

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, SEPTEMBER 23, 2010 (JFC)**

**10:00 A.M.**

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

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**The Commission will act on various matters at today's meeting, which is open to the public. However, since adequate forums have been made available for public participation in cases before the Commission, there will be no opportunity for the public to address the Commission.**

**The attached agenda is complete at the time of issuance, but other items may be added and some stricken without further notice.**

**The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, its decision---except on routine, uncontested tariff filings---will be put in writing and served on the interested parties and made public at the time it is entered and served.**

**All public documents---such as orders, opinions, hearing transcripts, comments, initial and recommended decisions, and the like---relating to items on the agenda, may be examined in the Commission's File Room located in Room N-201, Second Floor, this Building.**

**The Commissioners seated on the bench are:**

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>Wayne E. Gardner</b>	<b>Tyrone J. Christy</b>	<b>James H. Cawley</b>	<b>John F. Coleman, Jr.</b>	<b>Robert F. Powelson</b>

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

**The Next Public Meeting is Tentatively Scheduled for Thursday, October 14, 2010 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, September 2, 2010 (RP)**

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

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 14, 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, SEPTEMBER 23, 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.**

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**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

September 23, 2010

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2122068-TAS  Vote 5-0	A-2009-2122068 A-00106324	PENNDOT - Application to replace existing structure over tracks of CSX Transportation, Inc., in the Township of Mahoning, Lawrence County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2125031-TAS  Vote 5-0	A-2009-2125031 C-00008639 C-00008640	PENNDOT - Application to replace existing structure over tracks of Norfolk Southern Railway Company, in the Township of Mahoning Lawrence County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2151312-TAS  Vote 5-0	A-2010-2151312 A-00121230	MEDALLION TRANSPORTATION, LTD - Application for the 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. Collegeville, Montgomery County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2155068-TAS  Vote 5-0	A-2010-2155068 A-00095659 C-00004808 C-00017482	PENNDOT - Application to reconstruct existing bridge over tracks of Norfolk Southern Railway Company, in Trafford Borough, Westmoreland County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2163026-TAS  Vote 5-0	A-2010-2163026	PENNDOT - Application to rehabilitate an existing bridge over tracks of Norfolk Southern Railway Company, in the Borough of Rochester, Beaver County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

**BUREAU OF TRANSPORTATION & SAFETY**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2183554-TAS</b>  Vote 5-0	<b>A-2010-2183554</b>	MEADVILLE AREA AMBULANCE SERVICE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Meadville, Crawford County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2186051-TAS</b>  Vote 5-0	<b>A-2010-2186051</b>	ACCESS TRANSPORT SERVICES HOLDING INC D/B/A ACCESSION TIME - Application for a brokerage license. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

