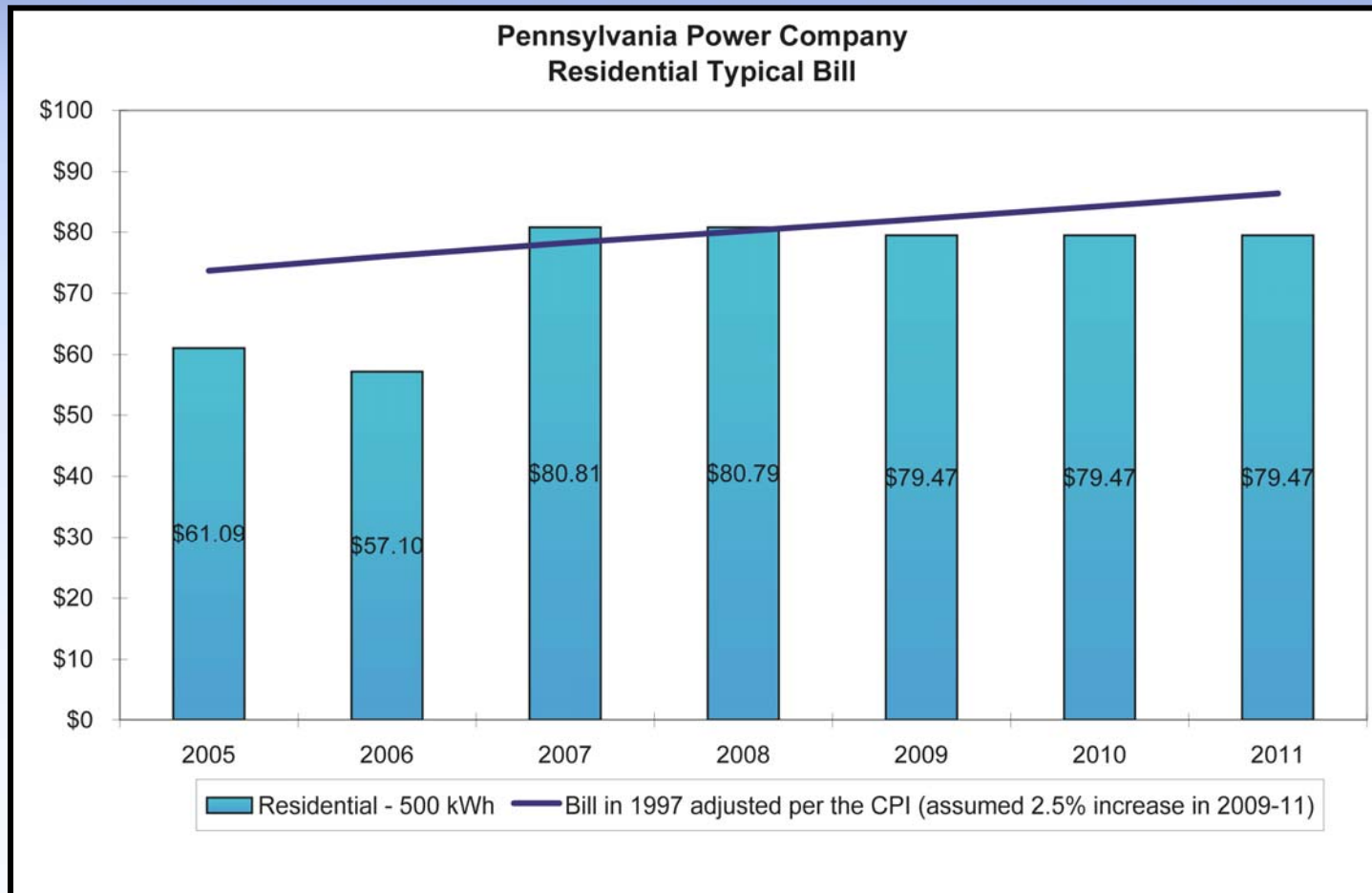


Electricity Price Mitigation, cont.





Electricity Price Mitigation, cont.

