

# **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

## **PUBLIC MEETING**

---

**THURSDAY, JANUARY 27, 2011 (JFC)**

**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:**

<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, February 10, 2011 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, December 16, 2010 (RP)**

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

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, FEBRUARY 10, 2011 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, JANUARY 27, 2011, 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

January 27, 2011

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1173627-TAS  Vote 5-0.	A-00119445	DEPARTMENT OF TRANSPORTATION - Application for approval to construct a new above-grade crossing in Rapho Township, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2136814-TAS  Vote 5-0.	C-2010-2136814	BUREAU OF TRANSPORTATION & SAFETY VS PAUL BARTHEL T/A BARTHEL TRUCKING - Complaint alleging failure to achieve a satisfactory evaluation on a safety fitness review and failure to maintain adequate, efficient and safe service and facilities. Gettysburg RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be canceled.
2157952-TAS (PP from 12/16/2010)  Vote 5-0.	C-2010-2157952	BUREAU OF TRANSPORTATION & SAFETY VS DIRECT, INC T/A TWO GUYS AND A TRUCK - Complaint alleging respondent transported household goods in use for compensation while not then holding a certificate of public convenience. Erie RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, that respondent be fined \$2,000 and cease and desist from further violations of the Public Utility Code and Regulations.
2177361-TAS  Vote 5-0.	A-2010-2177361	ROAN'S TRANSFER AND STORAGE, INC - Application for amendment to its common carrier certificate which grants household goods in use rights to additional territories. Williamsport, Lycoming 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>
<b>2187846-TAS</b> <b>(PP from 12/16/2010)</b>  <b>Vote 5-0.</b>	<b>C-2010-2187846</b>	BUREAU OF TRANSPORTATION & SAFETY VS ALPHA MOVING & STORAGE T/A PIONEER MOVING SYSTEMS CO - Complaint alleging respondent failed to comply with Commission regulations. Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, that the respondent pay a penalty of \$20,600 and cease and desist from further violations.
<b>2190641-TAS</b>  <b>Vote 5-0.</b>	<b>R-2010-2190641</b>	NITTANY EXPRESS, INC - Increase in rates State College, Centre County RECOMMENDATION: That the Commission deny Tariff Airport Transfer Pa. PUC No. 5.
<b>2198711-TAS</b>  <b>Vote 5-0.</b>	<b>A-2010-2198711</b> <b>A-00086705</b>	POSTEN TAXI, INC - Application for the approval of the transfer of 500 shares of the issued stock from the estate of William A. Cook to John C. Iatorkas, IV. Wilkes-Barre, Luzerne County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2199479-TAS</b>  <b>Vote 5-0.</b>	<b>A-2010-2199479</b>	CENTRAL POCONO AMBULANCE ASSOCIATION, INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Tannersville, Monroe County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2201670-TAS</b>  <b>Vote 5-0.</b>	<b>A-2010-2201670</b>	CHESTER COUNTY MOVING & STORAGE, LLC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use, which is to be a transfer of the operating rights under the certificate issued to Ralph G. Smith, Inc. Media, Delaware 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>2204478-TAS</b> <b>Vote 5-0.</b>	<b>A-2010-2204478</b>	DONALD GEORGE FLICK - 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. Willow Street, Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2204924-TAS</b> <b>Vote 5-0.</b>	<b>A-2010-2204924</b>	STAR EXPRESS TRANSPORT, LLC T/A STAR EXPRESS SHUTTLE SERVICE - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Harrisburg, Dauphin County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2205693-TAS</b> <b>Vote 5-0.</b>	<b>A-2010-2205693</b>	LEONA G PAUL - Application for a brokerage license. Johnstown, Cambria County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2206537-TAS</b> <b>Vote 5-0.</b>	<b>A-2010-2206537</b>	LYTA CORPORATION - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Philadelphia, Philadelphia County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2211075-TAS</b> <b>Vote 5-0.</b>	<b>R-2010-2211075</b>	HOLLIDAYSBURG AMERICAN LEGION AMBULANCE SERVICE INC - Increase in rates. Blair County RECOMMENDATION: That Tariff Paratransit Pa. PUC No. 2 be approved.

**BUREAU OF ADMINISTRATIVE SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2216161-BAS (PP from 01/13/2011)</b>  Joint Motion by Commissioner Gardner and Commissioner Powelson. Vote 5-0 with Chairman Cawley Concurring in Result Only.		CONTRACTOR SELECTION FOR RFP 2010-2 - Contractor to oversee the review of performance metrics and related remedies of Verizon Pennsylvania, Inc. RECOMMENDATION: That the Commission approve the selected vendor of the Evaluation Committee.

## BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2118619-AUD Vote 5-0.	D-2009-2118619	COLUMBIA GAS OF PA - Management Efficiency Investigation evaluating the implementation of selected recommendations from the 2006 Focused Management and Operations Audit. RECOMMENDATION: That the Commission makes the MEI Report and Implementation Plan public.
2179626-AUD Vote 5-0.	D-2010-2179626	METROPOLITAN EDISON COMPANY - Auditor's Report - Universal Service Charge for the twelve months ended 10/31/09. RECOMMENDATION: That the Commission release the Audit Report to the public.
2179627-AUD Vote 5-0.	D-2010-2179627	PENNSYLVANIA ELECTRIC COMPANY - Auditor's Report - Universal Service Charge for the twelve months ended 10/31/09. RECOMMENDATION: That the Commission release the Audit Report to the public.
2179628-AUD Vote 5-0.	D-2010-2179628	PENNSYLVANIA POWER COMPANY - Auditor's Report - Universal Service Charge for the twelve months ended 10/31/09. RECOMMENDATION: That the Commission release the Audit Report to the public.
2183623-AUD Vote 5-0.	D-2010-2183623	PENNSYLVANIA POWER COMPANY - Auditor's Report - Interim Default Service Supply Plan for the twelve months ended 5/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.

**BUREAU OF CONSUMER SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2186052-BCS (PP from 01/13/2011)</b>  <b>Postponed until the Public Meeting of February 10, 2011.</b>	<b>M-2010-2186052</b>	UGI UTILITIES, INC. - Universal Service and Energy Conservation Plan for 2011-2013, filed on 7/8/10, in accordance with the Commission's regulations at 52 Pa. Code Section 54.71-78 and 62.1-62.8. RECOMMENDATION: That the Commission adopt the proposed Tentative Order, which approves the UGI Companies' Plan.



**BUREAU OF CONSERVATION ECONOMICS & ENERGY PLANNING**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
1184239-CEP Vote 5-0.	M-00031715F0004	METROPOLITAN EDISON CO - Appointment to the Advisory Board for the Company's Sustainable Energy Fund. RECOMMENDATION: That the Commission approve the nomination of Ms. Marybeth Smialek to the Advisory Board for the Metropolitan Edison Company/Pennsylvania Electric Company Sustainable Energy Fund.

## OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2080992-OSA</b> <b>(PP from 12/16/2010)</b>  <b>Vote 5-0.</b>	<b>C-2009-2080992</b>	<p>BUREAU OF TRANSPORTATION &amp; SAFETY VS RAYMOND RUCKER</p> <p>- Complaint instituted on 6/22/09, alleging that it offered to transport persons for compensation between points in the Commonwealth while not then holding a Certificate of Public Convenience. BTS requested that a civil penalty of \$1,000 be imposed. On 7/16/09, a response to the Complaint was filed by the Respondent's insurance carrier. On 11/12/10, 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 \$1,000 would be reduced to \$800.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.</p>
<b>2093215-OSA</b>  <b>Vote 5-0.</b>	<b>M-2009-2093215</b>	<p>PECO ENERGY COMPANY-ELECTRIC</p> <p>- Revised Energy Efficiency and Conservation Plan filed on 9/15/10, pursuant to Act 129 of 2008. In response to an Answer to the September 2010 Plan filed by the OSBA, the Commission assigned the Plan to the Office of ALJ for further proceedings. On 11/16/10, a non-unanimous Joint Stipulation was filed. The Joint Stipulation stated, inter alia, that the Parties had no objection to the implementation of the Plan, hearings and briefs were not necessary, and the Commission should expeditiously proceed with its consideration of the Plan.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that approves the September 2010 Plan and clarifies the requirements for Commission review of future revisions to PECO's EE&amp;C Plan.</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>2093216-OSA</b>  <b>Vote 5-0.</b>	<b>M-2009-2093216</b>	<p>PPL ELECTRIC UTILITIES CORP - Revised Energy Efficiency and Conservation Plan filed on 9/15/20, pursuant to Act 129 of 2008. In response to an Answer to the Plan filed by the OSBA, the Commission assigned the Petition to the OALJ for further proceedings. By Recommended Decision issued 12/17/10, ALJ Barnes and ALJ Buckley recommended, inter alia, that the Petition be granted and that PPL be required to file a revised Plan reflecting all changes to its Plan within 60 days. Exceptions were filed by PPL and PPL Industrial Customer Alliance (PPLICA) on 1/5/11.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants in part, and denies in part, the Exceptions of PPLICA; denies the Exceptions of PPL; and adopts the Recommended Decision, as modified by the Opinion and Order.</p>
<b>2093217-OSA</b>  <b>Vote 5-0.</b>	<b>M-2009-2093217</b>	<p>DUQUESNE LIGHT COMPANY - Petition for Approval of its Energy Efficiency and Conservation and Demand Response Plan filed on 9/15/10. Included in the Petition are two modifications to Duquesne's EE&amp;C Plan and Duquesne's annual report. On 10/15/10 the Association of Community Organizations for Reform Now (ACORN) filed a Petition to Withdraw. Also, on 10/15/10, Pennsylvania Communities Organizing for Change (PCOC) filed a Petition to Intervene and Comments to Duquesne's modified Plan. On 11/4/10, Duquesne filed Reply Comments.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants ACORN's Petition to Withdraw, PCOC's Petition to Intervene and Duquesne's Petition for Approval of its EE&amp;C Plan consistent with the Opinion and Order.</p>

