

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, OCTOBER 14, 2010 (TC)

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, October 21, 2010 at 10:00 A.M.

Minutes of the Meeting of Thursday, September 16, 2010 (WG)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, OCTOBER 21, 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, OCTOBER 14, 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

October 14, 2010

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1092221-TAS Vote 5-0.	A-00114425F0002	VALLEY TAXI, INC - Petition to waive the requirement to have dome lights illuminated only when a customer does not occupy the vehicle. RECOMMENDATION: That the Commission adopt the proposed Order denying the application.
1151983-TAS Vote 5-0.	A-00116617	JOSEPH A TRAPUZZANO D/B/A BROADWAY LIMOUSINE - Petition for authorization to utilize an antique vehicle in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order denying the application.
2121707-TAS Vote 5-0.	C-2010-2121707	BUREAU OF TRANSPORTATION & SAFETY VS K W LARKIN ENTERPRISES T/D/B/A MCGARITY MOVING & STORAGE - Complaint alleging respondent abandoned or discontinued service without having first filed an application to discontinue service. Fairless Hills. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and that the certificate be canceled.
2130853-TAS Vote 5-0.	C-2010-2130853	BUREAU OF TRANSPORTATION & SAFETY VS RONALD W BARNER - 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.
2140243-TAS Vote 5-0.	A-2009-2140243	MOUNTAIN HIGH TRANSPORTATION GROUP, INC - 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.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2140250-TAS Vote 5-0.	A-2009-2140250	KUTZTOWN AREA TRANSPORT SERVICE, INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Kutztown, Berks County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2160973-TAS Vote 5-0.	R-2010-2160973	CRANBERRY TAXI, INC - Rate increase. Allegheny County. RECOMMENDATION: That the Commission approve Call or Demand Pa. PUC No. 2.
2171410-TAS Vote 5-0.	C-2010-2171410 A-00109798	BUREAU OF TRANSPORTATION & SAFETY VS FLOYD C MATTHEWS T/A F C MATTHEWS TRUCKING - Rescission of August 19, 2010 cancellation of certificate of public convenience. Stoneboro, Mercer County. RECOMMENDATION: That the Commission adopt the proposed Order rescinding the cancellation.
2172633-TAS Vote 5-0.	A-2010-2172633	PHYSICIANS CHOICE AMBULANCE SERVICE, INC T/A PCA MANAGEMENT - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service which is to be a transfer or all rights authorized to Safecare Ambulance Services, Inc. Philadelphia. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2177833-TAS Vote 5-0.	A-2010-2177833	SOUTHERN BERKS REGIONAL EMERGENCY MEDICAL SERVICES, INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Reading, Berks County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2180207-TAS Vote 5-0.	A-2010-2180207	JOHN J SNYDER - 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 approving the application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2180799-TAS Vote 5-0.	A-2010-2180799	VALLEY LIMOUSINE SERVICE, LLC - 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. Bethlehem, Northampton County. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
2182050-TAS Vote 5-0.	A-2010-2182050	PEAKS AND VALLEYS TRANSPORT, LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in airport transfer service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2182756-TAS Vote 5-0.	A-2010-2182756	MARTHA K BOYER T/A VU GAESHT ONNA - Application for amendment to common carrier certificate which expands authority to additional territory. Chester County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2182939-TAS Vote 5-0.	A-2010-2182939	CONTINENTAL LIMOUSINE SERVICE, LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Malvern, Chester County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2184921-TAS Vote 5-0.	A-2010-2184921	1ST CHOICE LIMOUSINE & TRANSPORTATION GROUP, LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Warrington, Bucks County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2185476-TAS Vote 5-0.	A-2010-2185476	VALLEY FORGE LIMO CO, LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. King of Prussia, Montgomery 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>
2185923-TAS Vote 5-0.	A-2010-2185923	BENJAMIN PICKEL - 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. Ronks, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2186028-TAS Vote 5-0.	A-2010-2186028	TASTINGS AND TOURS, LLC - 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. Quakertown, Bucks County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2187462-TAS Vote 5-0.	A-2010-2187462	ZONE CARE USA OF DELRAY LLC T/A OPTIMAL CARE TRANSPORTATION & TRANSLATION - Application for a brokerage license. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2187505-TAS Vote 5-0.	A-2010-2187505	THOMAS E GOVERNOR - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Jamestown, Mercer County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2188628-TAS Vote 5-0.	A-2010-2188628	GALIL MOVING & STORAGE, INC - Application for the discontinuance of service and cancellation of its certificate as a contract carrier of household goods in use. Bayonne, NJ. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2188860-TAS Vote 5-0.	A-2010-2188860	HI LINE LIMOUSINE SERVICE, INC - Application for the approval of the transfer of 33 1/3 shares of stock. 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>
2191011-TAS Vote 5-0.	A-2010-2191011	DAVID I CHRISTOFOR T/A CARRIAGE HOUSE CREATIONS - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Reynoldsville, Jefferson County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2191383-TAS Vote 5-0.	A-2010-2191383	JOHN ELIAS DONTON D/B/A SCHUYLKILL MOVING SERVICE - Application for the discontinuance of service and cancellation of its certificate to transport by motor vehicle, household goods in use. Cressona, Schuylkill County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2191908-TAS Vote 5-0.	R-2010-2191908	WEST SHORE ADVANCED LIFE SUPPORT SERVICES, INC - Rate increase. Camp Hill, Cumberland County. RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 2.
2192022-TAS Vote 5-0.	A-2010-2192022	PROJECT STREET TRANSPORTATION, LLC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in contract carrier service. Carlisle, Cumberland County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF AUDITS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2168502-AUD

