

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**MARCH 16, 2006 (JC)**

**10:00 A. M.**

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

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The Commission will act on various matters at today's meeting, which is open to the public. 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	James H Cawley	Wendell F Holland	Bill Shane	Terrance J Fitzpatrick

<b>BUREAU DIRECTORS AND MEMBERS OF THE LEGAL, TECHNICAL AND ADMINISTRATIVE STAFF OF THE COMMISSION</b>
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**THE TAKING OF PHOTOGRAPHS IS PERMITTED PROVIDED FLASH IS NOT USED.**

The Next Public Meeting is Tentatively Scheduled for Thursday, April 6, 2006 at 10:00 a.m.

Minutes of the Meeting of February 9, 2006 (KP)

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

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, APRIL 6, 2006, 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 THURSDAY, MARCH 16, 2006, FOLLOWING PUBLIC MEETING AT APPROXIMATELY 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.**

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**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.**

**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-0003*</b>	<b>A-00121955</b>	Application of <b>ALTERNATIVE TRANSPORT, LLC</b> , Prospect Park, Delaware 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.
<b>TSM-0054*</b>	<b>SP 28207</b>	<b>EXTENSION OF THE FUEL COST RECOVERY SURCHARGE SPECIAL PERMISSION 28207</b> for Tristate household Goods Tariff Conference, Inc. (Tristate) filed a request on January 5, 2006 to permit members of its conference to continue assessing a fuel cost recovery surcharge to defray the continuing rise in costs of diesel fuel. <b>RECOMMENDATION</b> that the Commission adopt the proposed extension order permitting the fuel cost recovery surcharge to become effective April 18, 2006 for an additional one (1) year unless changed cancelled, or further extended by the Commission.
<b>TSM-0063*</b>	<b>A-00122149</b>	Application of <b>SUCCESS AMERICA</b> , Willow Grove, Montgomery 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, as amended.
<b>TSM-0066*</b>	<b>A-00122169</b>	Application of <b>SAGAN AMISH SHUTTLE SERVICES, LLC</b> , Cambridge Springs, Crawford 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-0068*</b>	<b>A-00106038, F.3</b>	Application of <b>VALLEY ASSOCIATION FOR SPECIALIZED TRANSPORTATION, INC.</b> , Allentown, Lehigh County, for the additional right to transport, as a common carrier, by motor vehicle, persons, in group and party service. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.
<b>TSM-0069*</b>	<b>A-00121971, F.2</b>	Application of <b>TRIAD PIANO, INC., t/d/b/a BUCKS COUNTY PIANO</b> , Levittown, Bucks County, for the additional right to transport, as a common carrier, by motor vehicle, household goods, in use. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.
<b>TSM-0070*</b>	<b>A-00122121</b>	Application of <b>J &amp; E TRANSPORTATION SERVICE, LLC</b> , Manheim, Lancaster 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 denying the application.
<b>TSM-0071*</b>	<b>A-00122109</b>	Application of <b>EMMANUEL GRANT</b> , Easton, Northampton County, for the right to begin to transport, as a common carrier, by motor vehicle, persons upon call or demand. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.
<b>TSM-0072*</b>	<b>A-00122142</b>	Application of <b>PAUL REDCAY</b> , Newville, Cumberland 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 dismissing 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-0076*</b>	<b>A-00122066</b>	Application of <b>ANTHONY BADER, t/d/b/a BNT MOVERS</b> , Moscow, Lackawanna County, for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.
<b>TSM-0079*</b>	<b>A-00120799C0502</b>	<b>LANCASTER CAB COMPANY, LLC</b> , Manheim, Lancaster County, complaint alleging failure to pay an outstanding assessment. <b>RECOMMENDATION</b> that the Commission adopt the order directing that the complaint be sustained, and that the certificate be cancelled; and, that respondent be fined \$100.
<b>TSM-0080*</b>	<b>A-00109125, F.4</b>	Application of <b>WALTER LARRY GREEN, t/d/b/a AT YOUR SERVICE LIMO</b> , Mechanicsburg, Cumberland County, for the additional right to transport, as a common carrier, by motor vehicle, persons, in group and party service. <b>RECOMMENDATION</b> that the Commission adopt the proposed order approving the application.
<b>TSM-0081*</b>	<b>A-00121691</b>	Application of <b>VONNIE HAMILTON, t/a HAMILTON'S ENTERPRISE</b> , Philadelphia, Philadelphia 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.
<b>TSM-0091*</b>	<b>A-00107058C0501</b>	<b>DASH ENTERPRISES CORP, t/a DASH DELIVERY</b> , Pittsburgh, Allegheny County. The carrier's Certificate of Public Convenience was cancelled for failure to pay an outstanding assessment of \$538 for fiscal year 2005-2006. <b>RECOMMENDATION</b> that the Commission rescind the order that cancelled the certificate.

