

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, JULY 15, 2010 (WG)

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	John F. Coleman, Jr.	Robert F. Powelson

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

The Next Public Meeting is Tentatively Scheduled for Thursday, July 29, 2010 at 10:00 A.M.

Minutes of the Meeting of Thursday, June 3, 2010 (TC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JULY 29, 2010 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, JULY 15, 2010, 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

July 15, 2010

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2083271-TAS Postponed until the Public Meeting of July 29, 2010.	A-2009-2083271	ADVANCED MEDICAL EXPRESS AMBULANCE LLC T/A AMEX AMBULANCE 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 Tentative Order approving the application.
2096994-TAS Vote 5-0.	C-2010-2096994	BUREAU OF TRANSPORTATION & SAFETY VS RICHARD HUBER - 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 proposed Order directing that the complaint be sustained and the certificate be canceled.
2119326-TAS Vote 5-0.	A-2009-2119326	PENNDOT - Application for approval to reconstruct a bridge in Guilford Township, Franklin County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2134666-TAS Vote 5-0.	A-2009-2134666	CARDINAL EXPRESS, LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons for non-medical reasons in paratransit service. Macungie, Lehigh County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2138349-TAS Vote 5-0.	C-2010-2138349	BUREAU OF TRANSPORTATION & SAFETY VS COLUMBIA TAXI, LLC - Complaint alleging respondent abandoned or discontinued call or demand service without having first filed an application to discontinue service. Columbia, PA. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and that the certificate be canceled.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2140177-TAS Postponed until the Public Meeting of July 29, 2010.	A-2009-2140177	SCOTT R RICE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Pittsburgh, Allegheny County. RECOMMENDATION: That the Commission adopt the proposed Tentative Order approving the application.
2150004-TAS Vote 5-0.	A-2009-2150004	SMZ VENTURES INC T/A MEDICAL TRANSPORT SERVICES (MTS) - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service, primarily in stretchers and wheelchairs. Tyrone, Blair County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2161256-TAS Vote 5-0.	C-2010-2161256 A-00112339	BUREAU OF TRANSPORTATION & SAFETY VS BEST OF TIMES CHAUFFEURED LIMOUSINE SVC INC - Complaint alleging failure to pay outstanding assessments. Hatfield, Montgomery County. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, the certificate be canceled and the Respondent be fined \$100.
2162084-TAS Vote 5-0.	C-2010-2162084 A-00116325	BUREAU OF TRANSPORTATION & SAFETY VS GOLDEN LIMOUSINE SERVICE, INC - Complaint alleging failure to pay outstanding assessments. Oreland, Montgomery County. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, the certificate be canceled and the Respondent be fined \$100.
2163672-TAS Vote 5-0.	C-2010-2163672 A-00107641 C-2009-2126016	BUREAU OF TRANSPORTATION & SAFETY VS ROYAL COACH LIMOUSINE, INC - Complaint alleging respondent failed to pay an outstanding fine. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, that the certificate be canceled, and the Respondent be fined \$100.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2165634-TAS Vote 5-0.	A-2010-2165634	LISA ANN THRUSH - 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. Gordonville, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2165832-TAS Vote 5-0.	A-2010-2165832 A-00123118	HOMESTEAD TRANSPORTATION, LLC - Application for amendment to its common carrier certificate which grants the right to transport as a common carrier by motor vehicle, persons upon call or demand. Lansdale, Montgomery County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2168192-TAS Vote 5-0.	A-2010-2168192	CITIZENS ACTING TOGETHER CAN HELP INC - Application for the right to begin to transport as a contract carrier by motor vehicles, persons for LogistiCare Solutions, LLC. Philadelphia. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2168965-TAS Vote 5-0.	A-2010-2168965	NANCY CARROLL KEENER T/A KEENER TRANSPORTATION - 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. Airville, York County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2170802-TAS Vote 5-0.	A-2010-2170802	STEVEN MICHAEL KELCHEN - 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. Paradise, Lancaster County. 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>
2171578-TAS Vote 5-0.	A-2010-2171578	E.D.S.TRANSPORTATION SYSTEMS INC T/A BELLA NOTTE LIMOUSINE - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in limousine service. Delaware. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2171719-TAS Vote 5-0.	A-2010-2171719	AABSOLUTE CAR AND LIMOUSINE SERVICE, LLC T/A AABSOLUTE CAR & LIMOUSINE SERVICE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Havertown, Delaware County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2172254-TAS Vote 5-0.	C-2010-2172254 A-00111785	BUREAU OF TRANSPORTATION & SAFETY VS ARTHUR SMITH TRUCKING, INC - Complaint alleging failure to pay outstanding assessments. Morrisdale, Clearfield County. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, the certificate be canceled.
2172255-TAS Vote 5-0.	C-2010-2172255 A-00111877	BUREAU OF TRANSPORTATION & SAFETY VS HEATH L WESSNER T/A WESSNER HAULING - Complaint alleging failure to pay outstanding assessments. Kutztown, Berks County. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be canceled.
2172257-TAS Vote 5-0.	C-2010-2172257 A-00113073	BUREAU OF TRANSPORTATION & SAFETY VS MORGAN HAULING, INC - Complaint alleging failure to pay outstanding assessments. Hainesport, New Jersey. RECOMMENDATION: That the Commission adopt the proposed 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>
2172259-TAS Vote 5-0.	C-2010-2172259 A-00114256	BUREAU OF TRANSPORTATION & SAFETY VS SHANNON TRANSPORT, INC T/A SHANNON MOVING & STORAGE - Complaint alleging failure to pay outstanding assessments. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be canceled.
2172410-TAS Vote 5-0.	A-2010-2172410	KOOT LIMO CAR, LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Downingtown, Chester County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2172421-TAS Vote 5-0.	A-2010-2172421	JOHN HENRY BRIGGS, III - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Spartansburg, Crawford County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2172493-TAS Vote 5-0.	A-2010-2172493	LEROY GEVIN - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2172497-TAS Vote 5-0.	A-2010-2172497	MEDICAL TRANSPORTATION MGMT, INC T/A MEDICAL TRANSPORTATION MGMT OF PA - Application for amendment to its brokerage license which grants the right to broker the transportation of person so as to operate as a broker. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2172619-TAS Vote 5-0.	A-2010-2172619	UTOPIAN LIVERY SERVICE, LLC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in limousine 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>
2174499-TAS Vote 5-0.	A-2010-2174499	ROBERTS LIMOUSINE SERVICE, LLC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2175081-TAS Vote 5-0.	A-2010-2175081	PAOLI AIRPORT LIMO SERVICE, INC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF AUDITS

