

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, APRIL 28, 2011 (JC)

10:30 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	John F. Coleman, Jr.	Robert F. Powelson	Tyrone J. Christy	James H. Cawley

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

The Next Public Meeting is Tentatively Scheduled for Thursday, May 5, 2011 at 10:00 A.M.

Minutes of the Meeting of Thursday, March 31, 2011 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MAY 5, 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, APRIL 28, 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

April 28, 2011

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2183271-TAS Vote 5-0.	C-2011-2183271	BUREAU OF TRANSPORTATION & SAFETY VS KOZACHESON BROTHERS, INC. - Complaint alleging failure to file a tariff. East Fallowfield RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be canceled.
2191697-TAS Vote 5-0.	A-2010-2191697	TJT INC T/A A&A LIMOUSINE SERVICE - Application for the additional right to transport as a common carrier by motor vehicle, persons in airport transfer service. Northampton, Lehigh County RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2191829-TAS Vote 5-0.	A-2010-2191829	EZ MOVING LLC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. Levittown, Bucks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2216522-TAS Vote 5-0.	A-2010-2216522	JERE W MARTIN - Application for the additional right to begin to transport as a common carrier by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles. Canton, Bradford County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2220413-TAS Vote 5-0.	A-2011-2220413	THOMAS HOFFMAN - 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. Ephrata, Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2222094-TAS Vote 5-0.	A-2011-2222094	JOHN L YODER - 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. Belleville, Mifflin County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2224369-TAS Vote 5-0.	C-2011-2224369 A-00122984	BUREAU OF TRANSPORTATION & SAFETY VS HAWK VISION MOVING & STORAGE LLC - Complaint alleging respondent failed to pay an outstanding fine. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, that the certificate be canceled and the Respondent fined \$100.
2224738-TAS Vote 5-0.	A-2011-2224738	GREENSBURG YELLOW CAB CO - Application for amendment to its existing right to transport as a common carrier by motor vehicle, persons in paratransit service, which is to be a transfer of all the paratransit rights issued to S&S Transit, Inc. Westmoreland County RECOMMENDATION: That the Commission adopt the proposed Order approving the transfer application.
2225204-TAS Vote 5-0.	A-2011-2225204 A-00123334	EARL GROFF - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service, limited to 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>
2225206-TAS Vote 5-0.	A-2011-2225206	COMMUNITY RENOVATIONS, INC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in group and party service in vehicles having a seating capacity not to exceed fifteen passengers excluding the driver. Elkins Park, Montgomery County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2225262-TAS Vote 5-0.	A-2011-2225262	STEPHANIE L BLAKENEY T/A BLAKENEY TRANSPORTATION SERVICES - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service to various State Correctional Institutions located in PA. Philadelphia, Philadelphia County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2225292-TAS Vote 5-0.	A-2011-2225292	SENIOR ASSIST SERVICES, INC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Punxsutawney, Jefferson County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF AUDITS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2233188-AUD

M-2011-2233188

Vote 5-0.

PECO ENERGY COMPANY-ELECTRIC

- Generation Supply Adjustment

RECOMMENDATION:

That the Commission approve PECO's Supplement No. 13 to Tariff Electric- Pa. P.U.C. No 4, reflecting the proposed GSA-4 rates and modified tariff language to become effective 5/1/11.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2153371-OSA (PP from 04/14/2011) Postponed until the Public Meeting of May 19, 2011.	A-2010-2153371	<p>LASER MARCELLUS GATHERING COMPANY LLC</p> <p>- Application filed on 1/19/10, for a Certificate of Public Convenience seeking authority to begin providing natural gas gathering and transporting or conveying service to the public for compensation. Public input and evidentiary hearings were held. On 9/10/10, various Parties filed a non-unanimous Joint Petition for Settlement. Briefs and Reply Briefs were filed by the Parties. The Commission issued the Recommended Decision of ALJ Colwell on 12/1/10, in which she recommended that the Settlement be rejected and the Application be denied. On 1/14/11, various parties filed Exceptions to the ALJ's Decision. On 2/7/11 various Parties filed Replies to Exceptions.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the ALJ's Recommended Decision, to the extent it is consistent with the discussion in the Opinion and Order.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2177364-OSA	A-2010-2177364 A-00122932 A-00106810 A-00116534 A-00115424	NORFOLK SOUTHERN RAILWAY CO - Application filed on 5/20/10. On 6/23/10, Norfolk Southern and Antrim Township filed an Agreement Regarding Roadways and Highway Crossings. A Prehearing Conference was scheduled for 9/22/10, and the case was assigned to ALJs Barnes and Weismandel. The Parties, inter alia, agreed that a Stipulation between Norfolk Southern and PennDOT would be filed to memorialize final terms and conditions regarding unresolved issues pertaining to the Milnor Road crossing. On 1/25/11, Norfolk Southern filed a Stipulation of Settlement between itself and PennDOT, regarding the Milnor Road Crossing. In the Recommended Decision of ALJ Barnes and Weismandel, issued on 2/15/11, the ALJ recommended that the Application, as supplemented by the Agreement and the Stipulation, be approved. On 3/4/11, Norfolk Southern, PennDOT and the Township filed Joint Exceptions for purposes of Clarification. No response to the Joint Exceptions has been filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Exceptions and adopts the Recommended Decision, as modified.