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2112516-OSA  Vote 5-0.	C-2010-2112516	<p>BUREAU OF TRANSPORTATION &amp; SAFETY VS TR TRUCKING AND EXCAVATING INC</p> <p>- Complaint initiated on 2/16/10, alleging failure to maintain a completed driver investigation history file containing previous employment history for one of its drivers, violating 49 C.F.R. § 391.53(b). BTS sought a civil penalty of \$500 for this alleged violation. On 3/3/10, the Respondent filed an Answer contesting the allegations in the Complaint. On 7/28/10, Law Bureau Prosecutory Staff, representing BTS, and the Respondent filed a Settlement Agreement to resolve the allegations in the Complaint. As part of the Settlement Agreement, the Parties proposed that the civil penalty be reduced from \$500 to \$250.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement Agreement.</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>2147821-OSA</b>  Dissenting Statement by Vice Chairman Christy. Vote 4-1 with Vice Chairman Christy Dissenting in Part.	<b>M-2010-2147821</b>	<p>LAW BUREAU PROSECUTORY STAFF VS PEOPLES NATURAL GAS</p> <p>- Settlement Agreement filed on 9/2/10, in order to satisfy the informal investigation into Peoples' treatment of an account that had been terminated for non-payment on 10/14/09. One of the occupants of the relevant residence was released from the hospital and passed away at the residence before reconnection of gas service, following verification that a payment had been made on the account. As part of the Settlement, Peoples, inter alia, undertakes to provide on-going training for its customer representatives on providing medical certification information to customers in telephone contacts in post-disconnection situations. Peoples, additionally, will pay a civil penalty of \$1,500 for the violation alleged. By Order entered 11/23/10, we afforded interested parties 20 days in which to file Comments to the proposed Settlement. Timely Comments were filed by the Dollar Energy Fund and PULP.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the Settlement and closes the investigation.</p>

**BUREAU OF FIXED UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2116674-FUS  Vote 5-0.	A-2009-2116674	CONSTELLATION ENERGY PROJECTS & SERVICES GROUP INC - Application filed 6/29/10, 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 throughout PA. Constellation failed to respond to Commission Staff data requests concerning its proposed third party billing service, as well failed to respond to 10-day Secretarial Letter sent by certified mail. The Applicant has been given ample opportunity to respond/comply. RECOMMENDATION: That the Commission adopt the proposed Order which denies the application.
2132758-FUS  Vote 5-0.	A-2009-2132758	ELECTRIC ADVISORS, INC - Request to amend its electric generation supplier license filed on 8/9/10, in order to serve residential, small commercial (25 kW and under), large commercial (over 25 kW), industrial, and governmental customers as a broker/marketer in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the proposed amendment
2182907-FUS  Vote 5-0.	A-2010-2182907	KENNETH E RYAN D/B/A SWITCH ENERGY - Application filed on 5/26/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer. Applicants also requests a reduction in the amount of security bond pursuant. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