AGENDA NO.

2145273-AUD

Vote 5-0.

DOCKET NO.

M-2009-2145273

NAME AND SUBJECT

PPL ELECTRIC UTILITIES CORP
- Competitive Transition Charge (CTC) Interim
Reconciliation Report for 2010.
RECOMMENDATION:
That the Commission adopt the proposed Order.

BUREAU OF CONSERVATION ECONOMICS & ENERGY PLANNING

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1184239-CEP Vote 5-0.	M-00031715F0004	METROPOLITAN EDISON CO - Sustainable Energy Fund Appointment of Advisory Board Member. RECOMMENDATION: That the Commission approve the appointment of Mr. Frank D. Plank to the Advisory Board for the Metropolitan Edison Company/Pennsylvania Electric Company Sustainable Energy Fund.
1184239-CEP Vote 5-0.	M-00031715F0004	METROPOLITAN EDISON CO - Sustainable Energy Fund Appointment of Advisory Board Member. RECOMMENDATION: That the Commission approve the appointment of Mr. Timothy C. Burdis to the Advisory Board for the Metropolitan Edison Company/Pennsylvania Electric Company Sustainable Energy Fund.

DIRECTOR OF OPERATIONS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2183412-DIR Statement by Vice Chairman Christy. Vote 5-0.	M-2010-2183412 M-2009-2082042	ELIGIBLE CUSTOMER LISTS - Office of Competitive Market Oversight - the issue of uniform ECLs was raised during a CHARGE conference call. A subteam was formed to propose a uniform Eligible Customer List for use by all EDCs in PA to provide appropriate customer information to EGS licensed to serve PA's retail electric market. After several meetings, the subteam reported back to CHARGE with a list of consensus items and a list of non-consensus items. OCMO's recommendation before the Commission is a Tentative Order which will enable further comment and the eventual adoption of interim guidelines on a uniform ECL. RECOMMENDATION: That the Commission adopt the proposed Tentative Order which makes tentative findings relating to the elements to be contained in a uniform ECL and issues those tentative findings for comment.
2185981-DIR Statement by Vice Chairman Christy. Vote 5-0.	M-2010-2185981	SUPPLIER MARKETING GUIDELINES - Office of Competitive Market Oversight developed the proposed Interim Guidelines on Marketing & Sales Practices of EGSs and NGSS. RECOMMENDATION: That the Commission adopt the Tentative Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1146964-OSA Vote 5-0.	A-00115842	RED ROSE LIMOUSINE SERVICE, INC - Petition for Reinstatement of its Certificate of Public Convenience filed on 6/4/10. By Secretarial Letter dated 11/2/09, the Commission cancelled the Certificate due to failure to maintain proof of insurance on file with the Commission. Petitioner is now current with all fines and assessments. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the petition with conditions.
1185971-OSA (PP from 06/16/2010) Motion by Commissioner Powelson. Vote 3-2 with Chairman Cawley and Vice Chairman Christy Dissenting.	A-00120807	LIFESTYLE LIMOUSINE, INC - Petition for Reinstatement filed on 3/31/10, in connection with a prior 11/16/09 Petition for Reinstatement, which was conditionally granted by Commission Order entered 12/7/09. That Order conditioned reinstatement upon the Petitioner filing proof of insurance and payment of an outstanding \$100 penalty by 2/5/10. On 1/26/10 the outstanding penalty was paid; however, proof of insurance was not filed until 3/3/10. Subsequently, the instant Petition was filed in order for the Petitioner to present its argument for the delay in submitting proof of insurance. On 4/22/10, BTS filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants the Petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1191129-OSA Vote 5-0.	A-00121492	<p>DELAWARE & HUDSON RAILWAY CO D/B/A CANADIAN PACIFIC RAILWAY</p> <p>- Application filed on 1/22/05 seeking to alter the subject crossing where St Rd 3015 crosses two tracks of D&H in Moosic Borough, Lackawanna County. On 5/13/05, the Commission issued a Secretarial Letter (corrected) which ordered, inter alia, D&H to reconstruct the subject crossing pursuant to PennDOT construction standards and specifications. A final field conference in this matter was held on 11/9/07, wherein PennDOT objected to the condition of the crossing and also objected to the closing of this matter. On 1/4/08, the Commission issued a Secretarial Letter closing the docket. On 1/17/08, PennDOT filed a Petition for Appeal from Actions of Staff. On 2/18/09, a Commission Order was entered which, inter alia, rescinded the 1/4/08 Secretarial Letter and directed D&H to replace the crossing. On 5/12/10, the Parties filed a Joint Petition to Amend Order.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Parties' Joint Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1203702-OSA (PP from 06/16/2010)	P-00072246 A-00009329 A-00009329C0701	<p>FULLINGTON TRAILWAYS, LLC - ALJ Melillo's Recommended Decision of 3/17/10 disposed of several consolidated dockets in this proceeding. ALJ Melillo recommended that the Commission: 1) rescind its 1/31/07 Emergency Order and its 2/8/07 Ratification Order at P-00072246 and A-00009329; 2) dismiss the two pending Formal Complaints at P-00072246 and A-00009329 and at A-00009329C0701; and 3) grant the pending Abandonment Applications at A-00009329, F.32, Am-A and Am-B, and cancel the corresponding Certificates. Fullington filed Exceptions to the Recommended Decision on 4/6/10. BTS filed Reply Exceptions on 4/8/10.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies Fullington's Exceptions, and adopts the Recommended Decision, consistent with the Opinion and Order.</p>