D-2010-2168502

Vote 5-0.

WALLY GAS COMPANY

- Gas Cost Rate for the twelve months ended 8/31/09.

RECOMMENDATION:

That the Comission approve the Audit Report for public release.

BUREAU OF CONSUMER SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195759-BCS Vote 5-0.	P-2010-2195759	COLUMBIA GAS OF PA, INC - Petition filed on 8/25/10, requesting to modify its Universal Service and Energy Conservation Plan for the 2010-2011 heating season to comply with provisions of a settlement agreement that was reached in Columbia's 2010 rate case and the PA Department of Welfare's changed policy regarding application of LIHEAP cash grants to utilities' Customer Assistance Program customers. RECOMMENDATION: That the Commission adopt the proposed Order.

DIRECTOR OF OPERATIONS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2183412-DIR	M-2010-2183412 M-2009-2082042	ELIGIBLE CUSTOMER LIST - The issue of uniform ECLs was raised during a conference call held by the Committee Handling Activities for Retail Growth in Electricity (CHARGE) under the auspices of the Office of Competitive Market Oversight. A subteam was formed to propose a uniform ECL for use by all EDCs in PA to provide appropriate customer information to Electric Generation Suppliers 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. After discussion by the full CHARGE group, it was determined that OCMO should place a recommendation before the Commission in the form of a Tentative Order which will enable further comment and the eventual adoption of interim guidelines on a uniform ECL. The Tentative Order was entered on 7/15/10 and several parties filed comments. RECOMMENDATION: That the Commission adopt OCMO's proposed Opinion and Order which establishes Interim Guidelines describing the elements to be contained in a uniform ECL for EDCs.

