

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, AUGUST 27, 2009 (RP)

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:

COMMISSIONER	VICE CHAIRMAN	CHAIRMAN	COMMISSIONER	COMMISSIONER
Wayne E. Gardner	Tyrone J. Christy	James H. Cawley	Kim Pizzingrilli	Robert F. Powelson

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

The Next Public Meeting is Tentatively Scheduled for Thursday, September 10, 2009 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 23, 2009 (WG)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 10, 2009 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, AUGUST 27, 2009, IMMEDIATELY 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.

**COPIES OF CHAIRMAN AND COMMISSIONERS'
MOTIONS AND STATEMENTS WILL BE
AVAILABLE FOR PICK-UP
IMMEDIATELY AFTER PUBLIC MEETING
IN JR. EXECUTIVE CHAMBERS
3RD FLOOR KEYSTONE BUILDING**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

August 27, 2009

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1195650-TAS Vote 5-0.	A-00122163	LIFESTAR AMBULANCE, INC. - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
1202803-TAS Vote 5-0.	A-00123309	WEST PHILA COMM MENTAL HLTH CONSORTIUM T/A THE CONSORTIUM - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2035839-TAS Vote 5-0.	A-2008-2035839	GEORGE STROHMAIER - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Oxford, Chester County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2040373-TAS Vote 5-0.	A-2008-2040373 A-00108743	AIRLINES ACQUISITION CO, INC - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating fifteen passengers or less, including the driver, which is to be a transfer of the rights authorized under the certificate issued at A-00116130, F.3 to Pittsburgh Transportation Company, t/d/b/a Cruiser Cab. RECOMMENDATION: That the Commission adopt the proposed order approving the application and the supplemental order canceling the certificate of Pittsburgh Transportation Company.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2042180-TAS Vote 5-0.	A-2008-2042180	ALL CARE AMBULETTE AND CAR SERVICES INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Nazareth, Northampton County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2042566-TAS Dissenting Statement by Vice Chairman Christy. Vote 3-2 with Chairman Cawley and Vice Chairman Christy Dissenting.	A-2008-2042566	BLAISE ROLISON T/A PIONEER CITY CAB - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Tentative Order approving the application.
2050607-TAS Vote 5-0.	C-2009-2050607	BUR OF TRANSPORTATION & SAFETY VS KENTON L PATTERSON - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, effecient and safe service and facilities. RECOMMENDATION: That the Commission adopt the order directing that the complaint be sustained and the certificate be canceled.
2061044-TAS Dissenting Statement by Vice Chairman Christy. Vote 3-2 with Chairman Cawley and Vice Chairman Christy Dissenting.	A-2008-2061044	GENE LEMAN T/A BANGOR CAB - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Upper Mt. Bethel, Northampton County. RECOMMENDATION: That the Commission adopt the proposed Tentative Order approving the application.
2070660-TAS Vote 5-0.	R-2008-2070660	TRANS-MED AMBULANCE, INC. - Increase in Rates. Forty Fort, Luzerne County. RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 2 to become effective 8/31/09.
2084513-TAS Vote 5-0.	C-2009-2084513 A-00122870	BUR OF TRANSPORTATION & SAFETY VS RUDY GOBIN - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. RECOMMENDATION: That the Commission adopt the order directing that the complaint be sustained and the certificate be canceled.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2086823-TAS Vote 5-0.	R-2009-2086823	INTERSTATE NURSING SERVICES INC - Increase in rates. Allentown, Lehigh County. RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 2, to become effective 8/31/09.
2089612-TAS Vote 5-0.	C-2009-2089612	BUR OF TRANSPORTATION & SAFETY VS SAMUEL D. ARIAS - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. Sinking Spring, Berks County. RECOMMENDATION: That the Commission adopt the order directing that the complaint be sustained and the certificate be canceled.
2097361-TAS Vote 5-0.	A-2009-2097361 A-00110733	GERMANTOWN CAB CO. - Application for the additional right to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2097543-TAS Vote 5-0.	A-2009-2097543	JOHN M ZELINSKI T/A JZ TOURS - Application for a brokerage license. Scranton, Lackawanna County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2098078-TAS Vote 5-0.	C-2009-2098078	BUR OF TRANSPORTATION & SAFETY VS SAUL'S ENTERPRISES LLC - Complaint alleging failure to submit to a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. RECOMMENDATION: That the Commission adopt the order directing that the complaint be sustained and the certificate be canceled.
2098313-TAS Vote 5-0.	A-2009-2098313	DIREC TRANSIT LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2099067-TAS Vote 5-0.	A-2009-2099067	RICHARD D BARRETT - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service limited to those persons whose personal convictions prevent them from owning or operating motor vehicles. RECOMMENDATION: That the Commission adopt the proposed order dismissing the application.
2101111-TAS Vote 5-0.	A-2009-2101111	RASHID TRANSPORTATION LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2104323-TAS Vote 5-0.	A-2009-2104323	DUFFY PIANO MOVING & STORAGE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use, limited to the transportation of pianos and organs. Folcroft, Delaware County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2106643-TAS Vote 5-0.	A-2009-2106643	GARDNER MOVING COMPANY - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use, which is to be a transfer of all rights authorized under the certificate issued at A-00100420 to Thomas M. Clayton, t/a Foster Transfer and Storage Company. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2106757-TAS Vote 5-0.	A-2009-2106757	SHLOMO SUDAI T/A CAPITAL VAN LINES - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use, which is to be a transfer of all rights authorized under the certificate issued at A-00116323 to Roger Sharma, t/d/b/a Phoenix Movers. RECOMMENDATION: That the Commission adopt the proposed order approving the application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2106848-TAS Vote 5-0.	A-2009-2106848	MAPEMAWA INC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2109403-TAS Vote 5-0.	A-2009-2109403	JUAN J GENET ENTERPRISES LLC T/A SAFE DESTINATIONS - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia, Philadelphia County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2110757-TAS Vote 5-0.	A-2009-2110757	FEEL GOOD LIMO INC - Application for the additional right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. Olyphant, Lackawanna County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2110951-TAS Vote 5-0.	A-2009-2110951	TRUST AMBULANCE INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2111045-TAS Vote 5-0.	A-2009-2111045	SPECIALIZED TRANSPORTATION FOR OUTPATIENT SERVICES INC T/A STOPS INC - Application for a brokerage license. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2111354-TAS Vote 5-0.	A-2009-2111354 A-00117886	PREMIERE #1 LIMOUSINE SERVICE LLC - Application for the approval of the transfer of the common carrier limousine right held by Premiere #1 Limousine Service, Inc. at A-00117886. Middletown, Dauphin County. RECOMMENDATION: That the Commission adopt the proposed order approving the transfer application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2111402-TAS Vote 5-0.	A-2009-2111402 A-00117886	PREMIERE #1 LIMOUSINE SERVICE LLC - Application for the approval of the transfer of the common carrier group and party right held by Premiere #1 Limousine Service, Inc. at A-00117886, F.2. RECOMMENDATION: That the Commission adopt the proposed order approving the transfer application.
2111942-TAS Vote 5-0.	A-2009-2111942	FRANKLIN TRANSPORTATION SERVICES LLC T/A FRANKLIN LIMOUSINE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Franklin, Venango County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2111945-TAS Vote 5-0.	A-2009-2111945	MCILWAIN CHARTERS, INC. - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in airport transfer service. Carrier holds other active authority with the Commission. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2112162-TAS Vote 5-0.	A-2009-2112162	L & M CONNECT LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2115004-TAS Vote 5-0.	A-2009-2115004	SKYTOP LODGE CORPORATION F/K/A SKYTOP LODGES, INC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons upon call or demand service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.