Postponed until the Public Meeting of
July 29, 2010.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2044561-OSA (PP from 06/03/2010)	P-2008-2044561	<p>PIKE COUNTY LIGHT & POWER CO-ELECTRIC - Opinion and Order entered on 3/23/09, approving Pike's Amended Petition for Approval of Its Default Service Implementation Plan. The Commission noted that the issue of placement of customers now served by Direct Energy Services, LLC's Aggregation Program, once that Program concludes on 5/31/11, remained outstanding. That issue was retained by ALJ Jandebour for litigation by the Parties. On 10/21/09, ALJ Jandebour's Recommended Decision was issued, which recommended that customers remaining on Direct Energy's Aggregation Program as of 5/31/11, would be moved to Pike's default service program unless they affirmatively choose to stay with Direct Energy or move to another EGS. Exceptions were filed by Pike and Direct Energy. Reply Exceptions were filed by the OCA and OSBA.</p> <p>RECOMMENDATION: That the Commission adopts the proposed Opinion and Order which denies the Exceptions of Pike County and Direct Energy and adopts the Recommended Decision, consistent with the proposed Opinion and Order.</p>
2097489-OSA Vote 5-0.	C-2009-2097489	<p>DEBORAH DEPUE VS PECO ENERGY COMPANY - Formal Complaint filed on 3/25/09, requesting an affordable payment agreement. On 6/3/09, PECO filed an Answer addressing the material allegations of the Complaint. A hearing was held in this matter on 7/30/09. ALJ Rainey issued an Initial Decision on 4/30/10, dismissing the Complaint. Ms. DePue filed Exceptions to the Initial Decision on 5/18/10. PECO did not file Reply Exceptions.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies Ms. DePue's Exceptions and affirms the ALJ's Initial Decision.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2101138-OSA Vote 5-0.	C-2009-2101138	VANCE VAN PATTEN VS PEOPLES NATURAL GAS COMPANY - Formal Complaint filed on 4/10/09, alleging an inability to pay gas bills due to the fact that he had not received bills for a long period of time. By Initial Decision issued on 4/26/10, Special Agent Vero denied the Complaint. The Complainant filed Exceptions to the Initial Decision on 5/17/10. No Reply Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Initial Decision.
2101282-OSA Vote 5-0.	F-2009-2101282	EDMUND V CORAZZINI VS UGI PENN NATURAL GAS - Formal Complaint filed on 4/6/09, alleging that incorrect charges appeared on his bill. On 5/29/09, the Secretary's Bureau sent a letter and a copy of the Complaint to UGI to give UGI notice that a Complaint had been filed against it by Mr. Corazzini. On 6/10/09, UGI filed an Answer denying the averments of the Complaint. ALJ Jandebour issued an Initial Decision on 3/10/10, dismissing the Complaint. Mr. Corazzini filed Exceptions on 3/22/10 and UGI filed Reply Exceptions on 3/26/10. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Exceptions and adopts the Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2101331-OSA Vote 5-0.	I-2009-2101331	INVESTIGATION INTO PECO ENERGY ELECTRIC SERVICE TARIFF PA P.U.C. NO. 4 - By Opinion and Order entered 6/9/09, the Commission initiated an investigation into the lawfulness, justness and reasonableness of continuing to collect nuclear decommissioning costs from PECO's ratepayers after the expiration of rate caps on 12/31/10. On 3/19/10, ALJ Chestnut issued a Recommended Decision recommending that: 1) a Stipulation submitted by the Parties be adopted, with one deletion; 2) the mechanism for recovering nuclear decommissioning expenses be permitted to continue after 12/31/10; and 3) the investigation be closed. Exceptions were filed by PECO, OCA, OSBA, and OTS on 4/8/10. No Reply Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that, inter alia: 1) grants the Exceptions; 2) adopts the Recommended Decision as modified by the Opinion and Order; and 3) closes the investigation.