Vote 5-0.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2187221-OSA Postponed until the Public Meeting of May 5, 2011.	C-2010-2187221	BUREAU OF TRANSPORTATION & SAFETY VS CONCORD LIMOUSINE INC - Complaint instituted on 11/10/10, alleging failure to provide to the Commission a current list of all of its vehicles utilized under its limousine authority. Concord Limo was notified that, if an Answer was not filed within 20 days, the recommended civil penalty of \$500 would be imposed. By Secretarial Letter of 2/3/11, the Commission noted that no timely response to the Complaint was received and directed payment of a civil penalty of \$500 within 20 days. Concord Limo paid \$250 of that civil penalty. On 2/12/11, Concord Limo filed the instant Appeal from Staff Action with reference to the Secretarial Letter of 2/3/11. No response to the Appeal has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order with denies the appeal.
2189008-OSA (PP from 04/14/2011) Dissenting Statement by Commissioner Cawley. Vote 3-2 with Commissioner Christy and Commissioner Cawley Dissenting.	C-2010-2189008	BUREAU OF TRANSPORTATION & SAFETY VS BLUE & WHITE USA INC - Complaint instituted on 10/7/10, for various violations. Altoona USA failed to file a timely answer to the Complaint. Accordingly, per Order entered 1/19/11, the Commission, inter alia, sustained the Complaint and imposed a civil penalty of \$1,100 for the alleged violations. On 2/3/11, Altoona USA filed the instant Petition for Reconsideration of the 1/19/11 Order. No response to the Petition has been received. RECOMMENDATION: That the Commission adopt a proposed Opinion and Order which denies the Petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2190070-OSA Vote 5-0.	C-2010-2190070	<p>BUREAU OF TRANSPORTATION & SAFETY VS ENTERPRISE LIMOUSINE INC</p> <p>- Complaint instituted on 10/29/10, alleging failure to provide the Commission with a current list of all of its vehicles utilized under its authority between 12/1/09 and 12/31/09, pursuant to 52 Pa. Code § 29.333(d). BTS requested that a civil penalty of \$250 be imposed. The Respondent filed an Answer on 11/12/10. On 3/1/11, 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 \$250 would be reduced to \$50.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.</p>
2194065-OSA Vote 5-0.	C-2010-2194065	<p>BUREAU OF TRANSPORTATION & SAFETY VS BUCKS CAB COMPANY T/A BUCKS LIMOUSINE</p> <p>- Complaint instituted on 10/21/10, alleging failure to provide the Commission with a current list of all of its vehicles utilized under its authority between 12/1/09 and 12/31/09, pursuant to 52 Pa. Code § 29.333(d). BTS requested that a civil penalty of \$250 be imposed. The Respondent filed an Answer on 11/1/10. On 3/7/11, 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 \$250 would be reduced to \$100.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.</p>

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2210589-FUS Vote 5-0.	A-2010-2210589	SUNCOM ENERGY INC - Application filed on 8/27/10, for approval of a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of analyzing electricity loads and negotiating supply agreements for the purchase of electricity for small commercial (25 kW and under demand customers) in the electric distribution company service territories of PECO, and PPL, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2211398-FUS Vote 5-0.	A-2010-2211398	THE GALT COMPANY LLC - Request to amend its electric generation supplier license filed on 3/3/11, to also serve residential customers as a broker/marketer throughout all of the electric distribution territories within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the amendment to the electric generation supplier license.
2223344-FUS Vote 5-0.	A-2011-2223344	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 1/26/11, for approval of the right to offer, render, furnish, or supply water service to the public in additional portions of West Caln Township, Chester County. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2224262-FUS Vote 5-0.	A-2011-2224262	PENNSYLVANIA AMERICAN WATER COMPANY- WASTEWATER - Application filed on 2/4/11, for approval of the right to offer, render, furnish, or supply wastewater service to the public in additional portions of West Caln Township, Chester 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>
2224412-FUS Vote 5-0.	A-2011-2224412 A-2011-2224351 A-2011-2224413 A-2011-2224414	ZAYO GROUP, LLC - Application filed on 1/24/11, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA, Verizon North, and CenturyLink and as a Competitive Access Provider throughout PA. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2226493-FUS Vote 5-0.	A-2011-2226493	WEST PENN POWER COMPANY - Letter of Notification filed on 2/16/11, pursuant to 52 Pa. Code Chapter 57 Subchapter G, for the construction of Bear Run Loop 230 kV Transmission Line in City of St. Marys, Elk County. Authority for this procedure is provided for at §57.72(d)(1)(vi). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2230847-FUS Vote 5-0.	A-2011-2230847	KEYSTONE INITIATIVE FOR NETWORK BASED EDUCATION AND RESEARCH T/A KINBER - Application filed on 2/24/11, for approval to offer, render, furnish or supply telecommunication services as a Competitive Access Provider throughout PA. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2231823-FUS Vote 5-0.	A-2011-2231823	CONECTADO INC - Application filed on 3/10/11, for approval to offer, render, furnish or supply telecommunication services as a Reseller Interexchange Carrier (detariffed) throughout PA. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2069115-LAW