BUREAU OF ADMINISTRATIVE SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2125122-BAS Vote 5-0.		OFFICE OF CONSUMER ADVOCATE - General Assessment upon Public Utilities for FY July 1, 2009 to June 30, 2010. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with Section 510 of the Public Utility Code.
2125123-BAS Vote 5-0.		OFFICE OF SMALL BUSINESS ADVOCATE - General Assessment upon Public Utilities for FY July 1, 2009 to June 30, 2010. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with Section 510 of the Public Utility Code.
2125124-BAS Vote 5-0.		PUBLIC UTILITY COMMISSION - General Assessment upon Public Utilities for FY July 1, 2009 to June 30, 2010. RECOMMENDATION: That the Commission approve the Assessment Section computation in accordance with Section 510 of the Public Utility Code.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2081721-AUD Statement by Commissioner Pizzigrilli. Vote 5-0.	D-2008-2081721	AQUA PENNSYLVANIA - Management Efficiency Investigation Evaluating the Implementation of Selected Recommendations from the 2006 Focused Management and Operations Audit. RECOMMENDATION: That the Commission makes the MEI Report and Aqua PA's Implementation Plan public.
2121761-AUD Vote 5-0.	M-2009-2121761	VALLEY ENERGY, INC - Gas Cost Rate - Effective 9/1/09. RECOMMENDATION: That the Commission approve the proposed rates to become effective with service rendered on and after 9/1/09.
2122723-AUD Vote 5-0.	M-2009-2122723	PIKE COUNTY LIGHT & POWER CO-GAS - Gas Cost Rate - effective 9/1/09. RECOMMENDATION: That the Commission approve proposed rate to become effective with service rendered on and after 9/1/09.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1168984-OSA Vote 5-0.	A-00118928	SPRINGETTSBURY TOWNSHIP - Application filed on 12/8/04, for approval of its plans for an at-grade crossing of Norfolk Southern's tracks. The Parties reached an agreement which they memorialized the agreement in a Stipulation of Settlement. On 4/10/06, the Commission entered an Order which approved the Township's Application. On 6/1/09, the Parties filed a Joint Petition to Amend Order and also filed an Amended Stipulation of Settlement. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Parties' Joint Petition.
1197285-OSA Vote 3-2 with Commissioner Pizzingrilli and Commissioner Powelson Dissenting.	C-20065790	LAW BUREAU PROSECUTORY STAFF VS EQUITABLE GAS CO. - Formal Complaint filed on 1/19/09, alleging violations of state and federal law related to a gas explosion on 8/21/04. On 8/22/08, the Commission issued a Tentative Order for comment. Upon review of the comments, the Commission proposed that the payment of the civil penalty be redirected as contributions to Equitable's LIURP and Hardship Fund in its Order issued 7/6/09 for further comment. Based on the comments, the Commission directed Equitable to contribute the monies to its Hardship Fund and its Hardship Repair Fund. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order approving the Settlement that directs Equitable to contribute \$25,000 to its Hardship Fund and \$25,000 to its Hardship Repair Fund.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1206349-OSA (PP from 08/06/2009) Motion by Vice Chairman Christy. Vote 4-1 with Commissioner Gardner Dissenting.	A-00123759F0002	MARCO & PETER AUTO TRANSIT - Applicant currently holds authority to provide group and party service. On 6/13/07, the Applicant filed for authority to commence paratransit service. Protests were filed. A hearing was held on 7/9/08. On 2/23/09, ALJ Rainey issued his Initial Decision granting the Applicant contract carrier authority. The Applicant filed Exceptions on 3/30/09. Reply Exceptions were filed by Protestants Bucks County Transport, Inc. and Krapf's Coaches, Inc., on 4/6/09, and 4/9/09, respectively. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Exceptions, in part, and modifies the Initial Decision.
1206446-OSA Vote 5-0.	A-00123938	THE ARC OF CHESTER COUNTY - Application filed on 6/27/07. A timely Protest was filed by Krapf's Coaches, Inc. A hearing was held on 6/13/08. ALJ Jones on 10/20/08, issued the Initial Decision, wherein she recommended that the Application be approved for a contract carrier permit. No Exceptions were filed. By Commission Order entered 2/13/09, ALJ Jones' Decision became final. On 5/6/09, Krapf's filed the instant Motion to Dismiss the Application of ARC. On 6/4/09, ARC filed a Response to the Motion. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which dismisses the Motion to Dismiss the Application of ARC.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2031571-OSA Postponed until the Public Meeting of September 10, 2009.	M-2009-2031571	LAW BUR PROSECUTORY STAFF VS UGI - Settlement filed on 7/28/09, pertaining to the investigation of an explosion that occurred on 12/9/06, in Allentown, PA. The proposed Settlement calls for, among other things, the payment of a civil penalty of \$80,000, the review and modification of operator training and qualification procedures as well as the review and revision of UGI's drug and alcohol program. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that issues the Settlement Agreement for comments from interested parties.
2060337-OSA Vote 5-0.	F-2008-2060337	ORLANDO SANCHEZ VS PECO - Formal Complaint filed on 8/18/08, alleging that the tenant is responsible for the utility bills. PECO filed an Answer to the Complaint on 9/24/08. A hearing was held on 2/26/09. ALJ Fordham issued an Initial Decision on 7/1/09, dismissing the complaint. The Complainant filed Exceptions to the Initial Decision on 7/24/09. No Reply Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Initial Decision.
2061177-OSA Vote 5-0.	A-2008-2061177	AHMED MEKLED - Application filed on 6/11/08. A Notice of the Application was published in the PA Bulletin on 10/4/08. A timely Protest was filed by Harrisburg City Cab, Inc. ALJ Colwell on 6/15/09, issued an Initial Decision, recommending that the Application be denied. The Applicant filed Exceptions to the Initial Decision. Harrisburg City Cab filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Applicant's Exceptions and adopts the ALJ's Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2081224-OSA Vote 5-0.	C-2009-2081224 A-00120697	BUR OF TRANSPORTATION & SAFETY VS FRED W WILLIAMS - BTS instituted a Complaint on 1/9/09, alleging that the Petitioner failed to maintain evidence of bodily injury and property damage insurance on file with the Commission. The Complaint imposed a penalty of \$250.00. The Complaint was served on the Petitioner on 1/12/09. The Petitioner failed to Answer the Complaint, or to remit the \$250.00 penalty. However, the Petitioner's insurer filed evidence of insurance on 1/20/09. On 7/20/09, the Petitioner filed a Petition for Reconsideration of the penalty. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Petition.
2087300-OSA Vote 5-0.	C-2009-2087300	RONALD SHANK VS PPL ELECTRIC UTILITIES CORPORATION - Formal Complaint filed on 1/28/09, alleging, inter alia, that there were incorrect charges on his bill, that foreign wiring still exists on his account, and that there is a reliability, safety or quality problem with PPL's service. On 2/20/09, PPL filed an Answer and new Matter which, inter alia, denied the allegations in the Complaint. By Initial Decision issued 5/15/09, ALJ Salapa found that Mr. Shank failed to meet his burden of proof that PPL violated the Public Utility Code or Commission Regulations and denied the Complaint. Mr. Shank filed Exceptions on 5/29/09 and PPL filed Reply Exceptions on 6/12/09. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Complainant's Exceptions.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2105848-FUS Vote 5-0.	A-2009-2105848	WEST PENN POWER CO. - Letter of Notification filed on 5/5/09, pursuant to 52 Pa. Code Chapter 57.72 (d), with respect to the Relocation of the Whitely-Franklin 138kV Transmission Line in Franklin Township, Greene County. Authority for this procedure is provided for at §57.72(d)(1)(v) and(vi). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2107711-FUS Vote 5-0.	A-2009-2107711	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 5/12/09, for approval of (1) the transfer, by sale of the water works property and rights of the Amwell Township Water Authority to PAWC, and (2) the rights of PAWC to begin to offer or furnish water service to the public in additional portions of Amwell Township, Washington County. Proofs of publication and service to appropriate entities were submitted. No protests were filed and no hearings were conducted. RECOMMENDATION: That the Commission adopt the proposed Order.
2110756-FUS Vote 5-0.	A-2009-2110756	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 5/28/09, for approval of the right to offer, render, furnish or supply water service to the public in a portion of Lancaster Township, Butler County. Proofs of publication and service to appropriate entities were submitted. No protests were filed and no hearings were conducted. RECOMMENDATION: That the Commission adopt the proposed Order.
2110946-FUS Vote 5-0.	A-2009-2110946	WORLD ENERGY SOLUTIONS INC - Application filed on 5/27/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial, industrial and governmental customers. RECOMMENDATION: That the Commission adopt the proposed Order.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2111040-FUS Vote 5-0.	A-2009-2111040 A-2009-2111038	ELANTIC TELECOM, INC T/A DOMINION TELECOM INC and CAVALATIER NETWORKS LLC - Joint Application for a transfer of control and an abandonment of certificates by Cavalier Networks LLC. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2112793-FUS Vote 5-0.	A-2009-2112793	NEXGEN NETWORKS CORPORATION - Application filed on 5/27/09, for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2113764-FUS Vote 5-0.	A-2009-2113764	AMEREX BROKERS LLC - Application filed on 7/28/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity to commercial, industrial and governmental customers. RECOMMENDATION: That the Commission adopt the proposed Order.
2114759-FUS Vote 5-0.	A-2009-2114759	METROMEDIA POWER INC - Application filed on 6/11/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer and aggregator to commercial, industrial and governmental customers. RECOMMENDATION: That the Commission adopt the proposed Order.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2115540-FUS Vote 5-0.	A-2009-2115540	PUBLIC WIRELESS INC - Application filed on 6/8/09, for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2116655-FUS Vote 5-0.	A-2009-2116655	METROPOLITAN EDISON CO. - Letter of Notification filed on 6/29/09, pursuant to 52 Pa. Code Chapter 57.72 with respect to the Reconductoring of the J. E. Baker Tap to Taxville Substation Section of the Jackson-Westgate 115 kV HV Transmission Line Project, situated in West Manchester Township, York County. Authority for this procedure is provided for at §57.72(d)(I). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order.
2118255-FUS Vote 5-0.	A-2009-2118255	WILLIAMS LOCAL NETWORK, INC. - Application filed on 7/2/09, seeking approval of the Company's Discontinuance and Abandonment of Competitive Access Provider Services. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2120357-FUS Vote 5-0.	A-2009-2120357 A-2009-2120358	PENNSYLVANIA AMERICAN WATER COMPANY and NITTANY WATER COMPANY - Joint application filed on 7/13/09, for approval of: 1) the transfer by sale of the water works property and rights of Nittany to PAWC; 2) the commencement by PAWC of water service to the public in portions of Walker Township, Centre County and Porter Township, Clinton County presently served by Nittany, and 3) the abandonment by Nittany of all water service to the public. There were no petitions or protests filed. No hearing was held. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2121492-FUS Vote 5-0.	A-2009-2121492	EMPLOYERS' ENERGY ALLIANCE OF PENNSYLVANIA INC - Application filed on 7/28/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity to commercial, industrial and governmental customers. RECOMMENDATION: That the Commission adopt the proposed Order.