2114087-OSA (PP from 06/16/2010) Vote 4-1 with Chairman Cawley Dissenting.	C-2009-2114087	GUY AND VIRGINIA MAURO VS PENELEC - Formal complaint filed on 6/18/09, alleging that Penelec is cutting vegetation outside of a lawful right-of-way over Complainants' property. Complainants requested the Commission to investigate and rule on the validity of right of way. The Chief ALJ dismissed the Complaint finding that the Commission lacked subject matter jurisdiction. The Complainants filed Exceptions. RECOMMENDATION: That the Commission adopt the proposed Order which adopts the Initial Decision and dismisses the Complaint with prejudice.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2121883-OSA (PP from 06/16/2010) Motion by Chairman Cawley. Vote 5-0.	M-2009-2121883	BARKER BROTHERS, INC - Objection filed on 10/31/08, to an assessment invoiced by the Commission's BAS dated 9/26/08, based upon Barker Brothers reported operating income for the calendar year 2007. A hearing was held on 12/9/09. The Commission's LBPS represented BAS. Both Parties filed Main and Reply briefs. On 5/18/10, the Commission issued the Initial Decision of ALJ Corbett. Exceptions were filed by Barker Brothers on 6/4/10, and the LBPS filed Reply Exceptions on 6/14/10. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions of Barker Brothers and which adopts, without modification, the Initial Decision issued on 5/18/10.
2123951-OSA (PP from 06/16/2010) Dissenting Statement by Commissioner Gardner. Vote 4-1 with Commissioner Gardner Dissenting.	M-2009-2123951	WEST PENN POWER CO - Smart Meter Technology and Installation Plan filed on 8/14/09. On 5/6/10, an Initial Decision was issued by ALJ Hoyer. On 5/13/10, West Penn filed a Petition to Stay the Exceptions Period. On 5/18/10, the OSBA filed an Answer opposing the Petition to Stay, and the OCA filed a letter supporting the West Penn Petition. No other Party filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants in part and denies in part the Petition to Stay Exceptions Period.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2153062-OSA Statement by Vice Chairman Christy. Vote 5-0.	C-2010-2153062	<p>MUNICIPAL AUTHORITY OF THE BOROUGH OF WEST VIEW VS PENNSYLVANIA AMERICAN WATER CO</p> <p>- Formal Complaint filed on 1/15/10, contesting PAWC's use of its DRS Tariff Rider to acquire a new customer, Evans City Water and Sewer Authority. On 2/12/10, PAWC filed its Answer, a Motion to Dismiss for Lack of Standing, and a Motion for Judgment on the Pleadings. The Authority filed an Answer to PAWC's Motions. The Initial Decision of ALJ Weismandel, issued on 4/29/10, recommended that PAWC's Motions be granted. On 5/12/10, the Authority filed Exceptions to the Initial Decision. On 5/28/10, PAWC filed Reply Exceptions.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) denies the Authority's Exceptions; and (2) adopts the Initial Decision, consistent with the Opinion and Order.</p>
2165633-OSA Vote 5-0.	M-2010-2165633	<p>PIKE COUNTY LIGHT & POWER</p> <p>- Petition for Appeal of Staff Action, filed on 4/5/10, with regard to the 3/26/10 Secretarial Letter, which denied PCL&P's Request to the PA PUC for Exclusion of Major Outage for Reliability Reporting Purposes, for the period 2/25-27, 2010.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Petition.</p>
2179393-OSA Vote 5-0.	A-2010-2179393	<p>NTELOS OF WEST VIRGINIA, INC and VZ PA</p> <p>- Joint Petition filed on 6/2/10, seeking approval of an Interconnection Agreement pursuant to Section 252(i) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2179400-OSA

A-2010-2179400

Vote 5-0.