Postponed until the Public Meeting of
October 21, 2010.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1150054-OSA Vote 5-0.	A-00116290 C-2010-2161364	WILLIE WILLIAMS T/A ANDREW'S TRANSPORTATION SERVICE - Complaint initiated on 3/9/10, alleging failure to pay assessments for the years 2007-2009, a violation of the Public Utility Code at 66 Pa. C.S. §510(c). By Order entered on 5/21/10, the Commission noted that, since no answer to the Complaint had been timely filed, the allegation of the Complaint was deemed admitted, the Complaint was sustained, and the Petitioner's Certificate was cancelled. On 6/28/10, the Petitioner filed a Petition for Reinstatement and Rescission, and included a \$100 money order for the fine assessed. On 7/8/10, the Commission returned the Petition because there was an outstanding assessment. On 7/13/10, the Petitioner again filed the Petition along with cashier's checks for payment in full of the unpaid assessment balance. No Answers to the Petition have been filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition.
2044561-OSA (PP from 09/23/2010) Dissenting Statement by Vice Chairman Christy. Vote 4-1 with Vice Chairman Christy Dissenting.	P-2008-2044561	PIKE COUNTY LIGHT & POWER CO-ELECTRIC - Petition for Reconsideration of the Commission's 7/26/10 Order filed by OSBA. The Order held that customers in Pike County's service territory currently in Direct Energy's aggregation program will remain Direct Energy customers at the conclusion of that program. Answers were filed by the OCA and Direct Energy. RECOMMENDATION: That the Commission adopt the proposed Order which denies the Petition of OSBA.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2067766-OSA Vote 5-0.	M-2009-2067766	LAW BUREAU PROSECUTORY STAFF VS COVISTA, INC - By Opinion and Order entered on 5/27/08, the Commission dismissed the Formal Complaint of Mr. Steve Atuhne against Covista, Inc. but directed the Law Bureau Prosecutory Staff to investigate whether Covista's billing and service termination practices and charges conform to its filed tariff, the Public Utility Code and the Commission's Rules and Regulations. LBPS conducted an informal investigation of Covista's practices, including a review of the information and documents provided by Covista. The Investigation led to the present Settlement, which was filed on 8/13/09. On 4/21/10, Covista filed a Statement of Compliance which was attached to the Settlement as "Exhibit B." By Opinion and Order entered on 8/3/10, the Commission entered an Opinion and Order inviting comments by interested parties to the proposed Settlement. No comments were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the Settlement.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2087793-OSA Vote 5-0.	C-2009-2087793	BUREAU OF TRANSPORTATION & SAFETY VS YELLOW CAB OF GREENSBURG - Complaint instituted on 6/24/09, alleging operation of vehicles with a log sheet that did not provide the meter reading at the beginning of the shift and the number of passengers on each trip, and operation of vehicles that did not have the dome light illuminated when the vehicle was empty. BTS also requested that a civil penalty of \$550 be imposed. On 12/4/09, the Respondent filed an Answer to the Complaint. On 5/20/10, 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 would be reduced to \$300. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
2088072-OSA (PP from 09/23/2010) Joint Motion by Vice Chairman Christy and Commissioner Powelson. Dissenting Statement by Chairman Cawley. Vote 4-1 with Chairman Cawley Dissenting.	R-2009-2088072 C-2009-2091475 C-2009-2098330 C-2009-2100312	EQUITABLE GAS CO - Opinion and Order of 12/21/09 remanded the proceeding to the OALJ. The Recommended Decision of ALJs Meehan and Dunderdale was issued on 4/29/10. On 5/19/10, Equitable filed Exceptions to the Recommended Decision on Remand. No replies were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and modifies the Recommended Decision on Remand.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2106637-OSA Vote 5-0.	F-2009-2106637	LUNDES GARRETT VS PPL ELECTRIC UTILITIES - Formal Complaint filed on 5/11/09, alleging that the Respondent engaged in a pattern of fraudulent charges. A Telephonic Hearing was held on 9/16/09, before ALJ Cocheres. By Initial Decision issued on 7/26/10 by ALJ Colwell, the Complaint was denied. The Complainant filed Exceptions to the Initial Decision on 8/13/10. Reply Exceptions were filed by Respondent on 8/23/10. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Complainant's Exceptions and adopts the ALJ's Initial Decision.