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2110093-FUS Vote 5-0.	R-2009-2110093	BIRCH ACRES WATER WORKS, INC. - Supplement No. 1 to Tariff Water-Pa. P.U.C. No. 10, filed on 6/26/09, proposing an annual increase in rates of \$15,804 (74.0%) to become effective 9/1/09. By letter dated 6/1/09, the Commission granted the Respondent an extension of time for filing a general rate increase until 6/30/09. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2110093-OTS Adopt 5-0, to the extent that it is consistent with 2110093-FUS.	R-2009-2110093	BIRCH ACRES WATER WORKS, INC. - Supplement No. 1 to Tariff Water - Pa. PUC No. 10, filed on 6/26/09, to become effective 9/1/09, proposing an increase of \$15,804, or 74% in annual revenue. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 4/1/10.
2111011-FUS Vote 5-0.	R-2009-2111011	TRIGEN-PHILADELPHIA ENERGY CORP - Supplement No. 5 to Tariff Heating and Cooling - Pa. P.U.C. No. 4, filed on 6/26/09, proposing an annual increase in rates of \$3,381,804 (7.06%) to become effective 9/1/09, using a future test year ending 12/31/09. Protests have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2111011-OTS Adopt 5-0, to the extent it is consistent with 2111011-FUS.	R-2009-2111011	TRIGEN-PHILADELPHIA ENERGY CORP - Supplement No. 5 to Tariff Heating & Cooling - Pa. P.U.C. No. 4, filed on 6/26/09, to become effective 9/1/09, proposing an increase of \$3,381,804, or 7.06% in annual revenues. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 4/1/10.