**BUREAU OF AUDITS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2119341-AUD</b> <b>Vote 5-0</b>	<b>D-2009-2119341</b>	PENNSYLVANIA POWER COMPANY - Auditor's Report - Interim Default Service Supply Plan for the twelve months ended 12/31/09. RECOMMENDATION: That the Commission release the Audit Report to the public.
<b>2145482-AUD</b> <b>Vote 5-0</b>	<b>M-2009-2145482</b>	PPL ELECTRIC UTILITIES CORP - Generation Supply Charge. RECOMMENDATION: That the Commission approve the request for waiver from the provisions of its GSC Rider that requires it to revise its GSC rates, effective 10/1/10.
<b>2196700-AUD</b> <b>Vote 5-0</b>	<b>M-2010-2196700</b>	WELLSBORO ELECTRIC COMPANY - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 54 to Tariff Electric-PA. PUC No. 8, reflecting a GSSR of \$0.072044 per KWH, effective 10/1/10.
<b>2196702-AUD</b> <b>Vote 5-0</b>	<b>M-2010-2196702</b>	CITIZENS ELECTRIC COMPANY OF LEWISBURG - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve No. 55 to Tariff Electric-Pa. PUC No. 14, reflecting a GSSR of \$0.082207 per KWH, effective 10/1/10.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1089348-OSA</b> <b>Vote 5-0</b>	<b>A-00112339</b> <b>A-00109036</b> <b>C-2010-2161256</b>	<b>BEST OF TIMES CHAUFFEURED</b> - Complaint instituted on 3/9/10, alleging that the Petitioner failed to pay assessments totaling \$2,564 and failed to file objections to the assessment. On 3/24/10, the Petitioner submitted a payment of \$1,500, which was applied to its outstanding arrearage. However, the Petitioner did not file an Answer to the Complaint. By Order entered 7/2/10, the Commission noted that no Answer had been timely filed and the Petitioner had not remitted the outstanding assessment balance. Accordingly, the allegation of the Complaint was deemed admitted, the Complaint was sustained, the Petitioner's Certificate was cancelled and the Petitioner was assessed a civil penalty of \$100. On 7/30/10, the Petitioner filed a Petition for Reinstatement. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order, which grants the Petition, conditioned on the filing of renewal insurance with the Commission within thirty days.
<b>2085527-OSA</b> <b>Vote 5-0</b>	<b>C-2009-2085527</b>	<b>BUREAU OF TRANSPORTATION &amp; SAFETY VS BLUE &amp; WHITE USA INC T/A ALTOONA USA &amp; TRANSFER</b> - Complaint instituted on 11/6/09, alleging failure to have its meter regulated in accordance with its current tariff, and failure to maintain complete driver log sheets in its vehicles. BTS requested that a civil penalty of \$550 be imposed. On 11/29/09, the Respondent filed an Answer to the Complaint. On 5/7/10, the Respondent and the Commission's Law Bureau Prosecutory Staff filed a Settlement Agreement in order to satisfy the Complaint. As part of the Settlement, the proposed penalty of \$550 would be reduced to \$400. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2096131-OSA</b> <b>Vote 5-0</b>	<b>C-2009-2096131</b>	<b>BUREAU OF TRANSPORTATION &amp; SAFETY VS CLASSY CAB COMPANY, INC</b> - Complaint instituted on 11/26/09, alleging failure to provide a passenger fare receipt; failure to maintain a complete, legible log sheet; charging a higher rate than that specified in its filed tariff; and failure to comply with the Commission's Order to charge the proper amount of the fuel cost recovery surcharge. BTS requested that a civil penalty of \$600 be imposed. On 11/23/09, the Respondent filed an Answer to the Complaint. On 3/15/10, the Respondent and the Commission's Law Bureau Prosecutory Staff filed a Settlement Agreement in order to satisfy the Complaint. As part of the Settlement, the proposed penalty of \$600 would be reduced to \$150. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
<b>2109569-OSA</b> <b>Vote 5-0</b>	<b>F-2009-2109569</b>	<b>HUIPING XU VS PEOPLES NATURAL GAS</b> - Formal Complaint filed on 5/20/09, alleging high bills for 12/07, 1/08, and 2/09. Hearings were held on 9/17/09, and 10/02/09. By Initial Decision issued on 6/24/10, ALJ Weismandel denied the Complaint. The Complainant filed Exceptions to the Initial Decision on 7/14/10, with no indication of service to the Parties. On 8/20/10, Respondent was served the Complainant's Exceptions. No Reply Exceptions were filed. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Initial Decision.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2123945-OSA</b>  Vote 4-1 Vice Chairman Christy dissenting	<b>M-2009-2123945</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - By Order entered 6/24/10, the Commission approved PPL's Smart Meter Technology Procurement and Installation Plan subject to specific modifications. One of those modifications was the methodology to be used for the recovery of common costs that are not directly incurred by one of the three rate classes. On 7/9/10, OCA filed a Petition for Reconsideration of the 6/24/10 Order requesting that the Commission adopt the cost allocation originally proposed by PPL. By Order entered 7/16/10, the Commission granted the Petition, pending further review of and consideration on the merits. Answers to the Petition were filed by OSBA on 7/16/10, and by PPL and the PP&L Industrial Customer Alliance on 7/19/10. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that denies the Petition.
<b>2148204-OSA</b> <b>(PP from 09/16/2010)</b>  Vote 5-0	<b>A-2009-2148204</b> <b>A-00089629</b>	<b>KENNEDY TRANSFER, INC</b> - Transfer Application filed on 10/27/09. BTS, on 12/3/09, rejected Petitioner's Transfer Application for failure to sufficiently define the authority sought to transfer. In response, Petitioner filed an extract of its household goods rights that it believed accurately reflected its Certificate. By Order of 3/26/10, the Commission granted Petitioner's Transfer Application for a Common Carrier of Household Goods Certificate. By correspondence of 3/25/10, Petitioner advised BTS of an alleged error in the Order and asked BTS to correct the Order administratively. In the alternative, Petitioner asked BTS to consider its correspondence a Petition for Reconsideration. On 5/28/10, Petitioner filed the instant Petition for Reconsideration. BTS filed a Reply to the Petition on 6/25/10. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that denies the Petition.