2142964-OSA Vote 5-0.	C-2010-2142964 A-00114425	BUREAU OF TRANSPORTATION & SAFETY VS VALLEY TAXI, INC - Complaint instituted on 4/26/10, alleging operation of a vehicle which failed to have four matching or equivalent wheel covers, and failure to have an operable dome light affixed to the roof of the vehicle. BTS requested that a civil penalty of \$200 be imposed. On 4/28/10, the Respondent filed an Answer to the Complaint. On 7/23/10, 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 \$200 would be reduced to \$100. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155842-OSA Statement by Vice Chairman Christy. Vote 5-0.	M-2010-2155842	<p>LAW BUR PROSECUTORY STAFF VS AQUA PA - Settlement Agreement filed on 7/30/10, in order to satisfy the informal investigation into certain incidents which took place on 11/9/09, in Haverford, and on 4/26/09, in Newtown Square, involving, in the first case, an Aqua maintenance crew and, in the second case, an Aqua contractor, Danella Construction, who was excavating for a water service transfer. As part of the Settlement, Aqua will take numerous steps to avoid incidents in the future and will, additionally, pay a civil penalty of \$15,000 for the violations alleged. Aqua will not claim any portion of that penalty for recovery in future rate case proceedings.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which, inter alia, directs that the Opinion and Order, the proposed Settlement Agreement, and the Joint Statement in Support thereof, be entered for comments by any interested party.</p>
2168780-OSA Vote 5-0.	A-2010-2168780	<p>KNOX AND KANE RAILROAD COMPANY - Application filed on 4/27/10, to suspend the public crossings on the subject line. No one at the Field Conferences objected to the abolition of the subject crossings. In its Secretarial Letter of 6/29/10, the Commission determined that it would abolish, rather than suspend, the relevant crossings and that abolishing the crossings would not adversely affect Knox & Kane's right-of-way for establishing a rails to trails on this line. Accordingly, per the Secretarial Letter, the application was approved. On 7/8/10, Knox & Kane filed the instant Petition to Appeal Secretarial Letter. On 7/27/10, PennDOT filed an Answer to the Petition.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Petition.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2174034-OSA Vote 5-0.	R-2010-2174034 C-2010-2180510 C-2010-2181917	PECO ENERGY COMPANY-GAS - Annual Purchased Gas Cost filing on 5/28/10, along with Supplement No. 95 to its Tariff Gas-Pa. P.U.C. No. 2, to become effective 12/1/10, pursuant to 66 Pa. C.S. §1307(f). Formal Complaints were filed by OCA and OSBA on 6/8/10, at Docket Nos. C-2010-2180510 and C-2010-2181917, respectively. A telephonic prehearing conference was held in Phila., on 6/11/10. On 7/15/10, the Parties notified the ALJ that they had reached a settlement. On 8/11/10, the Parties filed a Joint Petition for Complete Settlement to which PECO, OCA, OSBA and the OTS are signatories. The Philadelphia Area Industrial Energy Users Group did not join in the Settlement but did not oppose it. On 9/1/10, the Recommended Decision of ALJ Nguyen was issued in which he recommended approval of the Settlement. On 9/21/10 PECO filed an Exception to request a technical revision to an Ordering Paragraph of the Decision. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants PECO's Exception and modifies the ALJ's Recommended Decision.
2191048-OSA Vote 5-0.	A-2010-2191048	SPRINT COMMUNICATIONS and NORTH PENN TEL - Joint Petition filed on 7/29/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195263-OSA Vote 5-0.	A-2010-2195263	CHOICE ONE COMMUNICATIONS OF PA, INC and IRONTON TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: The Commission adopt the proposed Opinion and Order that grants the Joint Petition.