**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>TSG-0001*</b>	<b>M-00061947</b>	Ratification and adoption of Amendment to <b>CODE OF FEDERAL REGULATIONS TITLE 49 PARTS 191, 192, 193, AND 199.</b> <b>RECOMMENDATION</b> that the amendment to C.F.R. Parts 191, 192, 193 and 199 be ratified in accordance with the provisions of 52 Pa. Code §§59.33(b), that the Secretary serve copies of this order on all jurisdictional gas and pipeline utilities, and that the order be published in the <i>Pennsylvania Bulletin</i> .
<b>TSV-0009*</b>	<b>A-00112741C0501 ET AL</b>	28 Commission Orders adjudicating <b>BUREAU OF TRANSPORTATION AND SAFETY</b> instituted complaints alleging failure to maintain proof of bodily injury and property damage liability insurance on file with the Commission. <b>RECOMMENDATION</b> that the Commission adopt the orders directing that the complaints be sustained, that the certificates and/or licenses be cancelled, and that some be fined \$100.
<b>TSV-0011*</b>	<b>A-00119298C0502</b>	<b>PENNSYLVANIA PUBLIC UTILITY COMMISSION v. CAROL A DEBERARDINIS, t/a WHITE STAR LINE LIMOUSINE SERVICE,</b> Monongahela, Washington County. BTS instituted a complaint against respondent, alleging she abandoned or discontinued service without having submitted an application to this Commission, a violation of the Pennsylvania Code at 52 Pa Code §3.381(a) (1) (v) and failed to maintain evidence of bodily injury and property damage liability insurance at 52 Pa. Code §§33.2 and 32.11 and 66 Pa. C.S. §512. <b>RECOMMENDATION</b> that the Commission adopt the proposed order directing that the instant complaint be sustained, that respondent's authority be revoked, that respondent be fined \$100, and that respondent cease and desist from further violations.

**BUREAU OF AUDITS**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>AUD-0004</b>	<b>D-04DSC042</b>	<b>THE NEWTOWN ARTESIAN WATER COMPANY, Newtown, PA</b> Auditor's Report on the Distribution System Improvement Charge for the year ended December 31, 2004. <b>RECOMMENDATION</b> to release the Audit Report.
<b>AUD-0006</b>	<b>M-FACE0601</b>	<b>PIKE COUNTY LIGHT &amp; POWER COMPANY ELECTRIC DIVISION</b> Annual Systems Benefit Charge Filing Effective April 1, 2006. <b>RECOMMENDATION</b> that the Commission approve the Company's request to increase the System Benefits Charge rate to \$0.000118 per KWH effective with service rendered on and after April 1, 2006, as reflected in Supplement No. 28 to Tariff Electric-Pa. P.U.C. No. 8.
<b>AUD-0007</b>	<b>M-00051915</b>	<b>CLARION RIVER GAS, A DIVISION OF ORWELL NATURAL GAS CO., INC.</b> Interim Gas Cost Rate <b>RECOMMENDATION</b> to approve Clarion River Gas's proposed GCR of \$3.2622 per MCF and associated base gas cost of \$7.9601 per MCF effective with service rendered on and after March 1, 2006.
<b>AUD-0008</b>	<b>M-00051891</b>	<b>COMMUNITY CENTRAL ENERGY CORPORATION, Scranton, PA</b> Interim Steam Cost Rate <b>RECOMMENDATION</b> to approve Community Central Energy Corporation's proposed interim SCR of \$94.14 per MLB to become effective with service rendered on and after March 1, 2006.