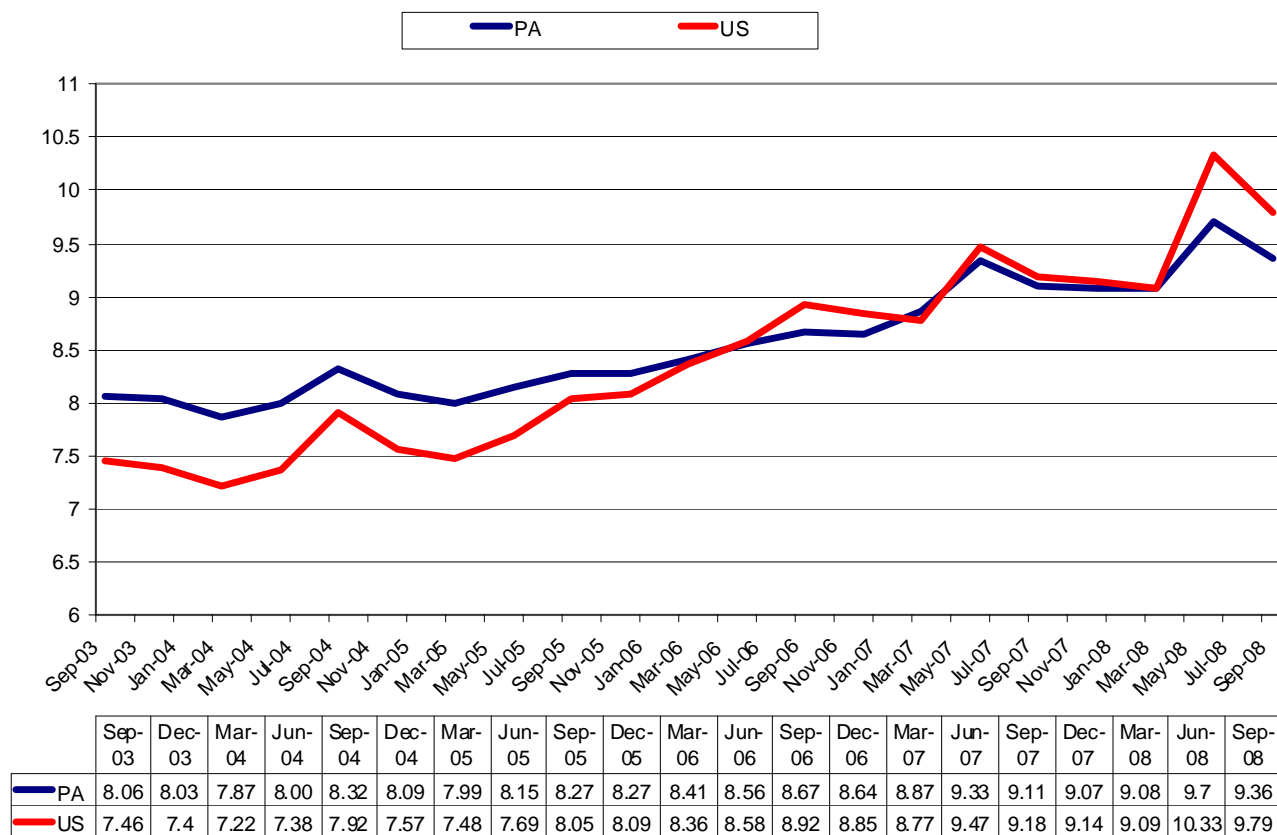






Electricity Price Mitigation, cont.

Quarterly Y-T-D Electric Prices PA v US (Cents/kWh)





Act 129 of 2008

- En Banc Hearing Nov. 19; 30 presenters, including House Environmental Resources & Energy Committee Chairman George
- Very accelerated timetable for implementation
- Met January deadline for approval of the guidelines for the electric distribution companies' energy efficiency and conservation plans, which must be filed for our approval by July 1, 2009
- We have begun implementing:
 - smart-meter procurement and installation plan approval process
 - time-of-use and real-time price plan approval process
 - process for increasing Tier I alternative energy source requirements in proportion with new qualifying Tier I sources
- On Feb. 5, 2009, the Commission adopted a final order establishing a Conservation Service Provider Registry, an application and fees.