NTELOS OF WEST VIRGINIA, INC and VZ NORTH
- Joint Petition filed on 6/2/10, seeking approval of an
Interconnection Agreement pursuant to Section 252(i) of
the Telecommunications Act of 1996. Notice was
published in the PA Bulletin. No comments or protests
were received.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and
Order that grants the Joint Petition.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1173800-FUS Vote 5-0.	A-110158	WASHINGTON GAS ENERGY SERVICES - Request filed on 4/27/10 to modify its license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity for residential, all commercial, industrial and governmental customers in the additional service territories of Allegheny Power, Duquesne Light, Met Ed, Penelec, and UGI Utilities-Electric Division. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2139809-FUS Vote 5-0.	A-2009-2139809	ENERGETIX INC - Application filed on 10/30/09, for approval to offer, render, furnish, or supply natural gas supply services to residential, small commercial (less than 6,000 Mcf annually), large commercial (6,000 Mcf or more annually), industrial, and governmental customers in the service territories of UGI Utilities, UGI Central Penn, and UGI Penn Natural Gas. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2139811-FUS Vote 5-0.	A-2009-2139811	UNIFIED ENERGY SERVICES, LLC - Request filed on 5/17/10, to modify its license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of analyzing electricity loads and negotiating and/or re-negotiating third-party supply agreements for the purchase of electricity for residential customers in the electric distribution company service territories of Allegheny Power, Duquesne Light, Met Ed, Penelec, Penn Power, PECO, PPL, and UGI Utilities-Electric. RECOMMENDATION: That the Commission adopt the proposed Order which approves the license modification request.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2142612-FUS Vote 5-0.	A-2009-2142612	<p>CHOICE ENERGY SERVICES, RETAIL - Application filed on 11/3/09, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small (25kW and under) and large (over 25kW) commercial customers in the electric distribution company service territories. On 2/11/10, the Commission approved a license. On 5/24/10, Choice Energy filed a request to amend its EGS license to also serve residential customers as a broker/marketer in the electric distribution company service territories.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order which approves the amendment to the electric generation supplier license.</p>
2142867-FUS Vote 5-0.	A-2009-2142867	<p>LANCON WATER COMPANY, INC - Application filed on 11/18/09, for approval to begin 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 the appropriate entities were submitted. No protests were filed and no hearings were conducted.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2151205-FUS Vote 5-0.	R-2010-2151205	<p>NATIONAL FUEL GAS DISTRIBUTION - Supplement No. 99 to Tariff Gas – Pa. P.U.C. No. 9 filed on 1/7/10. Voluntary postponements have yielded the effective date of 7/16/10, provided by Supplement Nos. 102 - 107. The filing proposes the following tariff changes: an alternative capacity release option for Small Aggregation Transportation Supplier Service (“SATS”) utilizing a “Weighted Average Cost” model; a new tariff section titled “Market Price of Natural Gas” featuring a cash out index change; an orifice meter retrofit program to improve the quality of measurement used for production gas to be within common industry specifications; an update of the provision to compensate for line loss; and some administrative type updates to several other areas of the tariff. Also included is the upgrade of their Natural Gas Emergency Plan. RECOMMENDATION: That the Commission adopt the proposed Order which approves the tariff supplement.</p>
2159604-FUS Vote 5-0.	A-2010-2159604	<p>PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 2/12/10, with respect to the Copperstone-Harrisburg #1 & #2 138/69 kV Transmission Line in South Hanover and Lower Paxton Townships, Dauphin County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2163191-FUS Vote 5-0.	A-2010-2163191	CENTRAL PENN ELECTRICITY CONSULTANTS - Application filed on 3/10/10, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for retail electric small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial and governmental customers throughout the territories of Met Ed, PECO, and PPL. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2164657-FUS Vote 5-0.	A-2010-2164657	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 3/16/10, with respect to the Dauphin-Copperstone #1 & #2 138/69 kV Transmission Line in South Hanover and Lower Paxton Townships, Dauphin County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2168441-FUS Vote 5-0.	A-2010-2168441	SATORI ENTERPRISES LLC D/B/A SATORI ENERGY - Application filed on 3/31/10 for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial and industrial customers in the electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2169734-FUS Vote 5-0.	A-2010-2169734 A-2010-2169738	PA AMERICAN WATER and BIRCH ACRES - Joint Application filed on 4/9/10, for approval of (1) the transfer, by sale, of the water works property and rights of Birch Acres to PAWC, (2) the commencement by PAWC of water service to the public in portions of Smithfield Township, Monroe County, presently being served by Birch Acres, (3) the right of PAWC to record the expenses incidental to the acquisition consistent with the Uniform System of Accounts for Class A Water Utilities, National Association of Regulatory Utility Commissioners, and (4) the abandonment by Birch Acres of all water service to the public. RECOMMENDATION: That the Commission adopt the proposed Order which recommends approval of the joint application.