**BUREAU OF CONSUMER SERVICES**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>BCS-0003*</b> <b>(PP from 3/2/06)</b>	<b>M-00041802F0003</b>	<b>BIENNIAL REPORT to the GENERAL ASSEMBLY AND GOVERNOR PURSUANT TO SECTION 1415.</b> <b>RECOMMENDATION</b> that the Commission approve the Tentative Order, including Appendix A, to be published in the <i>Pennsylvania Bulletin</i> for Comments.



**BUREAU OF CONSERVATION, ECONOMICS AND ENERGY PLANNING**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>CEP-0003*</b>	<b>M-00031715F0005</b>	<b>WEST PENN POWER</b> Sustainable Energy Fund Appointment of Board Member. <b>RECOMMENDATION</b> that the Commission replace the vacancy and approve the new appointment to the Board of Directors for the West Penn Power Sustainable Energy Fund.

**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-0034*</b>	<b>F-01731946</b>	<b>LEE R. MERINGO v. PECO ENERGY COMPANY</b> (billing dispute) On January 29, 2005, Complainant filed a Complaint against PECO alleging that PECO's newly installed meter required a 40% conversion factor which improperly increased his monthly billings. PECO filed an Answer on March 10, 2005. ALJ Ky Van Nguyen issued his Initial Decision on September 16, 2005 sustaining the Complaint. PECO filed Exceptions on October 6, 2005, and Complainant filed Reply Exceptions on October 12, 2005. <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which grants the Exceptions of PECO and modifies the Initial Decision.
<b>OSA-0049*</b>	<b>C-20043783</b>	<b>JOHN J. DURR v. UGI UTILITIES, INC.</b> (alleged unsafe transformer on property) On October 6, 2004, Complainant filed a Complaint against UGI wherein he alleged that an above ground transformer installed by UGI on his property is unsafe. UGI filed an Answer on November 18, 2004. On August 17, 2005, ALJ Jandebaur issued an Initial Decision recommending that the Complaint be dismissed. Complainant filed Exceptions on August 26, 2005. No Reply Exceptions were filed. <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which grants in part and denies in part the Complainant's Exceptions and modifies the ALJ's Initial Decision.
<b>OSA-0073*</b>	<b>A-311242F7001</b>	Joint Petition of <b>VERIZON NORTH INC.</b> and <b>FRANCE TELECOM CORPORATE SOLUTIONS, LLC</b> filed on February 10, 2006, for Approval of An Interconnection Agreement. No comments have been received. <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order granting the Joint Petition.