2195406-OSA Vote 5-0.	A-2010-2195406	CHOICE ONE COMMUNICATIONS OF PA, INC and HICKORY TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195408-OSA Vote 5-0.	A-2010-2195408	CTC COMMUNICATIONS CORP and YUKON-WALTZ TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195420-OSA Vote 5-0.	A-2010-2195420	CHOICE ONE COMMUNICATIONS OF PA, INC and PENNSYLVANIA TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195425-OSA Vote 5-0.	A-2010-2195425	CTC COMMUNICATIONS CORP and PENNSYLVANIA TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195428-OSA Vote 5-0.	A-2010-2195428	CHOICE ONE COMMUNICATIONS OF PA, INC and PALMERTON TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195435-OSA Vote 5-0.	A-2010-2195435	CHOICE ONE COMMUNICATIONS OF PA, INC and VENUS TELEPHONE CORPORATION - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195455-OSA Vote 5-0.	A-2010-2195455	CHOICE ONE COMMUNICATIONS OF PA, INC and LAUREL HIGHLAND TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195456-OSA Vote 5-0.	A-2010-2195456	CHOICE ONE COMMUNICATIONS OF PA, INC and SOUTH CANAAN TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195468-OSA Vote 5-0.	A-2010-2195468	CHOICE ONE COMMUNICATIONS OF PA, INC and LACKAWAXEN TELECOMMUNICATIONS SVC - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195480-OSA Vote 5-0.	A-2010-2195480	CHOICE ONE COMMUNICATIONS OF PA, INC and NORTH PENN TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195481-OSA Vote 5-0.	A-2010-2195481	CTC COMMUNICATIONS CORP and PALMERTON TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195482-OSA Vote 5-0.	A-2010-2195482	CTC COMMUNICATIONS CORP and VENUS TELEPHONE CORPORATION - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195489-OSA Vote 5-0.	A-2010-2195489	CTC COMMUNICATIONS CORP and LAUREL HIGHLAND TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195502-OSA Vote 5-0.	A-2010-2195502	CTC COMMUNICATIONS CORP and SOUTH CANAAN TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195503-OSA Vote 5-0.	A-2010-2195503	CTC COMMUNICATIONS CORP and LACKAWAXEN TELECOMMUNICATIONS SVC - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195518-OSA Vote 5-0.	A-2010-2195518	CTC COMMUNICATIONS CORP and HICKORY TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195530-OSA Vote 5-0.	A-2010-2195530	CTC COMMUNICATIONS CORP and PYMATUNING INDEPENDENT TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195534-OSA Vote 5-0.	A-2010-2195534	CHOICE ONE COMMUNICATIONS OF PA, INC and CITIZENS TELEPHONE COMPANY OF KECKSBURG - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195555-OSA Vote 5-0.	A-2010-2195555	CTC COMMUNICATIONS CORP and CITIZENS TELEPHONE COMPANY OF KECKSBURG - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195601-OSA Vote 5-0.	A-2010-2195601	CHOICE ONE COMMUNICATIONS OF PA, INC and PYMATUNING INDEPENDENT TELEPHONE CO - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195690-OSA Vote 5-0.	A-2010-2195690	CTC COMMUNICATIONS CORP and IRONTON TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195692-OSA Vote 5-0.	A-2010-2195692	CTC COMMUNICATIONS CORP and NORTH PENN TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) 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.
2195728-OSA Vote 5-0.	A-2010-2195728	CHOICE ONE COMMUNICATIONS OF PA, INC and YUKON-WALTZ TELEPHONE COMPANY - Joint Petition filed on 8/23/10, requesting approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin and 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>
1198573-FUS Vote 5-0.	A-110169	ENERGY SAVERS, INC - Request to amend its electric generation supplier license filed on 9/8/10, in order to serve commercial, industrial, and governmental customers as a broker/marketer/consultant in all electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the amendment.
2060044-FUS Vote 5-0.	A-2008-2060044	GEXA ENERGY PENNSYLVANIA, LLC - Request to amend its electric generation supplier license filed on 3/11/10, in order to serve residential, small commercial (25 kW and under), large commercial (greater than 25 kW), industrial and governmental customers throughout all of the electric distribution service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the amendment.