2171231-FUS Vote 5-0.	A-2010-2171231	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 4/20/10, with respect to the Middletown Junction-Copperstone 230 kV Transmission Line and the Copperstone-North Lebanon 230 kV Transmission Line in South Hanover Township, Dauphin County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2171886-FUS Vote 5-0.	M-2010-2171886	JUNIATA COUNTY'S 911 - System Renewal Plan filed on 4/23/10 by PEMA requesting a formal review of the costs associated with the contribution rate of \$1.50 per access line per month and a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.50 per access line per month.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2171894-FUS Vote 5-0.	M-2010-2171894	UNION COUNTY'S 911 - System Renewal Plan filed on 4/23/10, by PEMA requesting a formal review of the costs associated with the contribution rate of \$1.50 per access line per month and a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.50 per access line per month.
2172595-FUS Vote 5-0.	A-2010-2172595	ALLIED UTILITY SERVICES, INC - Application filed on 4/26/10, for approval to supply wastewater service to the public in the Meadow Creek Residential Subdivision within the Township of North Whitehall, Lehigh County. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2173980-FUS Vote 5-0.	A-2010-2173980	SUNOCO POWER MARKETING, LLC - Application filed on 4/20/10, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier of retail electric power to small commercial (25 kW and under demand), large commercial (over 25 kW demand) and industrial customers in the service territory of PECO. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2174051-FUS Vote 5-0.	A-2010-2174051	DSLNET COMMUNICATIONS and CCGI HOLDING - Joint application for approval of an indirect transfer of control of DSLnet Communications, LLC to CCGI Holding Corporation. RECOMMENDATION: That the Commission adopt the proposed Order approving the indirect transfer of control of DSLnet Communications, LLC to CCGI Holding Corporation.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2175245-FUS Vote 5-0.	A-2010-2175245	INTEGRITY COMMUNICATIONS OF OHIO, LLC D/B/A INTEGRITY ENERGY - Application filed on 4/26/10 for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of analyzing electricity loads and negotiating and/or re-negotiating third-party supply agreements for the purchase of electricity for large commercial (over 25 kw demand), industrial and governmental customers in the electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2175277-FUS Vote 5-0.	A-2010-2175277	HES ENERGY LLC T/A HOSPITAL ENERGY, LLC - Application filed on 4/21/10, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of negotiating and/or re-negotiating third-party supply agreements for the purchase of electricity for large commercial (over 25 kw demand) customers in the electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order, which approves the application.
2176403-FUS Motion by Commissioner Gardner. Vote 5-0.	R-2010-2176403 R-2010-2179527	CAVALIER TELEPHONE MID-ATLANTIC - Supplement No. 35 to Local Tariff-Telephone Pa. P.U.C. No. 1 and Supplement No. 3 to IXC Reseller Tariff-Telephone Pa. P.U.C. No. 2 and Petition of Cavalier for Review and Answer to Material Question. JOINT RECOMMENDATION OF FUS & OSA: That the Commission adopt the proposed Order that: suspends the tariff supplements, considers the Paper Bill Invoice Fee in an existing investigation; amends Order P-2008-201444 for investigation recommendations by 11/15/10; and denies Petition for Review & Answer.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2176410-FUS Vote 5-0.	A-2010-2176410	WASHINGTON GAS ENERGY SERVICE, INC - Application filed on 5/18/10, for approval to offer, render, furnish, or supply natural gas supply services to residential, small and large commercial, industrial, and governmental customers in the service territories of Columbia Gas and PECO. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2176413-FUS Vote 5-0.	R-2010-2176413	NORTH EAST HEAT & LIGHT CO - Supplement No. 126 to Tariff Gas – Pa. P.U.C. No. 12 filed on 5/27/10, proposing a change in rate structure for all rate classes. Supplement No. 126 proposes to change rates from a per MCF format to a per CCF format; and to unbundle the components of each rate class' commodity rate into three separate rates: E-factor, delivery and cost of gas. The separate Gas Cost Rate (GCR) rate will remain unchanged except for its conversion to the CCF format. RECOMMENDATION: That the Commission adopt the proposed Order which approves the change in rate structure.
2178095-FUS Vote 5-0.	A-2010-2178095	NORTH SHORE ENERGY CONSULTING, LLC - Application filed on 5/24/10, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of electric procurement, demand response, energy audits and energy efficiency services for small commercial (25kW and under), large commercial (over 25kW), industrial and governmental customers in the electric distribution company service territories RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF FIXED UTILITY SERVICES