**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-0074*</b>	<b>A-31120F7004</b>	<p>Joint Petition of <b>ALLTEL PENNSYLVANIA, INC.</b> and <b>GRANITE TELECOMMUNICATIONS, LLC</b> filed on February 9, 2006, for Approval of an Interconnection Agreement. No comments have been filed.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order granting the Joint Petition.</p>
<b>OSA-0075*</b>	<b>A-310513F7004</b>	<p>Joint Petition of <b>ALLTEL PENNSYLVANIA, INC.</b> and <b>SPRINT SPECTRUM L.P.</b> filed on February 8, 2006, for Approval of the Adoption of an Interconnection Agreement. No comments have been received.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order granting the Joint Petition.</p>
<b>OSA-0077*</b>	<b>C-20030566</b>	<p><b>ALEXANDER STERIN c/o CAMDEN CLEANING CENTER v. PECO ENERGY COMPANY</b> (billing dispute)</p> <p>On February 3, 2006, Complainant filed an Emergency Petition for Supersedeas Pending Appeal requesting a stay of the Commission's Orders regarding PECO's billing for service at Complainant's four locations. The Stay is requested pending a decision on an appeal filed in Commonwealth Court on February 2, 2006. The Commission's Order entered May 24, 2005 allowed PECO to bill the Complainant at all four locations based on estimated usage. The Complainant filed a Petition for Reconsideration, which was denied in the Commission's January 18, 2006 Order.</p> <p><b>RECOMMENDATION</b> that the Commission adopt the proposed Order that denies the Complainant's Petition for Supersedeas Pending Appeal.</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-0079*</b>	<b>C-20042954</b>	<p><b>DAIRY FARMERS of AMERICA, INC. v. VINEYARD OIL &amp; GAS COMPANY and THE PEOPLES NATURAL GAS COMPANY d/b/a DOMINION PEOPLES</b>            (under-delivered gas resulting in expensive penalty)            On March 8, 2004, DFA filed a Complaint against VOG and Peoples alleging that VOG under-delivered gas to DFA, thus requiring DFA to purchase expensive penalty gas from Peoples. By Initial Decision issued on October 13, 2004, ALJ Nemec dismissed DFA's Complaint against Peoples and sustained its Complaint against VOG to the extent that he found that VOG had not provided reliable service to DFA. On September 27, 2005, VOG and DFA filed Exceptions. DFA, Peoples and VOG filed Reply Exceptions on October 7, 2005.  <b>RECOMMENDATION</b> that the Commission adopt the draft Opinion and Order, which adopts the ALJ's Initial Decision</p>
<b>OSA-0087*</b>	<b>A-121850F2037</b>	<p>Application of <b>NATIONAL FUEL GAS DISTRIBUTION CORPORATION</b>            On September 17, 2004, NFGD filed an application for approval of the abandonment of natural gas service to nine natural gas customers located in Canal Township, Venango County, Pennsylvania. On January 10, 2006, ALJ Corbett issued an Initial Decision recommending that the Application be approved subject to certain conditions. One of the affected customers filed Exceptions on January 23, 2006. NFGD filed Reply Exceptions on February 3, 2006.  <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which grants the Exceptions and modifies the ALJ's Initial Decision.</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-0088*</b>	<b>C-20030123</b>	<p><b>DANIEL FRANKS v. T-NETIX and T-NETIX TELECOMMUNICATIONS, INC.</b>            (alleged inadequate service and billing dispute)            On April 23, 2003, Complainant filed a complaint alleging that he was unable to make collect calls after purchasing prepaid telephone minutes. On May 3, 2005 ALJ Cocheres issued his Initial Decision and concluded that T-Netix was subject to and violated certain provisions of the Pa. Code and the Public Utility Code regarding inadequate service. On May 23, 2005, Exceptions were filed by T-Netix.  <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order modifying the Initial Decision.</p>
<b>OSA-0089*</b>	<b>M-00991220F2005 P-00062197</b>	<p><b>WELLSBORO ELECTRIC COMPANY v. PA PUC STAFF DETERMINATION</b>            On January 6, 2006, Wellsboro filed a Petition to appeal a staff determination denying its December 9, 2005 request for an exclusion of a major event for reliability reporting purposes that occurred on December 3, 2005.  <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which recommends that the Petition be granted.</p>
<b>OSA-0090*</b>	<b>F-01386826</b>	<p><b>RONALD RAGLAND v. PHILADELPHIA GAS WORKS</b>            (alleged meter reading errors and billing dispute)            On May 10, 2004, Complainant filed a Complaint against PGW alleging that PGW was negligent in reading his meter and made errors related to billing his account. PGW filed an Answer on June 15, 2004. On July 13, 2005, ALJ Turner issued an Initial Decision recommending that the Complaint be sustained, in part, and dismissed, in part. PGW filed Exceptions on August 16, 2005.  <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which grants PGW's Exceptions in part and modifies the ALJ's Initial Decision.</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-0091*</b>	<b>P-00052162 C-20054393</b>	<b>PEOPLES INDEPENDENT PRODUCERS GROUP v. THE PEOPLES NATURAL GAS COMPANY d/b/a DOMINION PEOPLES</b> (petition) On January 26, 2006, Peoples filed its Petition seeking a partial lift of a September 13, 2005 Opinion and Order which affirmed the May 23, 2005 Recommended Decision of presiding ALJ Weismandel and April 29, 2005 Ex-Parte Secretarial Order granting interim emergency relief against Peoples' implementation of a 2005 Production Enhancement Program. On February 21, 2006, PIPG filed an Answer. PIPG does not oppose the Petition. The Office of Consumer Advocate has indicated its non-opposition to the Petition. <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which grants the Petition consistent with the discussion contained therein.
<b>OSA-0092*</b>	<b>A-00116721, et al</b>	<b>PENN EASTERN RAIL LINES, INC.</b> Motion for Extension of Time from October 31, 2005 until June 30, 2006 regarding the Commission's Order entered August 12, 2006. <b>RECOMMENDATION</b> that the Commission grant the Motion <i>Nunc Pro Tunc</i> .
<b>OSA-0093*</b>	<b>C-20043212</b>	<b>SUNIL H. DESAI V. COLUMBIA GAS OF PA, INC.</b> Petition for Reconsideration of the Commission's Order entered February 17, 2006. <b>RECOMMENDATION</b> that the Commission grant Reconsideration pending further review of and consideration on the merits.
<b>OSA-0094 R*</b>	<b>C-20044157</b>	<b>TERESA MARTIN v. EQUITABLE GAS CO.</b> Exceptions and Petition to Reopen Proceedings filed by Equitable on September 9, 2005. <b>RECOMMENDATION</b> that the Commission grant the Exceptions in part and deny the Exceptions in part, deny the Petition and modify the ALJ's Initial Decision.