**L-2008-2069115
I-00040103F0002**

Vote 5-0.

**PROPOSED RULEMAKING - NATURAL GAS
SUPPLIERS**

- Revised regulations on the financial security requirements for licensing NGSS became final on 1/1/11, upon publication at 41 Pa. Bulletin 30. The Final Rulemaking Order directed NGDCs to file revised tariffs no later than 30 days after the revised regulations became effective. On 3/31/11, the EAP filed a petition for an extension of time nunc pro tunc for its NGDC members to file revised tariffs. Also requested was a waiver for NGDC members to file an initial annual report on 4/30/11, so that the first report would be due 4/30/12. The petition was served on OCA, OSBA, OTS and parties filing comments to the rulemaking order.

RECOMMENDATION:

That the Commission adopt the Order that grants the petition.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2169033-ALJ (PP from 04/14/2011) Postponed until the Public Meeting of May 5, 2011.	C-2010-2169033	<p>PAMELA REEVER VS PPL ELECTRIC UTILITIES - Formal Complaint filed on 4/5/10, listing allegations as “Information documented in previous phone calls with PUC.” For relief, Complainant states that the amount she was back-billed should be removed from her account since it was not her mistake. On 4/28/10, PPL filed its answer denying any wrong-doing on the part of the utility. Respondent admits that Complainant was rebilled on or about 6/2/09, following PPL’s discovery that Complainant was being billed for usage in another residential unit due to a meter mix, which resulted in the additional amount of \$1,445.32 being added to her bill. A hearing was held on 8/4/10.</p> <p>COMMISSION REVIEW: That the Commission adopt ALJ Colwell’s Initial Decision granting the complaint, insofar as it results in a payment agreement for the outstanding arrearage due to rebilling for the subject meter mix, and denied in all other aspects.</p>
2172451-ALJ (PP from 03/31/2011) Vote 5-0.	C-2010-2172451	<p>FRANKLIN M DEEMER VS ALLEGHENY POWER - Formal Complaint filed on 4/26/10, alleging that the bills were going to his tenant, and Respondent should have turned the electricity off before the bill reached \$1,600. Allegheny Power filed an answer on 5/13/10. A hearing was held on 7/29/10.</p> <p>COMMISSION REVIEW: That the Commission adopt ALJ Johnson’s Initial Decision dismissing the complaint.</p>