Alternative Energy Portfolio Standards Act of 2004

- At the conclusion of the fourth quarter of 2008, we were nearing the end of the initial implementation of the AEPS Act.
- Commissioners recently met with the alternative energy industry to discuss existing barriers to their investment in Pennsylvania.
- Continue to encourage research, development, and deployment of alternative energy systems through implementation of the AEPS Act and Act 129 of 2008.
- Will deliver the second report on the AEPS Act, including its costs to ratepayers, to the General Assembly in 2009.



Review of Wholesale Electricity Markets

- The PUC initiated a review of wholesale electricity markets.
- These markets have impact on PA electricity customers despite the lack of state regulatory jurisdiction.
- 5 Commissioners presided over three special en banc hearings to solicit comments from stakeholders, including utilities, suppliers, PJM, the Midwest Independent System Operator, and market experts.
- 5 Commissioners met with FERC Commissioner Marc Spitzer.
- Commissioners increased the involvement of staff in monitoring and advocating Pennsylvania's views on federal and regional energy issues.



Chapter 14/Act 201 of 2004

- As of Feb. 2, 2009, the total number of homes without access to their central heating system due to a lack of electric or natural gas service was 11,347, a 36 percent reduction from the December 15, 2008, total of 17,745.
- On Dec. 14, 2008, the Commission released the second biennial report on its implementation of Act 201. In the report, the Commission encouraged the General Assembly to enact legislation that will provide additional state dollars for LIHEAP, above the already earmarked \$10 million per year that is spread over the next four years.
- Proposed Title 52, Chapter 56 regulations were delivered this month to our oversight committees.



Chapter 30 -- Act 183 of 2004

- Created a true-up for Verizon Price Change Opportunities interpreting legislative intent for telcos to complete broadband deployment in a timely manner.
- 29 Incumbent Local Exchange Carriers reached 100 percent broadband deployment by Dec. 31, 2008.



Natural Gas Choice and Competition Act

- Established Office of Competitive Market Oversight (OCMO) on Jan. 5, 2009, to facilitate NGS/NGDC dispute resolution
- Rulemaking issued on NGS issues on Dec. 4, 2008
- Voluntary Purchase of Receivables (POR) programs to be filed by March 31, 2009
- Rulemaking to be issued by 1st quarter 2009 on NGDC issues [price to compare, capacity release, PGC cost reconciliation and quarterly price adjustments, POR programs, cost recovery of competitive activity, and regulatory assessments]
- Rulemaking to be issued by 1st quarter 2009 on improved business practices
- Review of effectiveness of changes on or after Sep. 11, 2013



Legislative Priorities 2009-10

The Legislative Budget and Finance Committee supported many of these initiatives in its 2007 performance audit.

Commissioners and staff will be in touch with our oversight committee Chairmen and staff about these priorities:

- Gas-safety jurisdiction over numerous unregulated propane and landfill gas providers
- Fair recovery of assessments from electric and natural gas suppliers
- Wastewater system improvements through a Collection System Improvement Charge
- Increased fines for gas pipeline safety violations
- Clarification of the Commission's jurisdiction over allocation of rail/highway crossing costs



Legislative Priorities 2009-10, cont.

Administration/Enforcement Under U.S. UCR Act

- Effective Jan. 1, 2007, the U.S. Unified Carrier Registration System Plan and Agreement (UCR Act), became law, preempting and replacing various state fees and assessments over motor carriers of property with a single, nationwide fee to be collected once by each carrier's "base state."
- To ensure that Pennsylvania is able to collect its full revenue entitlement under the UCR (\$4.9 million), we must ensure that both the PUC's enforcement officers and the PA State Police have enforcement authority over non-certificated carriers to secure payment (e.g., fines for non-payment).



Legislative Priorities 2009-10, cont.

Marcellus Shale

- Geologic formation underlying much of Western and Northern Pennsylvania long known to contain large amounts of natural gas
- The Commission has been working with the Governor's Policy Office's interagency group.
- Drilling process requires large amounts of water and treatment of wastewater
- The increased natural gas production will increase the number of jurisdictional intrastate natural gas pipelines.
- The Commission has proposed legislation to assume natural gas safety jurisdiction over otherwise non-jurisdictional entities such as private natural gas producers (which are not public utilities), gathering systems, and any entity distributing flammable gas via pipeline and "master meter" to residential, commercial, or industrial consumers.



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Questions?