2105781-FUS Vote 5-0.	A-2009-2105781 A-310963	CYPRESS COMMUNICATIONS OPERATING CO, INC - Application filed on 4/2/09, for approval of a pro forma corporate conversion. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2174098-FUS Vote 5-0.	A-2010-2174098	PENNSYLVANIA ELECTRIC CO - Letter of Notification filed on 4/29/10, pursuant to 52 Pa. Code Chapter 57.72 for the Summit-Westfall 115 kV HV Transmission Line Loop to the Chestnut Flats Wind Farm project, situated in Logan Township, Blair County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2174615-FUS Vote 5-0.	A-2010-2174615	PENNSYLVANIA ELECTRIC CO - Letter of Notification filed on 5/3/10, pursuant to 52 Pa. Code Chapter 57.72 for the reconductoring of the Erie South-Gore Junction-Green Garden 115 kV HV Transmission Line Project from the Gore junction Substation to the Green Garden Tap, situated in Mill Creek Township, Erie County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2175244-FUS Vote 5-0.	A-2010-2175244	METROPOLITAN EDISON CO - Letter of Notification filed on 5/7/10, pursuant to 52 Pa. Code Chapter 57.72 for the Yorkana-Yoe (988 Line) 115 kV HV Transmission Line Tap and Switch Poles for PPL's Red Front Substation Project, situated in Lower Windsor Township, York County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2176721-FUS Vote 5-0.	A-2010-2176721	EARLY BIRD POWER, LLC - Application filed on 3/22/10, to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer to small commercial (25 kW and under), large commercial (over 25 kW demand), industrial, and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2183067-FUS Vote 5-0.	A-2010-2183067	CITY OF LANCASTER - WATER DEPARTMENT - Application filed on 6/18/10, to seek approval to begin to offer, render, furnish or supply water service to the public in additional portions of East Hempfield Township, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2190037-FUS Vote 5-0.	M-2010-2190037 M-00940517	LANCASTER COUNTY'S 911 - System Renewal Plan from PEMA requesting that the Commission formally review the costs associated with the contribution rate of \$1.25 per access line per month and make 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 \$1.25 per access line per month.
2191075-FUS Vote 5-0.	A-2010-2191075	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed 7/29/10, for approval of the right to offer, render, furnish, or supply water service to the public in a portion of South Hanover Township, Dauphin County. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2192350-FUS Vote 5-0.	A-2010-2192350	RELIANT ENERGY NORTHEAST, LLC D/B/A RELIANT ENERGY - Application filed on 8/4/10, for a license to offer, render, furnish or supply electricity or electric generation services as a supplier for large commercial (over 25kw), industrial and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2192722-FUS Vote 5-0.	A-2010-2192722	PRICE POINT ENERGY, LLC - Application filed on 8/2/10, 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 by assisting residential, large and small commercial (over and under 25 kw demand), industrial and governmental customers in obtaining and/or arranging for third party suppliers of electrical power in the electric distribution company service territories throughout PA. 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>
2192731-FUS Vote 5-0.	A-2010-2192731	AP GAS & ELECTRIC (PA), LLC D/B/A APG&E D/B/A AP GAS & ELECTRIC - Application filed on 8/6/10, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier of retail electric power to residential, large commercial (over 25 kW demand) and small commercial (25 kW and under demand) customers throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2192836-FUS Vote 5-0.	A-2010-2192836	TOMORROW'S UTILITIES, INC - Application filed on 8/9/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for large commercial (over 25 kw demand), industrial and governmental customers in electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2193408-FUS Vote 5-0.	A-2010-2193408	MANHATTAN ENERGY, LLC - Application filed on 7/16/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to large commercial (over 25 kW demand) and industrial customers in electric distribution company service territories throughout PA. 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>
2194044-FUS Postponed until the Public Meeting of October 21, 2010.	A-2010-2194044	MONDRE ENERGY, INC - Application filed on 7/29/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer/consultant to end-users of electricity, proposing to serve residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2195270-FUS Vote 5-0.	A-2010-2195270 A-2010-2195269	DIECA COMMUNICATIONS INC T/A COVAD COMMUNICATIONS - Joint application filed on 8/17/10, for approval of an pro forma change in corporate structure of DSLnet Communications, LLC and DIECA Communications, Inc. RECOMMENDATION: That the Commission adopt the proposed Order approving pro forma change in corporate structure.