**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-0261 2<sup>nd</sup> R*</b>	<b>F-01482857</b>	<b>DONALD and PATTY TAYLOR v. PECO ENERGY COMPANY</b> (billing dispute/alleged meter tampering) On August 23, 2004, Complainants filed a Complaint against PECO asserting that they were wrongly accused of meter tampering. PECO filed an Answer on September 16, 2004. ALJ Herbert Smolen issued his Initial Decision on March 14, 2005 recommending the Complaint be dismissed. Complainants filed Exceptions on April 11, 2005. PECO submitted Reply Exceptions on August 23, 2005. <b>RECOMMENDATION</b> that the Commission adopt the proposed Opinion and Order which denies the Complainants' Exceptions, modifies the ALJ's Initial Decision and <b>REMANDS</b> the proceeding to the Office of Administrative Law Judge for further Hearing and Decision.

**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-0429*</b>	<b>P-00951005F1000</b>	2006 Price Stability Index and Service Price Index reports of <b>FRONTIER COMMUNICATIONS OF BREEZEWOOD, LLC, CANTON, LLC, PENNSYLVANIA, LLC, LAKEWOOD, LLC</b> and <b>OSWAYO, LLC</b> . <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.
<b>FUS-0432*</b>	<b>A-310583F2000</b>	Application filed January 26, 2006, by <b>ARMSTRONG COMMUNICATIONS, INC.</b> , for approval of the Company's Discontinuance and Abandonment of Reseller of Toll Services and Competitive Access Provider Services to the Public within the Commonwealth of Pennsylvania, limited to the service territory of Citizens Telephone Company of Kecksburg. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.
<b>FUS-0808*</b>	<b>A-230123F2001</b>	Application filed November 4, 2005, by <b>CAN DO, INC.-WASTEWATER DIVISION</b> , for approval of (1) the abandonment of wastewater service by CAN DO to the McAdoo Industrial Park and (2) the transfer, by sale, of the wastewater system assets, properties, and rights of CAN DO in McAdoo Industrial Park to the Banks Township Municipal Authority. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.
<b>FUS-0823*</b>	<b>A-212285F0128</b>	Application filed November 29, 2005, by <b>PENNSYLVANIA-AMERICAN WATER COMPANY</b> , for the acquisition of assets of Saville Rustin Water Company, Inc./Pine Ridge Community Association, Inc. and the right to serve the public in additional portions of Lehman Township, Pike County, that are currently served by Saville Rustin. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.



**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-1017*</b>	<b>R-00061289</b>	<b>PENNSYLVANIA POWER COMPANY</b> Home Office – New Castle, PA Supplement No. 34 to Tariff Electric-Pa. P.U.C. No. 35, proposing several changes to correct Energy & Capacity and Losses prices for the 70W Sodium Vapor light types in Rate Schedules PLS, SV, and SVD, to be effective retroactive to January 1, 2006. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.
<b>FUS-1318*</b>	<b>P-00062203</b>	Joint Petition filed January 18, 2006, by <b>C&amp;T ENTERPRISES, INC.</b> , for permission to allow alternative deferral treatment, for accounting purposes, of certain Special Early Retirement Proposal costs. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.
<b>FUS-1320*</b>	<b>S-00061097</b>	Amended Securities Certificate filed February 1, 2006, by <b>AUDUBON WATER COMPANY</b> , in respect of a non-revolving line of credit not to exceed \$150,000 and a commercial loan of \$85,000. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.
<b>FUS-1321*</b>	<b>S-00061101</b>	Securities Certificate filed February 21, 2006, by <b>CAVALIER TELEPHONE MID-ATLANTIC, LLC</b> and <b>ELANTIC TELECOM, INC.</b> , in respect of the assumption of certain securities as co- guarantors of loan and credit facilities for Cavalier Telephone Corporation in a principal amount not to exceed \$230,000,000. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order.