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2115743-FUS Vote 5-0.	R-2009-2115743	LAKE SPANGENBERG WATER COMPANY - Tariff Water-Pa. P.U.C. No. 5, filed on 6/24/09, proposing an annual increase in rates of \$92,292 - 300.0% (per Company) to become effective 9/1/09. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2115743-OTS Adopt 5-0, to the extent it is consistent with 2115743-FUS.	R-2009-2115743	LAKE SPANGENBERG WATER COMPANY - Tariff Water-Pa PUC No. 5, filed on 6/24/09, cancelling Tariff Water-Pa PUC No. 4, to become effective 9/1/09, proposing an increase of \$92,292, or 300% in annual revenues. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 4/1/10.
2117389-FUS Vote 5-0.	R-2009-2117389	UTILITIES, INC.-WESTGATE - Supplement No. 1 to Tariff Water-Pa. P.U.C. No. 7, filed on 7/1/09, proposing an annual increase in rates of \$158,326 (45.4%) to become effective 8/31/09. By letter dated 7/8/09, the Commission granted the Respondent an extension of time for filing the general rate increase. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2117389-OTS Adopt 5-0, to the extent it is consistent with 2117389-FUS.	R-2009-2117389	UTILITIES, INC.-WESTGATE - Supplement No. 1 to Tariff Water-Pa PUC No. 7, filed 7/1/09, cancelling Tariff Water-Pa PUC Nos. 5 & 6 and All Supplements Thereto, to become effective 8/31/09, proposing an increase of \$158,326, or 45.4% in annual revenues. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 3/31/10.