2195679-FUS Vote 5-0.	A-2010-2195679	TON SERVICES, INC - Application filed on 8/13/10, 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.
2196389-FUS Vote 4-0 with Commissioner Gardner Abstaining.	S-2010-2196389	US LEC OF PENNSYLVANIA INC - Securities certificate with respect to the issuance of debt in principal amount not to exceed \$600,000,000. RECOMMENDATION: That the Commission adopt the proposed Order registering the securities certificate with respect to the issuance of debt in principal amount not to exceed \$600,000,000.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2197104-FUS Vote 5-0.	A-2010-2197104	AOBA ALLIANCE, INC - Application filed on 9/2/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small commercial (25 kW and under demand), large commercial (over 25 kW demand), industrial and government customers in electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2194499-FUS Vote 5-0.	R-2010-2194499	DEER HAVEN, LLC D/B/A DEER HAVEN WATER CO - Supplement No. 1 to Tariff Water - Pa. P.U.C. No. 1, filed on 8/19/10, proposing an annual increase in rates of \$29,266 (378.1%) to become effective 10/18/10, based on a historic test year ending 12/31/09. Formal complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
2194499-OTS Adopt 5-0 to the extent that it is consistent with 2194499-FUS.	R-2010-2194499	DEER HAVEN, LLC D/B/A DEER HAVEN WATER CO - Supplement No. 1 to Tariff Water - Pa. P.U.C. No. 1, filed on 8/19/10, to become effective 10/18/10, proposing an increase of \$29,266 representing an increase in annual revenues of 378%. 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 5/18/11.
2194577-FUS Vote 5-0.	R-2010-2194577	DEER HAVEN, LLC D/B/A DEER HAVEN SEWER CO - Supplement No. 1 to Tariff Wastewater - Pa. P.U.C. No. 1, filed on 8/19/10, proposing an annual increase in rates of \$40,314 (373.3%) to become effective 10/18/10, based on a historic test year ending 12/31/09. Formal complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
2194577-OTS Adopt 5-0 to the extent that it is consistent with 2194577-FUS.	R-2010-2194577	DEER HAVEN, LLC D/B/A DEER HAVEN SEWER CO - Supplement No. 1 to Tariff Wastewater - Pa. P.U.C. No. 1, filed on 8/19/10, to become effective 10/18/10, proposing an increase of \$40,314 representing an increase in annual revenues of 373%. 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 5/18/11.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1146791-LAW Vote 5-0.	A-310810	GTC TELECOM, INC - Failure to file its 2009 Assessment Report. Commission staff has been unable to reach GTC by phone calls or by mail. Telephone calls to the last known business address confirmed that the number is disconnected. RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificate of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.
1160910-LAW Vote 5-0.	A-311060F0002	OPTIMUM GLOBAL COMMUNICATIONS - Failure to file its 2009 Assessment Report. Commission staff has been unable to reach Optimum by phone calls or by e-mail. Telephone calls to the last known business address confirmed that the number is disconnected and e-mails to the last known e-mail account shows that the account is no longer valid. RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificate of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.
1179511-LAW Vote 5-0.	A-311276 A-311276F0002	HARRISCOM, INC D/B/A CAPITAL CITY ECONOMIC DEVELOPMENT - Failure to file its 2009 TRS Annual Access Line Summary Report. Commission staff has been advised by the company's former counsel that it is out of business and that its certificates can be revoked. RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificate of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1193601-LAW Vote 5-0.	A-311377	ANDIAMO TELECOM, LLC - Failure to file its 2009 Assessment Report. Commission staff has been unable to reach Andiamo by phone calls or by mail. However, staff was able to reach the company's former lawyer, and he advised that the utility is out of business, effective 3/31/10. RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificate of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.