**COMBINED BUREAU AGENDA**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>FUS-0818*</b>	<b>R-00051186</b>	<b>UNITED WATER PENNSYLVANIA, INC.</b> Home Office – Harrisburg, PA Tariff Water-Pa. P.U.C. No. 7 filed January 30, 2006, proposing an annual increase in rates of \$7,541,005 to become effective March 30, 2006. Formal Complaints have been filed. <b>RECOMMENDATION</b> that the Commission institute an Investigation of the Tariff, suspend the filing by operation of law until October 30, 2006, and assign the case to the OALJ, consistent with the proposed Order.
<b>OTS-0003</b>	<b>R-00051186</b>	<b>UNITED WATER PENNSYLVANIA, INC.</b> Tariff Water-Pa. P.U.C No. 7, filed January 30, 2006, to become effective March 30, 2006, proposing an increase of \$6.7 million. <b>RECOMMENDATION</b> that the Commission institute an Investigation of the proposed rates and allow the filing to be suspended by operation of law for a period of seven months.

**LAW BUREAU**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>L-0010*</b>	<b>L-00030161</b>	Application of <b>PPL</b> for a Protective Order pursuant to 52 Pa.Code § 5.423. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order that grants in part and denies in part <b>PPL'S</b> Application.
<b>L-0014*</b>	<b>L-00030161</b>	Application of <b>DUQUESNE LIGHT</b> for a Protective Order pursuant to 52 Pa. Code § 5.423. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order that grants in part and denies in part <b>Duquesne Light's</b> Application.
<b>L-0015*</b>	<b>L-00030161</b>	Application of <b>UGI UTILITIES, INC.-ELECTRIC DIVISION</b> for a Protective Order pursuant to 52 Pa. Code § 5.423. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order that denies <b>UGI'S</b> Application.
<b>L-0016*</b>	<b>L-00030161</b>	Application of <b>METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY and PENNSYLVANIA POWER COMPANY</b> (collectively " <b>FIRSTENERGY</b> ") for a Protective Order pursuant to 52 Pa. Code § 5.423. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order that grants in part and denies in part <b>FIRSTENERGY'S</b> Application.
<b>L-0017*</b>	<b>L-00030161</b>	Application of <b>PECO ENERGY COMPANY</b> for a Protective Order pursuant to 52 Pa. Code § 5.423. <b>RECOMMENDATION</b> that the Commission adopt the proposed Order that grants in part and denies in part <b>PECO'S</b> Application.
<b>L-0023*</b>	<b>M-00031738</b>	<b>OBJECTION OF ALLEGHENY ENERGY SUPPLY COMPANY, LLC</b> , to its July 1, 2003 to June 30, 2004 General Assessment. <b>RECOMMENDATION</b> that the Commission grant the request to reinstate the objection, consistent with the proposed Order.

**LAW BUREAU**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>L-0024*</b>	<b>M-00021635F0039; P-00961027F0002</b>	Request of <b>VERIZON PENNSYLVANIA INC.</b> for Two Blocks of 1,000 Telephone Numbers in the 412 Area Code. <b>RECOMMENDATION</b> that two 1K blocks in the 412 area code be assigned to <b>VERIZON</b> for use by the specific customer in the Pittsburgh Suburban Zone 15 rate center and that <b>NEUSTAR POOLING ADMINISTRATION</b> assign two 1K blocks within three business days of receipt of <b>VERIZON'S</b> request.
<b>L-0025*</b>	<b>L-00050172</b>	<b>FINAL RULEMAKING AMENDING 52 PA CODE SECTION 59.33(b)</b> (Gas service: Safety Code). <b>RECOMMENDATION</b> that the Commission adopt the Final Rulemaking Order amending 52 Pa. Code § 59.33(b), and that the Order be published in the <i>Pennsylvania Bulletin</i> .