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2117402-FUS Vote 5-0.	R-2009-2117402	UTILITIES, INC. OF PENNSYLVANIA - Supplement No. 6 to Tariff Sewer-Pa. P.U.C. No. 1, filed on 6/30/09, proposing an annual increase in rates of \$378,737 (59.7%) to become effective 8/31/09. By letter dated 7/8/09, the Commission granted the Respondent an extension of time for filing the general rate increase. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2117402-OTS Adopt 5-0, to the extent it is consistent with 2117402-FUS.	R-2009-2117402	UTILITIES, INC. OF PENNSYLVANIA - Supplement No. 6 to Tariff Sewer-Pa PUC No. 1, filed on 6/30/09, to become effective 8/31/09, proposing an increase of \$378,737, or 59.7% in annual revenues. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 3/31/10.
2117532-FUS Vote 5-0.	R-2009-2117532	PENN ESTATES UTILITIES, INC - Supplement No. 4 to Tariff Water-Pa. P.U.C. No. 3, filed on 6/30/09, proposing an annual increase in rates of \$281,927 (68.9%) to become effective 8/31/09. The Commission has granted the Respondent an extension of time to file until 7/1/09. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2117532-OTS Adopt 5-0, to the extent it is consistent with 2117532-FUS.	R-2009-2117532	PENN ESTATES UTILITIES, INC - Supplement No. 4 to Tariff Water-Pa PUC No. 3, filed on 6/30/09, to become effective 8/31/09, proposing an increase of \$281,927, or 68.9% in annual revenues. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 3/31/10.