**BUREAU OF FIXED UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2183364-FUS</b>  Vote 5-0	<b>A-2010-2183364</b>	ENERGY EDGE CONSULTING, LLC - Application filed on 6/28/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for large commercial (over 25kw demand), industrial and governmental customers in the electric distribution company service territories of Allegheny Power, Duquesne Light, Met-Ed, Penelec, Penn Power, PECO, PPL, and UGI Utilities-Electric Division. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2186270-FUS</b>  Vote 5-0	<b>R-2010-2186270</b>	CONEWAGO INDUSTRIAL PARK-SEWER - Supplement No. 7 to Tariff Sewer - Pa. P.U.C. No. 1, filed on 6/30/10, proposing an Industrial Pretreatment Program to become effective 8/29/10, and voluntarily postponed until 9/30/10. RECOMMENDATION: That the Commission adopt the proposed Order that approves this tariff supplement.
<b>2195287-FUS</b>  Vote 5-0	<b>A-2010-2195287</b>	LAUREL PIPE LINE COMPANY, LP - Application filed on 8/24/10, for approval of the elimination of a controlling interest. RECOMMENDATION: That the Commission adopt the proposed Order approving the reorganization of ownership structure that will eliminate the controlling interest held in Laurel Pipe Line Company, L.P.'s indirect general partner.

**COMBINED BUREAU AGENDA**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2172422-FUS</b>  Vote 5-0	<b>R-2010-2172422</b>	ELVERSON WATER COMPANY, INC - Supplement No. 2 to Tariff Water-Pa. P.U.C. No. 2, filed on 4/27/10, proposing an annual increase in rates of \$15,644 (11.6%) to become effective 6/30/10, voluntarily postponed until 9/30/10, and based on a historic test year ending 12/31/09. The initial filing was revised on 7/30/10. RECOMMENDATION: That the Commission adopt the proposed Order that approves this tariff supplement.
<b>2172422-OTS</b>  Vote 5-0	<b>R-2010-2172422</b>	ELVERSON WATER COMPANY, INC - Supplement No. 2 to Tariff Water - Pa. P.U.C. No. 2, filed on 4/27/10, to become effective 6/30/10, proposing an increase of \$15,644 representing an increase in annual revenues of 11.6%, and voluntarily postponed until 9/30/10. RECOMMENDATION: That the Commission approve the rates, rules and regulations contained in Tariff Supplement No. 2 to Tariff Water - Pa. P.U.C. No. 2 to be permitted to become effective 9/30/10 in their entirety.
<b>2191376-FUS</b>  Vote 5-0	<b>R-2010-2191376</b>	SUPERIOR WATER CO, INC - Supplement No. 3 to Tariff Water - Pa. P.U.C. No. 4, filed on 7/29/10, proposing an annual increase in rates of \$404,190 (18.81%) to become effective 9/28/10, based on a historic test year ending 3/31/10, and a future test year ending 3/31/11. Formal complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
<b>2191376-OTS</b>  Vote 5-0	<b>R-2010-2191376</b>	SUPERIOR WATER CO, INC - Supplement No. 3 to Tariff Water - Pa. P.U.C. No. 4, filed on 7/29/10, to become effective 9/28/10, proposing an increase of \$404,190 representing an increase in annual revenues of 18.7%. 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 4/28/11.