AGENDA NO.

2178388-FUS

Vote 5-0.

DOCKET NO.

A-2010-2178388

NAME AND SUBJECT

CIMCO COMMUNICATIONS, INC
- Application filed on 5/27/10, seeking approval of the
Company's Discontinuance and Abandonment of
Interexchange Carrier Reseller Service.
RECOMMENDATION:
That the Commission adopt the proposed Order
approving the application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2034622-LAW Vote 5-0.	L-2008-2034622	PROPOSED RULEMAKING - AMENDMENT 52 PA CODE - Safety regulations to address hazardous materials and liquid fuels as consistent with 49 C.F.R. § 195.0 et seq., and in accordance with the Pipeline Safety Grant Program Payment Agreement entered into with the Department of Transportation, will maximize federal matching funds to the Commission for pipeline safety inspections. RECOMMENDATION: That the Commission adopt the Proposed Rulemaking Order to amend §59.33 (safety).
2157040-LAW Vote 5-0.	P-2010-2157040	COLUMBIA GAS OF PA, INC - Petition for Clarification filed on 5/4/10, or, in the Alternative, Amendment of the Commission's 4/19/10 Order that directed Columbia to use of proceeds received from a settlement with the Tennessee Gas Pipeline Company to: (1) provide additional funding to Columbia's existing Hardship Fund until these additional funds are exhausted and (2) provide a portion of the Refund Settlement proceeds to small commercial customers through Columbia's Purchased Gas Costs rates. RECOMMENDATION: That the Commission grant the Petition for Clarification, or, in the alternative, Amendment of the Commission's 4/19/10 Order.
2165671-LAW Vote 5-0.	C-2010-2165671	LAW BUREAU PROSECUTORY STAFF VS FREEDOMSTARR COMMUNICATIONS - Formal Complaint filed on 3/24/10, served on Freedomstarr Communications on 3/27/10, for failure to pay its Universal Service Fund assessments and has an outstanding balance of \$1,958.35. To date, no answer has been filed by Respondent, and Respondent has not paid its delinquent assessments. RECOMMENDATION: That the Commission recommends adopting the proposed Default Order revoking Freedomstarr Communications's Certificate of Public Convenience.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2175183-LAW Vote 5-0.	P-2010-2175183	DOLLAR PHONE ENTERPRISE INC D/B/A DPE - Petition for Confidential Treatment of its 2009 Financial Report. RECOMMENDATION: That the Commission adopt the proposed Order, granting in part and denying in part the petition.
2175260-LAW Vote 5-0.	P-2010-2175260	SPRINT COMMUNICATIONS CO, LP - Petition for Protective Order Regarding its 2009 Financial Report. RECOMMENDATION: That the Commission adopt the proposed Order granting in part and denying in part the petition.
2181766-LAW Vote 5-0.	M-2010-2181766	TCG PITTSBURGH, INC - PA Safety Valve Numbering Resource Request submitted 6/10/10, pursuant to our order entered at M-2008-2032767. TCG is requesting expedited review of a denial by the Pooling Administrator of its request for additional numbering resources in the 412 Number Plan Area (NPA). TCG requests 3,000 contiguous telephone numbers from the 412 NPA be assigned to the PTGSBNZN15 rate center. Request made since current inventory of numbers will not meet the demand of its customer. RECOMMENDATION: That the Commission grant TCG Pittsburgh's Numbering Safety Valve Numbering Resource Request for additional numbering resources in the 412 NPA.
2181827-LAW Vote 5-0.	P-2010-2181827	T W PHILLIPS GAS & OIL CO - Petition filed requesting approval to extend the terms of three firm storage service contract agreements and three related storage service transportation agreements with Dominion Transmission, Inc. by 10 years. RECOMMENDATION: That the Commission adopt the proposed Order granting the request for the renewal of the interstate pipeline storage and related transportation service capacity contracts.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2103937-ALJ Vote 5-0.	R-2009-2103937	<p>PENNSYLVANIA UTILITY COMPANY - Supplements to existing tariffs filed on 10/30/09, to become effective 12/29/09, containing proposed changes in rates, rules, and regulations calculated to produce additional annual revenues based on a future test year ended 12/31/09. By Order entered 12/17/09, the Commission suspended the proposed supplements until 7/29/10, and instituted an investigation. On 1/4/10, Pa. Utility filed a letter consenting to participate in the Commission's mediation process and consenting to extend the suspension period for their filings to 9/28/10. On 5/18/10, Pa. Utility filed a Joint Petition for Settlement and Attachments and a Stipulation for Admission of Evidence and Attachment.</p> <p>COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision approving and adopting the Joint Settlement Petition and terminating and closing the investigations and complaints.</p>
2115035-ALJ Vote 5-0.	F-2009-2115035	<p>LINDA POWELL VS PECO ENERGY COMPANY - Formal Complaint filed on 6/22/09, alleging an lower payment arrangement. PECO filed its answer on 6/13/09. A hearing was held on 10/6/09.</p> <p>COMMISSION REVIEW: That the Commission adopt Special Agent Vero's Initial Decision denying the complaint.</p>
2153933-ALJ Vote 5-0.	M-2010-2153933	<p>PENNSYLVANIA AMERICAN WATER COMPANY - Statement of Distribution System Improvement Charge revenues and expenses for the twelve months ending 12/31/09.</p> <p>COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Statement, insofar as it is undisputed.</p>