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2117550-FUS Vote 5-0.	R-2009-2117550	NEWTOWN ARTESIAN WATER CO. - Supplement No. 67 to Tariff Water-Pa. P.U.C. No. 9, filed on 7/1/09, requesting approval to create a Purchased Water Adjustment Clause to become effective 9/1/09. The Office of Consumer Advocate has filed a Formal Complaint. RECOMMENDATION: That the Commission adopt the proposed Order.
2117550-OTS Adopt 5-0, to the extent it is consistent with 2117550-FUS.	R-2009-2117550	NEWTOWN ARTESIAN WATER CO. - Supplement No. 67 to Tariff Water-Pa PUC No. 9, filed on 7/1/09, to be come effective 9/1/09, requesting approval of a Purchased Water Adjustment Clause ("PWAC") in the Company's tariff. The Company will not be able to utilize the PWAC until 9/1/10, consistent with the stay-out provision in the Company's recent general rate case (Docket No. R-2008-2042293). RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 3/1/10.
2117740-FUS Vote 5-0.	R-2009-2117740	PENN ESTATES UTILITIES, INC - Supplement No. 4 to Tariff Sewer-Pa. P.U.C. No. 3, filed on 6/30/09, proposing an annual increase in rates of \$318,297 (45.5%) to become effective 8/31/09. The Commission has granted the Respondent an extension of time to file a general rate increase until 7/1/09. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order.
2117740-OTS Adopt 5-0, to the extent it is consistent with 2117740-FUS.	R-2009-2117740	PENN ESTATES UTILITIES, INC - Supplement No. 4 to Tariff Sewer-Pa PUC No. 3, filed on 6/30/09, to become effective 8/31/09, proposing an increase of \$318,297, or 45.5% in annual revenues. RECOMMENDATION: That the Commission institute an investigation and allow the filing to be suspended by operation of law for a period of 7 months, or through 3/31/10.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1095685-LAW Vote 5-0.	A-310403	<p>PREFERRED CARRIER SERVICES, INC - Failure to file its 2007 Annual Report. By Final Order entered 4/21/09, the Commission approved an earlier Tentative Order entered 12/24/08, revoking Preferred Carrier's certificate as a CLEC after finding that the carrier's address and phone number were no longer valid. The address and phone number are the same for both certificated businesses. Commission staff has made several attempts to reach Preferred Carrier, the reseller of toll services, by mail and phone and each of these attempts has been unsuccessful.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificates of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.</p>
1201536-LAW Vote 5-0.	A-311424	<p>DYNALINK COMMUNICATIONS INC - Failure to file its 2007 Annual Report. By Default Order entered 3/19/09, the Commission revoked Dynalink's certificate as a CLEC after failing to respond to the complaint that was filed against it. Using the same mailing address, Dynalink, the reseller of toll services, again has failed to respond to Commission attempts to have the company mail the report.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificates of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.</p>

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

1202907-LAW

L-00060182

Vote 5-0.