**LAW BUREAU**

<u><b>AGENDA NO.</b></u>	<u><b>DOCKET NO.</b></u>	<u><b>NAME AND SUBJECT</b></u>
<b>1163714-LAW</b>  Vote 5-0	<b>M-00011530</b>	STATE CERTIFICATION OF RURAL CARRIERS - The PaPUC must certify that rural incumbent local exchange carriers and competitive carriers are eligible telecommunications carriers for Universal Service High Cost Support. The Commission is required to provide certification to the USAC and the FCC that the rural telecommunications carriers are eligible to continue to receive federal high cost support. States are required to certify to the FCC and the USAC that they have reviewed the comparability of residential rates in their rural areas and that the rates are comparable to the nationwide urban rates for purposes of section 254(b)(3) of TA-96. 47 U.S.C. § 254(b)(3). RECOMMENDATION: That the Commission adopt the two Secretarial letters.
<b>2141293-LAW</b>  Postponed until 10/14/2010	<b>M-2009-2141293</b>	PROPOSED INTERIM GUIDELINES - Tentative Order issued on 1/28/10, that proposed to establish Interim Guidelines for the Filing of Electric Transmission Line Siting Applications. Comments on these proposed Interim Guidelines were required to be filed in 45 days. The Final Order establishes final Interim Guidelines pending the completion of a formal rulemaking to revise the Commission's current transmission siting regulations at 57 Pa. Code §§ 57.71-57.76 et seq. RECOMMENDATION: That the Commission adopt the Order and Annex A issuing final Interim Guidelines for the Filing of Electric Transmission Line Siting Applications.

**LAW BUREAU**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2171611-LAW</b> <b>(PP from 09/16/2010)</b>  <b>Vote 5-0</b>	<b>P-2010-2171611</b>	<p>UGI CENTRAL PENN GAS, INC - Petition for Accounting Order filed on 4/22/10, requesting an order authorizing the Company to revise its accounting methodology for gas in storage inventory from a modified LIFO method to the weighted average cost of gas (WACOG) method. UGI-CPG notes that its two affiliate NGDCs already use WACOG. By letter dated 6/11/10, the Company advised the Commission that it was authorized to state that OTS, OCA and OSBA did not oppose the Company's Petition.</p> <p><b>RECOMMENDATION:</b> That the Commission grant UGI-CPG's petition to the extent the Company be permitted to use WACOG as its primary accounting methodology for PGC purposes, but defer authorization to exclusively utilize WACOG for gas in storage until the Company's next base rate case.</p>
<b>2179796-LAW</b>  <b>Vote 5-0</b>	<b>M-2010-2179796</b>	<p>PPL ELECTRIC UTILITIES CORP - Petitions to intervene filed by Mr. Epstein, SEF, and OCA, raising a number of issues and arguments in opposition to PPL's Plan, including the methods PPL used to collect its data, the costs associated with its programs and whether PPL's Winter Relief Assistance Program sufficiently uses renewable energy measures. Mr. Epstein and SEF's previously made these arguments in a proceeding involving PPL's Supplement No. 80 to Tariff Electric-Pa. P.U.C No. 201, Docket No. R-00072155, and the Commission advised the parties to raise these issues upon the filing of PPL's Plan.</p> <p><b>RECOMMENDATION:</b> That the Commission adopt the staff recommendation to grant the petitions to intervene and transfer the Plan to the Office of Administrative Law Judge.</p>

**LAW BUREAU**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2194109-LAW**

**P-2010-2194109**

**Vote 5-0**

PPL ELECTRIC UTILITIES CORP  
- Petition seeking approval to release certain customer information to The Penn State University to enable PSU to examine the effectiveness of competition following the expiration of PPL's generation rate caps.  
RECOMMENDATION:  
That the Commission adopt the Order.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2035745-ALJ</b>  Statement by Chairman Cawley Vote 5-0	<b>C-2008-2035745</b>	TIMOTHY R JOHNSON and HIXCY COTHRAN VS GLOBAL TEL*LINK CORPORATION - Formal Complaint filed on 3/26/08 by Mr. Johnson, an inmate at a Correctional Institution and Ms. Cothran, his sister. Complainants allege that they are overcharged and overtaxed when Johnson telephones Cothran from the prison. Complainants also allege that no alternative telecommunications providers are made available to them. Complainants further allege that GTL refuses to reimburse them for phone calls that are disconnected or interrupted. On 5/5/08, GTL filed an answer to the complaint. On 12/8/08, a hearing was held. COMMISSION REVIEW: That the Commission adopt ALJ Rainey's Initial Decision dismissing Johnson's complaint, and dismissing with prejudice Cothran's complaint for lack of prosecution.
<b>2122979-ALJ</b> (PP from 09/16/2010)  Motion by Chairman Cawley Vote 5-0	<b>C-2009-2122979</b>	CHARISSE BENNETT VS PEOPLES NATURAL GAS - Formal Complaint filed on 8/3/09, alleging a billing error. Peoples' answer to the complaint was received on 8/18/09. Peoples denied any billing error. The Initial Hearing in this case was held on 2/24/10. COMMISSION REVIEW: That the Commission adopt ALJ Johnson's Initial Decision denying the complaint.
<b>2157862-ALJ</b>  Postponed until 10/14/2010	<b>P-2010-2157862</b>	PENNSYLVANIA POWER CO - Default Service Plan Petition filed on 2/8/10, requesting approval of its proposed Petition for the period 6/1/11 through 5/31/13 in accordance with the Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. §§ 2801, et seq. A hearing was held on 6/15/10. On 7/23/10, a Joint Petition for Settlement was filed. COMMISSION REVIEW: That the Commission adopt Judges Hoyer and Long's Recommended Decision approving the Settlement.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CARRY-IN AGENDA**