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2186628-ALJ Statement by Commissioner Gardner. Vote 5-0.	C-2010-2186628	RAY THOMAS VS PHILADELPHIA GAS WORKS - On 7/9/10, a Complaint filed on 7/9/10, alleging PGW had placed a lien on the property for utility services for which the tenant who occupied the property is responsible; and that he did not receive notice prior to 6/28/10 that the tenant had failed to pay for service. PGW filed an Answer as well as Preliminary Objections on 8/2/10. The Complainant did not file an answer to PGW's Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision sustaining the Preliminary Objections, and dismissing the complaint, with prejudice, for lack of jurisdiction.
2189011-ALJ Vote 5-0.	C-2010-2189011	CARLTON JACKSON VS PECO ENERGY COMPANY - Complaint filed on 7/16/10, alleging an inability to pay for electric service. PECO filed its answer on 8/10/10 and a hearing was held on 1/12/11. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Initial Decision dismissing the complaint.
2191557-ALJ Vote 5-0.	M-2010-2191557	PIKE COUNTY LIGHT & POWER CO-GAS - Gas Cost Rate Reconciliation Statement filed on 7/29/10, for the period ended 6/30/10. A hearing was held on 2/17/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2191701-ALJ Vote 5-0.	M-2010-2191701	PECO ENERGY COMPANY-GAS - Universal Service Charge Reconciliation Statement filed on 7/30/10, for the twelve months ended 11/30/10. A hearing was held on 2/17/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2208197-ALJ Postponed until the Public Meeting of May 19, 2011.	M-2010-2208197	UGI UTILITIES, INC-GAS - Gas Division's Low Income Self Help Program (LISHP) Reconciliation Statement filed on 10/29/10, for the period of 12/1/08 through 9/30/10. A hearing was held on 2/17/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2208202-ALJ Vote 5-0.	M-2010-2208202	UGI PENN NATURAL GAS COMPANY - Rider E Universal Service Program 1307(e) Reconciliation Statement filed on 10/29/10, for the period of 8/1/09 through 9/30/10. A hearing was held on 2/17/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2208240-ALJ Vote 5-0.	M-2010-2208240	UGI CENTRAL PENN GAS, INC - Rider C Universal Service Program 1307(e) Reconciliation Statement filed on 10/29/10, for the period of 8/1/09 through 9/30/10. A hearing was held on 2/17/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2208246-ALJ Postponed until the Public Meeting of May 19, 2011.	M-2010-2208246	UGI UTILITIES, INC-ELECTRIC DIVISION - Customer Assistance Program (CAP) Rider 1307(e) Reconciliation Statement filed on 10/29/10, for the period 12/1/08 to 9/30/10. A hearing was held on 2/17/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2209716-ALJ Vote 5-0.	M-2010-2209716	SIGEL GAS COMPANY - Statement of Reconciliation for the Gas Cost Rate filed on 11/12/10, for the twelve months ending 8/31/10. A hearing was held on 12/20/10. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2210823-ALJ Vote 5-0.	M-2010-2210823	HERMAN OIL & GAS COMPANY, INC - Gas Cost Rate 1307(e) Reconciliation Statement filed on 11/18/10, for the twelve months ending 8/31/10. A hearing was held on 1/20/11. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.
2212468-ALJ Vote 5-0.	M-2010-2212468	CHARTIERS NATURAL GAS CO., INC. - Gas Cost Rate 1307(e) Reconciliation Statement filed on 11/29/10, for the twelve months ending 8/31/10. A hearing was held on 1/20/11. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.
2213276-ALJ Vote 5-0.	M-2010-2213276	PENNSYLVANIA POWER CO - Universal Service Charge 1307(e) Reconciliation Statement filed on 12/2/10, for the twelve months ending 10/31/10. A hearing was held on 1/12/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2213277-ALJ Vote 5-0.	M-2010-2213277	PENNSYLVANIA ELECTRIC CO - Universal Service Charge 1307(e) Reconciliation Statement filed on 12/2/10, for the twelve months ending 10/31/10. A hearing was held on 1/12/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2213278-ALJ Vote 5-0.	M-2010-2213278	METROPOLITAN EDISON CO - Universal Service Charge Reconciliation Statement filed on 12/2/10, for the twelve months ended 10/31/10. A hearing was held on 1/12/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2213754-ALJ Postponed until the Public Meeting of May 5, 2011.	M-2010-2213754	PPL ELECTRIC UTILITIES CORP - Transmission Service Charge Reconciliation Statement filed on 12/6/10, for the period 12/1/09 to 11/30/10. A hearing was held on 2/8/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2214414-ALJ Vote 5-0.	M-2010-2214414	NORTH EAST HEAT & LIGHT CO - Gas Cost Rate 1307(e) Reconciliation Statement filed on 12/3/10, for the twelve months ending 8/31/10. A hearing was held on 1/20/11. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

April 28, 2011

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2216111-OSA Vote 5-0.	P-2010-2216111	WEST PENN POWER CO - Petition for Authority to Defer for Regulatory Accounting and Reporting Purposes Certain Losses from Extraordinary Storm Damage filed on 12/16/10. In an Order entered on 4/1/11, the Commission granted West Penn's Petition subject to certain conditions. On 4/18/11, West Penn filed a Petition for Clarification or, in the Alternative, Reconsideration of the Commission's 4/1/11 Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition for Clarification or, in the Alternative, Reconsideration, pending further review of, and consideration on, the merits.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2229836-FUS Vote 5-0.	R-2011-2229836	NORTH EAST HEAT & LIGHT CO. - Supplement No. 128 to Tariff Gas – Pa. P.U.C No. 12, filed on 3/4/11, for approval to change certain language in Tariff Rule IV, relating to the Company's Gas Cost Rate. The Company originally filed Supplement No. 128, to become effective on 4/1/11, but subsequently postponed the effective date until 5/1/11. RECOMMENDATION: That the Commission adopt the proposed Order approving the filing.

COMMISSIONERS OFFICE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2237952-CMR	I-2011-2237952	INVESTIGATION OF PA'S RETAIL ELECTRICITY MARKET - Joint Motion of Chairman Robert Powelson and Vice Chairman John Coleman
Joint Motion by Chairman Powelson and Vice Chairman Coleman. Vote 4-1 with Commissioner Christy Dissenting.		