CHAPTER 14 GENERAL REVIEW OF REGS
- Rulemaking to Amend the Provisions of 52 Pa.
Code, Chapter 56 to Comply with the Provisions of
Pa. C.S., Chapter 14; General Review of
Regulations; Blanket Waiver of 52 Pa. Code § 56.21
Relating to Physical Delivery of a Bill. On
3/31/09, a Secretarial Letter was issued by the
Commission asking all utilities that have
implemented e-billing programs to file comments
regarding the successes and failures of their
individual programs. On 7/10/09, a staff report on
e-billing was issued and a blanket waiver of 52 Pa.
Code § 56.21 was recommended pending
adoption of final regulations at this docket.

RECOMMENDATION:

That the Commission adopt the proposed order
granting a blanket waiver of 52 Pa. Code § 56.21.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2027935-ALJ Vote 5-0.	C-2008-2027935	THOMAS A ROBINSON VS WEST POWER COMPANY - Complaint filed on 1/22/08, alleging WPP terminated electric service to Complainant's property without notice causing broken water pipes and radiators resulting in property damages. On 3/26/08, WPP filed its answer asserting that it followed proper procedure. A hearing was held on 1/27/09. COMMISSION REVIEW: That the Commission adopt ALJ Corbett's Initial Decision denying the complaint.
2049231-ALJ Vote 5-0.	R-2008-2049231	NEEDMORE WATER SUPPLY COMPANY - Supplement No. 7 to Tariff Water - Pa. P.U.C. No.1, filed on 8/20/08, to become effective 10/20/08, containing proposed changes in rates, rules, and regulations calculated to produce additional annual revenues. By Secretarial Letter dated 7/8/08, the Commission granted an extension of time to file using a historic test year ending 12/31/07. By Order entered 10/9/08, the Commission suspended the proposed Supplement until 5/20/09 and instituted an investigation. On 10/16/08, Supplement No. 9 was filed consenting to mediation and agreeing to extend the suspense date to 7/20/09. Numerous Orders and Requests for Extensions were filed regarding the effective date be suspended for further proceedings. A Joint Settlement Petition was filed on 7/17/09. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision approving the Settlement.
2057950-ALJ Joint Motion by Commissioner Gardner and Commissioner Powelson. Vote 5-0.	C-2008-2057950	DAVID A FLICK VS WEST PENN POWER - Complaint filed on 8/1/08, requesting an affordable payment arrangement in an appeal from an earlier BCS decision. On 9/8/08, WPP filed its answer. A hearing was held on 2/25/09. COMMISSION REVIEW: That the Commission adopt ALJ Nene's Initial Decision dismissing the complaint with prejudice.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2058911-ALJ Vote 5-0.	F-2008-2058911	THERESA A SMITH VS PEOPLES NATURAL GAS COMPANY - Complaint filed on 8/12/08, requesting an affordable payment arrangement. On 9/16/08, PNG filed its answer. A hearing was held on 1/12/09. COMMISSION REVIEW: That the Commission approve Special Agent Alexander's Initial Decision dismissing the complaint with prejudice.
2069141-ALJ (PP from 08/06/2009) Dissenting Statement by Vice Chairman Christy. Vote 4-1 with Vice Chairman Christy Dissenting.	C-2008-2069141	PHILADELPHIA HGI ASSOCIATES LP VS HESS CORPORATION - Complaint filed 10/7/08, alleging a billing dispute. Hess filed its answer and new matter 11/5/08. A hearing was not held. COMMISSION REVIEW: That the Commission adopt ALJ Koster's Initial Decision dismissing the case.
2071144-ALJ Vote 5-0.	F-2008-2071144	JANET SMIDA VS COLUMBIA GAS OF PA - Complaint filed on 10/5/08, alleging a billing dispute. An answer was filed by Columbia Gas on 11/17/08. A hearing was held on 1/27/09. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Initial Decision granting the complaint, insofar as it results in a payment agreement.
2079660-ALJ Statement by Chairman Cawley. Vote 5-0.	R-2008-2079660	UGI PENN NATURAL GAS COMPANY - Original Tariff Gas – Pa. P.U.C. Nos. 8 and 8-S, and Supplement No. 15 to Tariff Gas – Pa. P.U.C. No. 1, filed on 1/28/09, requesting an increase in annual revenues. Also on 1/28/09, UGI CPG filed Supplement No. 38 to Tariff Gas – PA P.U.C. No. 3, and Supplement No. 18 to Tariff Gas PA P.U.C. No. 3S requesting an increase in annual revenues. The cases were consolidated for hearing and decisional purposes. The parties involved in litigation filed Joint Petitions for Settlement of all issues in both cases on 7/2/09. COMMISSION REVIEW: That the Commission adopt ALJ Cocheres' Recommended Decision approving the Settlement Petitions with one minor modification regarding the treatment of customer complaints.