**September 23, 2010**

**DIRECTOR OF OPERATIONS**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**2195286-DIR**

**M-2010-2195286**

**RENEWAL NOTICE GUIDELINES**

- Proposed interim guidelines applicable to the contract renewal notices EGSs are to provide their residential and small commercial customers prior to the expiration of a contract. These guidelines were developed by the OCMO as a result of calls held with CHARGE. On 9/2/10, the Commission adopted a Tentative Order seeking public comments. Twelve parties filed comments and upon review and consideration of the comments, we issue these interim guidelines.

**RECOMMENDATION:**

That the Commission adopt the Order.

**Vote 5-0**

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1156151-OSA</b>  Vote 5-0	<b>C-00004204</b>	<p>WHITE HAVEN BOROUGH VS READING, BLUE MOUNTAIN &amp; NORTHERN RAILROADS - Complaint filed on 9/18/10, concerning two areas along the Railroad's tracks. ALJ Jandebour issued a Recommended Decision on 11/8/07, recommending that the Railroad do the necessary work for the replacement of the retaining wall. Exceptions were filed. By Order entered on 2/19/10, the Commission adopted the ALJ's Recommended Decision, as modified. The deadline for completion of the work was extended several times. On 6/8/10, the Railroad submitted a Plan for Repair/Replacement of the Wall. On 6/28/10, the Borough filed Objections to Plan. No response was filed to the Objections. On 9/3/10, the Commission entered an Order which denied the Objections and directed the Railroad to proceed with the Plan. On 9/10/10, the Borough filed a Petition for Reconsideration, Reargument and/or Stay with regard to the Order.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Borough's Petition for Reconsideration, pending review of and consideration on the merits; and (2) denies the Borough's Petition for Stay pending disposition of the Petition.</p>
<b>2062739-OSA</b>  Vote 5-0	<b>P-2008-2062739</b>	<p>PECO ENERGY COMPANY-ELECTRIC - Petition for amendment to the 6/2/09 Order which approved its default service program. The petition seeks to change the dates upon which PECO may file its AEPS charge and release the results of its default service procurement.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants PECO's petition.</p>



**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2179338-OSA</b>  <b>Vote 5-0</b>	<b>A-2010-2179338</b>	AAA WORLDWIDE TRANSPORTATION INC - By Order entered 9/3/10, the Commission denied the application. Petition for Reconsideration, Rescission and Vacation with regard to the Order was filed on 9/17/10. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants reconsideration, pending review of, and consideration on, the merits.

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
SUPPLEMENTAL CARRY-IN AGENDA

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September 23, 2010

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2199513-LAW Vote 5-0	M-2010-2199513 M-00021635	CONSOLIDATED COMMUNICATIONS ENTERPRISE SERVICES, INC - Pennsylvania Safety Valve Numbering Resource Request form submitted on 9/1/10, requesting expedited review of a denial by the Pooling Administrator of its requests for additional numbering resources in the 724 Number Plan Area (NPA). Specifically, requesting 1,000 telephone numbers from the 724 NPA be assigned to the Latrobe rate center. The request comes before the Commission since it does not meet the numbering resource utilization and months-to-exhaust threshold implemented by Neustar to obtain additional numbering resources. RECOMMENDATION: That the Commission grant the request for additional numbering resources in the 724 area code.