**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-0529*</b> <b>(PP from 3/2/06)</b>	<b>C-20054784</b>	<p><b>GEORGE DANIEL v. EQUITABLE GAS COMPANY</b></p> <p>On May 23, 2005, a complaint was filed alleging a service dispute. On August 29, 2005, Equitable filed its answer. A hearing was held on November 3, 2005. <b>COMMISSION REVIEW</b> of ALJ Colwell's Initial Decision dismissing the complaint.</p>
<b>ALJ-0536*</b>	<b>A-313200F0007</b> <b>A-311379F0002</b>	<p><b>JOINT APPLICATION OF THE UNITED TELEPHONE COMPANY OF PA ("UNITED PA") d/b/a SPRINT, AND OF SPRINT LONG DISTANCE, INC.</b></p> <p>On August 26, 2005, United PA filed a joint application for all approvals required under the PA PUC Code in connection with changes of control of the applicant companies. Notice of the application was published in the PA Bulletin on September 10, 2005. Notices of Intervention and protests were filed. On November 30, 2005, a Joint Petition for Settlement was filed.</p> <p><b>REVIEW</b> of ALJ Colwell's Recommended Decision approving the Settlement.</p>

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CARRY-IN AGENDA**

**MARCH 16, 2006**

**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>TSR-0006*</b>	<b>M-00061946</b>	<b>RATIFICATION OF EMERGENCY ORDER ISSUED MARCH 8, 2006 by CHAIRMAN WENDELL F. HOLLAND IN RE: SOUTHEASTERN PA TRANSPORTATION AUTHORITY IN THE CITY OF PHILADELPHIA.</b>

**OFFICE OF SPECIAL ASSISTANTS**

<b>OSA-0099*</b>	<b>P-00042092</b>	<b>Petition of VERIZON PA INC. and VERIZON NORTH INC. for Arbitration of an Amendment to Interconnection Agreements. Petition for Reconsideration and Clarification regarding the Commission's Order entered February 21, 2006, filed by various Parties on March 8, 2006. RECOMMENDATION that the Commission grant the Petition, pending further review of and consideration on the merits.</b>
<b>OSA-0100*</b>	<b>A-00117798 C-20042702</b>	<b>SUSAN WOOD v. NATIONAL RAILROAD PASSENGER CORPORATION Petition for Reconsideration and Clarification of the Commission's February 23, 2006 Opinion and Order. RECOMMENDATION that the Commission grant the Petition, pending further review of and consideration on the merits.</b>

**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-0433*</b>	<b>R-00061284</b>	<b>MCIMETRO ACCESS TRANSMISSION SERVICES, LLC – Grandfathering of Local Exchange Services.</b> Supplement No. 76 to Tariff-Pa. PUC No. 3, filed January 30, 2006, effective date extended to April 1, 2006. <b>RECOMMENDATION</b> that the Commission permit the filing to become effective as filed.

**COMMISSIONERS**

<b>C-0006</b>	<b>A-210072, et al</b>	<b>MOTION OF CHAIRMAN WENDELL F. HOLLAND IN RE: PENN ESTATES UTILITIES, INC., UTILITIES, INC. OF PA and UTILITIES, INC. – WESTGATE.</b>
<b>C-0007</b>	<b>M-00041793</b>	<b>JOINT MOTION OF CHAIRMAN HOLLAND AND COMMISSIONER BILL SHANE IN RE: PIKE COUNTY LIGHT &amp; POWER COMPANY’S UNIVERSAL SERVICE PROGRAM.</b>

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CARRY-IN AGENDA**

**SUPPLEMENTAL**

**MARCH 16, 2006**

**COMMISSIONERS**

<b><u>BUREAU NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>C-0008</b>	<b>I-00060111</b>	<b>MOTION OF CHAIRMAN WENDELL F. HOLLAND IN RE: INVESTIGATION OF AT&amp;T.</b>