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155054-ALJ Vote 5-0.	M-2010-2155054	NEWTOWN ARTESIAN WATER CO - Statement of Distribution System Improvement Charge revenues and expenses for the twelve months ending 12/31/09. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Statement, insofar as it is undisputed.
2155593-ALJ Vote 5-0.	M-2010-2155593	UNITED WATER PENNSYLVANIA INC - Statement of Distribution System Improvement Charge revenues and expenses for the twelve months ending 12/31/09. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Statement, insofar as it is undisputed.
2155718-ALJ Vote 5-0.	M-2010-2155718	YORK WATER CO - Statement of Distribution System Improvement Charge revenues and expenses for the twelve months ending 12/31/09. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Statement, insofar as it is undisputed.
2156799-ALJ Vote 5-0.	M-2010-2156799	COLUMBIA WATER CO - Statement of Distribution System Improvement Charge revenues and expenses for the twelve months ending 12/31/09. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Statement, insofar as it is undisputed.
2159564-ALJ Vote 5-0.	M-2010-2159564	AQUA PENNSYLVANIA, INC - Statement of Distribution System Improvement Charge revenues and expenses for the twelve months ending 12/31/09. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Statement, insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

July 15, 2010

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2060309-OSA Vote 5-0.	P-2008-2060309	<p>PPL ELECTRIC UTILITIES CORP - Petition for Approval to Modify the Joint Petition for Settlement filed on 5/18/10, which was previously approved by Commission Order entered 6/30/09. PPL requests that the Commission approve its: (1) Request to procure a portion of its SRECs obligation over a long-term delivery period; (2) Revised RFP Process and Rules: Solar Renewable Energy Credits; (3) Revised SREC Supply Master Agreement; and (4) Revised Generation Supply Charge-1. On 6/7/10, OCA and the Sustainable Energy Fund of Central Eastern PA each filed an Answer to PPL's Petition. Also on 6/7/10, OSBA filed an Answer and Verification to PPL's Petition. On 6/18/10, CEI filed a Letter Petition to be granted status as a Party of Record. On 6/23/10, PPLICA filed a Petition to Intervene in the instant Petition.</p> <p>RECOMMENDATION: That the Commission: 1) adopt the proposed Order to assign PPL's Petition to the OALJ for development of an evidentiary record and the preparation of a Recommended Decision; 2) deny CEI's Letter Petition; and, 3) grant PPLICA's Petition to Intervene.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2123945-OSA Vote 5-0.	M-2009-2123945	PPL ELECTRIC UTILITIES CORP - Petition for Approval of Smart Meter Plan filed on 8/14/09. Interventions were filed by the OTS, OCA, OSBA, DEP, the PPL Industrial Customers Alliance, Constellation Energy Commodities Group, and ACORN. On 6/24/10, the Commission entered an Opinion and Order which adopted, with modifications, the Initial Decision of ALJ Weismandel. On 7/9/10, the OCA filed a Petition for Reconsideration. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition for Reconsideration pending review of and consideration on the merits.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1180604-LAW (PP from 06/16/2010) Motion by Chairman Cawley. Vote 5-0.	C-20031273 C-20026671 C-20031273	LAW BUREAU PROSECUTORY STAFF VS FINCH HILL WATER CO, INC - Amended Formal Complaint filed on 11/20/09, regarding numerous violations of the Public Utility Code. No Answer was filed. RECOMMENDATION: That the Commission approve the Tentative Default Order that fines Finch Hill Water Company \$77,000 in civil penalties for failure to comply with residential metering requirements, annual report requirements, etc.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2117193-LAW Vote 5-0.	P-2009-2117193	<p>NORTH AMERICAN NUMBERING PLAN ADMIN - NeuStar, Inc., in its role as the neutral third party NPA Relief Planner for PA, acting on behalf of the PA telecommunications industry, filed a petition on 7/1/09, with the Commission requesting approval of its plan for the 570 Numbering Plan Area ("NPA"). According to the petition, the industry reached a consensus to implement an all services distributed overlay for the geographic area covered by the 570 NPA. By Order entered 7/29/09, the Commission rejected the industry's recommendation and requesting comments from interested parties on the four relief alternatives initially presented by Neustar. By Order entered 12/23/09, the Commission also established public input hearings in various cities throughout the 570 area code to further discuss the appropriate form of numbering relief for the 570 NPA.</p> <p>RECOMMENDATION: That the Commission adopt the recommendation to implement an all services distributed overlay as the form of area code relief for the 570 area code.</p>
2184286-LAW Vote 5-0.	P-2010-2184286	<p>UGI UTILITIES, INC-ELECTRIC DIVISION - Petition seeking approval, on an interim basis, to (a) increase the collateral threshold from \$1.5 million to \$10 million for UGI's default service RFPs conducted under its currently approved default service plans; (b) permit UGI to establish a \$100,000 rounding amount for RFPs conducted under its currently approved default service plans; and, (c) waive the rule that no default service supplier may supply more than one third of estimated default supply requirements for a given supply period.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order granting interim approval of UGI's request for modifications to its default service security requirements and a waiver of its wholesale supplier bid limitation.</p>