2200102-LAW Vote 5-0.	P-2010-2200102	VERIZON NORTH RETAIN COMPANY - Petition for a bona fide retail request deployment extension relating to its McKeansburg CSA 3101, pursuant to 66 Pa. C.S. § 3014(c)(5). Asserting that the delay was attributable to factors beyond its control. RECOMMENDATION: That the Commission adopt the proposed Order granting the petition.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1164140-ALJ (PP from 08/18/2010) Motion by Commissioner Powelson. Vote 5-0.	I-00010089	GENERIC INVESTIGATION-ELIMINATING THE EVIDENTIARY CRITERIA - The investigation concerned the issue of whether the evidentiary requirements in the policy statement should be reduced and streamlined to promote greater competition. COMMISSION REVIEW: That the Commission adopt ALJ Cocheres' Recommended Decision which closed the Investigation.
2157862-ALJ (PP from 09/23/2010) Postponed until the Public Meeting of October 21, 2010.	P-2010-2157862	PENNSYLVANIA POWER COMPANY - 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.
2172922-ALJ Statement by Vice Chairman Christy. Vote 5-0.	R-2010-2172922	UGI CENTRAL PENN GAS, INC - Definitive Annual Purchased Gas Cost (PGC) filing on 6/1/10, respectively, pursuant to 52 Pa. Code §§53.64 and 53.65. The PGC filing proposed a PGC rate decrease from the current PGC rate that became effective on 6/1/10. On 8/17/10, a comprehensive Settlement was filed, which has not been opposed by any other party. COMMISSION REVIEW: That the Commission adopts ALJ Melillo's Recommended Decision approving the Settlement without modification.
2172928-ALJ Statement by Vice Chairman Christy. Vote 5-0.	R-2010-2172928	UGI PENN NATURAL GAS COMPANY - Definitive Annual Purchased Gas Cost (PGC) filing on 6/1/10, respectively, pursuant to 52 Pa. Code §§53.64 and 53.65. The PGC filing proposed a Rate R PGC rate decrease from the current PGC rate that became effective on 6/1/10. On 8/17/10, a comprehensive Settlement was filed, which was joined in or not opposed by all parties. COMMISSION REVIEW: That the Commission adopt ALJ Melillo's Recommended Decision approving the unopposed Settlement without modification.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2176733-ALJ Statement by Commissioner Coleman. Vote 5-0.	A-2010-2176733	QWEST COMMUNICATIONS COMPANY and CENTURYLINK, INC - Agreement and plan of merger filed on 4/21/10. CenturyLink is a publicly-traded holding company operating as an incumbent local exchange carrier in 33 states including PA. QCII is a publicly-traded holding company whose subsidiaries provide incumbent local exchange carrier operations in 14 mid-west and western states and operate as a CLEC and IXC nationwide. SB44 is a direct wholly-owned subsidiary of CL created to effectuate the merger. The merger is proposed as a tax free, stock-for-stock business deal with no new debt or refinancing required. COMMISSION REVIEW: That the Commission adopts ALJ Jones' Recommended Decision approving the application.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

October 14, 2010

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2202587-LAW Vote 5-0.	M-2010-2202587	US LEC OF PENNSYLVANIA, INC - Pennsylvania Safety Valve Numbering Resource Request form submitted on 10/8/10, requesting expedited review of a denial by the Pooling Administrator of its requests for additional numbering resources in the 412 and 724 Number Plan Areas. Specifically, PAETEC requests 1,500 telephone numbers from the 412 NPA be assigned to the Pittsburgh Zone 15 rate center and 1,500 telephone numbers from 724 NPA be assigned to the Aliquippa rate center. PAETEC's request comes 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 412 and 724 area codes.
2202727-LAW Vote 5-0.	M-2010-2202727	VERIZON PENNSYLVANIA INC - Pennsylvania Safety Valve Numbering Resource Request Form submitted on 10/4/10, requesting expedited review of a denial by the Pooling Administrator of its requests for additional numbering resources in the 412 Number Plan Area. Specifically, VZ PA requests 1,000 telephone numbers from the 412 NPA be assigned to the Pittsburgh Suburban Zone 22 rate center. VZ PA's request comes 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 Verizon PA's request for additional numbering resources in the 412 area code.