OFFICE OF ADMINISTRATIVE LAW JUDGE

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2094494-ALJ

P-2009-2094494

Statement by Chairman Cawley.
Statement by Vice Chairman Christy.
Vote 5-0.

PECO ENERGY COMPANY-ELECTRIC
- Pursuant to the Alternative Energy Portfolio Standards Act of 2004, 73 P.S. §§ 1648.1 et seq., petition filed on 3/3/09, requesting: (1) Approval of Proposals to procure up to 8,000 solar Tier 1 alternative energy credits annually for a 10-year period to satisfy a portion of its solar-related future AEPS requirements; (2) Approval of form Solar AEC Purchase and Sale Agreement for use with any successful bidder, and in the event any affiliate of PECO is a successful bidder, approved for purposes of 66 Pa. C.S. § 2102; and (3) Permit PECO's recovery of all costs related to and in compliance with its RFP consistent with its existing AEPS cost recovery tariff provision, as previously approved by the Commission at Docket No. P-00072260. On 07/02/09, a Joint Petition for Settlement was filed.

COMMISSION REVIEW:

That the Commission adopt ALJ Rainey's Recommended Decision approving the Settlement in its entirety without modification.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

August 27, 2009

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2122693-AUD Vote 5-0.	M-2009-2122693	TRIGEN-PHILADELPHIA ENERGY CORP - Steam Cost Rates - effective 9/1/09. RECOMMENDATION: That the Commission approve the SCR rates submitted by Trigen to become effective with service rendered on and after 9/1/09.
2122714-AUD Vote 5-0.	M-2009-2122714	NRG ENERGY CENTER HARRISBURG LLC - Steam Cost Rates - effective 9/1/09. RECOMMENDATION: That the Commission approve the SCR rates submitted by NRG Hbg. to become effective with service rendered on and after 9/1/09.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2013026-OSA Vote 5-0.	R-2008-2013026 R-2008-2075250	T. W. PHILLIPS GAS & OIL CO. - Order entered on 7/29/09, adopting ALJ Nene's Recommended Decision approving the Settlement resolving all issues in the T.W. Phillips Gas and Oil Co.'s (TWP) 2009 PGC proceeding docketed at R-2008-2075250. The ALJ also recommended that TWP's 2008 PGC modification proceeding at Docket No. R-2008-2013026 that had been consolidated with TWP's 2009 PGC proceeding be remanded for further hearing. The Commission adopted the ALJ's Recommended Decision in its Order entered 7/29/09. Bison filed a Petition for Reconsideration on 8/13/09 asking the Commission to reverse or vacate its Order with regard to the remand of TWP's 2008 PGC modification proceeding. RECOMMENDATION: That the Commission approve the Draft Order that grants Bison's Petition for reconsideration pending review of, and consideration of, the merits.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2029557-OSA Vote 5-0.	C-2008-2029557	<p>DELPHINE MATTHEWS VS PHILADELPHIA GAS WORKS</p> <p>- Formal complaint filed on 2/11/08, alleging that a title company improperly paid PGW at settlement on her property. On 4/2/08, PGW filed a timely Answer alleging that the title company properly paid PGW to satisfy a lien on the property. A hearing was held 10/15/08. By Initial Decision issued 12/30/08, ALJ Koster dismissed the Complaint because the Commission lacks jurisdiction. The Complainant filed Exceptions 1/16/09. PGW filed timely Replies 3/1/09. By Order entered 4/17/09, the Commission denied the Exceptions and adopted the Initial Decision. On 5/4/09, the Complainant filed a Petition for Reconsideration. On 5/18/09, PGW filed a Certificate of Satisfaction. By Order entered 7/28/09, the Commission granted the Petition for Reconsideration, vacated the Order entered 4/17/09, treated the certificate of satisfaction as a Motion to Withdraw a Pleading, and allowed the parties 60 days to submit additional information. PGW filed a Petition for Reconsideration 8/12/09.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order, which grants reconsideration pending review and consideration of the merits.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2074706-FUS Vote 5-0.	A-2008-2074706	ORWELL NATURAL GAS COMPANY - Amended joint application for approval to amend the Order entered 3/2/09 for the indirect transfer of control of the former to the latter, and the corporate reorganization of Energy West into a holding company structure. RECOMMENDATION: That the Commission adopt the proposed Order.