**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>2184373-FUS</b>  <b>Vote 5-0.</b>	<b>A-2010-2184373</b>	TOTAL ENERGY RESOURCES, LLC - Application filed on 6/24/10, to offer, render, furnish, or supply natural gas to small commercial (less than 6,000 Mcf annually), large commercial (6,000 Mcf or more annually), and industrial customers in the service territories of Columbia Gas, and National Fuel Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2191919-FUS</b>  <b>Vote 5-0.</b>	<b>A-2010-2191919</b>	OPTIONS CONSULTING SERVICES D/B/A OPTIONS ENERGY CONSULTING - Application filed on 8/4/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer. Applicant requests a reduction in the amount of security bond. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2192166-FUS</b>  <b>Vote 5-0.</b>	<b>A-2010-2192166</b>	BRICE ASSOCIATES, LLC - Application filed on 7/9/10, to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer. Applicant did not request a reduction in the amount of security bond. 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>
2207938-FUS  Vote 4-1 with Vice Chairman Christy Dissenting.	R-2010-2207938	WEST PENN POWER D/B/A ALLEGHENY POWER - Supplement No. 6 to Tariff Electric – Pa. P.U.C. No. 1S, filed 11/1/10, to become effective 1/1/11. The tariff supplement effected a comprehensive revision to the Company’s Electric Generation Supplier Coordination Tariff. The Company subsequently re-filed the revised tariff as Tariff Electric – Pa. P.U.C. No. 2S, and voluntarily extended the effective date to 1/31/11. In response to a complaint and petitions to intervene filed by various parties, the Company filed an amended version of Tariff Electric – Pa. P.U.C. No. 2S on 1/6/11, which ultimately resolved the issues raised by these parties. RECOMMENDATION: That the Commission adopt the proposed Order approving Tariff Electric – Pa. P.U.C. No. 2S.
2207954-FUS  Vote 5-0.	A-2010-2207954	KOREENERGY, LTD - Application filed on 11/3/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of providing consulting services for the procurement of electricity for large commercial (over 25 kW demand) and industrial customers in the service territories of PPL Electric, Penelec, Allegheny Power, and Duquesne Light within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2208086-FUS  Vote 5-0.	P-2010-2208086	VERIZON NORTH, LLC - 2011 Annual Price Change Opportunity (PCO) Filing. No tariffs were filed. The Company proposes to bank the entire increase allotted to it under its 2011 PCO. RECOMMENDATION: That the Commission adopt the proposed Order that approves this filing.



**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>2212644-FUS</b>  Vote 5-0.	<b>A-2010-2212644</b>	SOURCEONE INC D/B/A SOURCEONE ENERGY, INC - Application filed on 11/24/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of facilitating the bidding and purchase of electricity for large commercial and industrial customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2214106-FUS</b>  Vote 5-0.	<b>A-2010-2214106</b>	GLOBAL ENERGY MARKET SERVICES, LLC - Application filed on 12/8/10, 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 all customers classes in all the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2215331-FUS</b>  Postponed until the Public Meeting of February 10, 2011.	<b>A-2010-2215331</b>	COMPETITIVE ENERGY SERVICES, LLC - Application filed on 12/10/10, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of brokering energy transactions between retail energy providers and large commercial, 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.

**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>2216319-FUS</b>  <b>Vote 5-0.</b>	<b>A-2010-2216319</b>	PENNSYLVANIA ELECTRIC CO - Letter of Notification filed on 12/16/10, pursuant to 52 Pa. Code Chapter 57.72 for the Homer City-Hooversville 230 kV HV Transmission Line Installation of Three Mid-Span Structure Project, situated in West Wheatfield Township, Indiana County and Conemaugh Township, Somerset County. Authority for this procedure is provided for at §57.72(d)(1)(v). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
<b>2216350-FUS</b>  <b>Vote 5-0.</b>	<b>A-2010-2216350</b>	PENNSYLVANIA ELECTRIC CO - Letter of Notification filed on 12/16/10, pursuant to 52 Pa. Code Chapter 57.72 for the Erie West-Wayne-Handsome Lake-Homer City 345 kV HV Transmission Line Installation of Six Mid-Span Structure Project, situated in Richland Township, Victory Township, Venango County; Richland Township, Clarion County; Kittanning Township, Plumcreek Township, Armstrong County. Authority for this procedure is provided for at §57.72(d)(1)(v). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
<b>2219217-FUS</b>  <b>Withdrawn by the Bureau of Fixed Utility Services.</b>	<b>M-2011-2219217</b>	QUARTERLY EARNINGS REPORT - Bureau of Fixed Utility Services' Report to the Commission regarding quarterly earnings of Pennsylvania utilities for the quarter ended 9/30/10. RECOMMENDATION: That the Commission make the Earnings Report public.

## COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2207776-FUS</b>  Vote 5-0.	<b>R-2010-2207776</b>	TRI-VALLEY WATER SUPPLY, INC - Request for a rate increase of \$54,430 (44.3%) filed on 11/1/10, to become effective 1/1/11, and voluntarily postponed until 2/1/11. A proposed tariff has not been submitted. Tri-Valley Water is using a historic test year ending 6/30/10. Formal complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the rate increase and institutes an investigation.
<b>2207776-OTS</b>  Adopt 5-0 to the extent that it is consistent with 2207776-FUS.	<b>R-2010-2207776</b>	TRI-VALLEY WATER SUPPLY, INC - Supplement No. 8 to Tariff Water - Pa. P.U.C. No. 5, omitted when filed on 10/29/10, to become effective 1/1/11, proposing an increase of \$54,430 representing an increase in annual revenues of 44.3%. On 12/3/10, the Company made a request to postpone the effective date of the proposed rate increase for one month, changing the effective date to 2/1/11. 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 9/1/11.
<b>2218562-FUS</b>  Vote 5-0.	<b>R-2011-2218562</b>	CMV SEWAGE CO, INC - Supplement No. 14 to Tariff Sewer-Pa. P.U.C. No. 1 filed on 12/30/10, proposing an annual increase in revenues of \$270,532 (96.5%) to become effective 3/1/11. On 1/5/11, the Company filed a Petition for Expedited Review and Decision. On 1/10/11, OTS filed an Answer to the Petition. On 12/1/10, the Company filed a Sewage Service Agreement between itself and the North Codorus Township Municipal Authority. On 1/12/11, OCA filed a Formal Complaint. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.

## COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2218562-OTS  Adopt 5-0 to the extent that it is consistent with 2218562-FUS.	R-2011-2218562	CMV SEWAGE CO, INC - Supplement No. 14 to Tariff Sewer - Pa. P.U.C. No. 1, filed on 12/30/10, to become effective 3/1/11, proposing an increase of \$270,538, which represents an overall increase in annual revenues of 96.5%. The requested revenue increase results from a proposed 6.8% increase in revenues from the Chanceford Township service area and a proposed 213.4% increase in revenues from the North Codorus service area. 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 10/1/11.

**LAW BUREAU**

**AGENDA NO.**

**DOCKET NO.**

**NAME AND SUBJECT**

**1177743-LAW**

**M-00031715**

**Vote 5-0.**

PENNSYLVANIA SUSTAINABLE ENERGY FUND

- Updated by-laws, approved on 12/7/10, subject to review and approval by the Commission.

RECOMMENDATION:

That the Commission adopt the Order to approve the by-laws.

**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>2191376-ALJ</b>  <b>Vote 5-0.</b>	<b>R-2010-2191376</b>	SUPERIOR WATER CO, INC - Supplement No. 3 to Tariff Water – Pa. P.U.C. No. 4, filed on 6/29/10, to produce approximately \$404,190 in additional revenues. By Order entered 9/23/10, the Commission instituted an investigation. A Joint Petition for Settlement of Rate Investigation was filed 12/1/10. COMMISSION REVIEW: That the Commission adopt ALJ Pell's Recommended Decision approving the Joint Petition for Settlement.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**CARRY-IN AGENDA**

**January 27, 2011**

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2092222-OSA</b>	<b>M-2009-2092222</b> <b>M-2009-2112952</b> <b>M-2009-2112956</b>	MET-ED, PENELEC, AND PENN POWER - Comments filed by UGI Distribution Company & Pennsylvania Communities Organizing for Change (PCOC), on 10/15/10 and 10/18/10, respectively, to the FirstEnergy Companies' Program Year 1 Annual Reports. On 11/4/10, the FirstEnergy Companies filed Replies to Comments. Also on 11/4/10, the Met-Ed Industrial Users Group, Penelec Industrial Users Alliance, and the Penn Power Users Group, jointly filed a Letter stating that they will not be filing Replies to either UGI's or PCOC's comments. On 10/18/10, the Association of Community Organizations for Reform Now (ACORN) filed a Petition to Withdraw from the instant proceeding. Also on 10/18/10, PCOC filed a Petition to Intervene. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petitions of ACORN and PCOC, and resolves the comments filed by UGI and PCOC.

Vote 5-0.

**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>2199562-FUS</b>	<b>A-2010-2199562</b>	WORLEY & OBETZ INC - Application filed on 9/2/10, to offer, render, furnish, or supply natural gas as a supplier 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 territory of UGI Utilities, Inc., within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

Vote 5-0.