

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, JULY 14, 2011 (JFC)**

**10:00 A.M.**

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

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

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

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

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

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

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>James H. Cawley</b>	<b>John F. Coleman, Jr.</b>	<b>Robert F. Powelson</b>	<b>Wayne E. Gardner</b>	<b>Pamela A. Witmer</b>

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

**The Next Public Meeting is Tentatively Scheduled for Thursday, July 28, 2011 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, June 9, 2011 (JC)**

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

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JULY 28, 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 HELD AN EXECUTIVE SESSION ON WEDNESDAY, JULY 13, 2011, AT 4:00 P.M., IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, KEYSTONE BUILDING.**

**THE COMMISSION'S AGENDA WILL BE LIMITED TO:**

- 1. DISCUSSING PERSONNEL MATTERS.**
- 2. CONSULTING WITH ITS LEGAL OR TECHNICAL STAFF ABOUT ACTIONS WHICH THIS COMMISSION IS LITIGATING BEFORE OTHER ADMINISTRATIVE AGENCIES OR COURTS.**
- 3. DISCUSSING CASES WHICH WILL BE COMMENCED OR ADJUDICATED BY COMMISSION ACTION.**
- 4. REVIEWING LEGALLY PRIVILEGED OR CONFIDENTIAL MATTERS.**
- 5. DISCUSSING COLLECTIVE BARGAINING ISSUES.**
- 6. CONSIDERING THE PURCHASE OR LEASE OF REAL ESTATE.**

**AN AGENDA FOR THE EXECUTIVE SESSION WILL BE DISTRIBUTED TO ALL COMMISSIONERS IN ADVANCE OF THIS SESSION. THIS NOTICE IS PROVIDED IN ACCORDANCE WITH ACT 84 OF 1986, KNOWN AS THE SUNSHINE ACT.**

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**COPIES OF CHAIRMAN AND COMMISSIONERS'  
MOTIONS AND STATEMENTS WILL BE  
AVAILABLE FOR PICK-UP  
IMMEDIATELY AFTER PUBLIC MEETING  
IN JR. EXECUTIVE CHAMBERS  
3RD FLOOR KEYSTONE BUILDING**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

July 14, 2011

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2228163-TAS Vote 5-0.	C-2011-2228163 A-00108351	BUREAU OF TRANSPORTATION & SAFETY VS WAYNE STORAGE CO - Complaint alleging failure to pay outstanding assessments. West Chester, Chester County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, the certificate be cancelled and Respondent be fined \$100.
2228164-TAS Vote 5-0.	C-2011-2228164 A-00106618	BUREAU OF TRANSPORTATION & SAFETY VS LARRY G ECKERT - Complaint alleging failure to pay outstanding assessments. RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.
2228374-TAS Vote 5-0.	C-2011-2228374 A-00111039	BUREAU OF TRANSPORTATION & SAFETY VS TRANSERVICE LEASE CORP - Complaint alleging failure to pay outstanding assessments. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2229076-TAS Vote 5-0.	A-2011-2229076	CYPRESS CARE, INC - Application for a brokerage license. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2231432-TAS Vote 5-0.	A-2011-2231432	KIRK LIVERY, INC - Application for the additional right to transport as a common carrier by motor vehicle, person in group and party service in vehicles seating 11-15 passengers. Pittsburgh, Allegheny County RECOMMENDATION: That the Commission adopt the proposed order approving the application as amended.
2231913-TAS Vote 5-0.	C-2011-2231913 A-2009-2109664	BUREAU OF TRANSPORTATION & SAFETY VS M AND D TRUCKING, LLC - Complaint alleging failure to pay an outstanding fine. RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.

**BUREAU OF TRANSPORTATION & SAFETY**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2233272-TAS  Vote 5-0.	C-2011-2233272 A-00075416	BUREAU OF TRANSPORTATION & SAFETY VS FRED D THEBES AND SONS, INC - Complaint alleging failure to pay outstanding assessments. New Bloomfield, Dauphin County RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.
2233273-TAS  Vote 5-0.	C-2011-2233273 A-00101130	BUREAU OF TRANSPORTATION AND SAFETY VS TARA TRUCKING, INC - Complaint alleging failure to pay outstanding assessments. Monongahela, Washington County RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.
2233275-TAS  Vote 5-0.	C-2011-2233275 A-00102062	BUREAU OF TRANSPORTATION & SAFETY VS JAMES N JR & CHARLES I MCCLELLAN T/A MCCLELLAN TRUCKING - Complaint alleging failure to pay outstanding assessments. Tyrone, Blair County RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.
2233406-TAS  Vote 5-0.	A-2011-2233406	RIDE AND REBUILD, LLC - 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.
2233428-TAS  Vote 5-0.	A-2011-2233428	DAVID WAYNE ZELLMAN T/A TRAPPER DAVE - Application for the discontinuance of service and cancellation of certificate authorizing the transportation of persons in paratransit service. Mercer, Mercer County RECOMMENDATION: That the Commission adopt the proposed Order approving the application and cancelling the certificate.
2234459-TAS  Vote 5-0.	C-2011-2234459	BUREAU OF TRANSPORTATION & SAFETY VS GENERAL DELIVERY, INC - Complaint alleging failure to pay outstanding assessments. RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.

**BUREAU OF TRANSPORTATION & SAFETY**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2234981-TAS</b> <b>Vote 5-0.</b>	<b>C-2011-2234981</b>	BUREAU OF TRANSPORTATION & SAFETY VS ROBERT COWDEN T/A BOB COWDEN TRUCKING - Complaint alleging failure to pay outstanding assessments. Marianna, Washington County RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained and the certificate be cancelled.
<b>2237869-TAS</b> <b>Vote 5-0.</b>	<b>R-2011-2237869</b>	MAIN LINE TRANSIT SERVICE INC - Increase in rates. Sanatoga, Montgomery County RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 4.
<b>2238461-TAS</b> <b>Vote 5-0.</b>	<b>C-2011-2238461</b>	BUREAU OF TRANSPORTATION & SAFETY VS LO MA, INC T/A ABE CHAUF LIMO & MINI BUS - Complaint alleging that respondent abandoned or discontinued limousine service without having submitted an application. Nazareth RECOMMENDATION: That the Commission adopt the proposed Order sustaining the complaint, revoking the respondent's certificate and ordering respondent to cease and desist from further violations.

**BUREAU OF AUDITS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2143263-AUD (PP from 06/30/2011)</b>	<b>D-2009-2143263 D-2009-2143264 D-2009-2143265</b>	<b>MET-ED, PENELEC, PENN POWER - Management Efficiency Investigation Evaluating the Implementation of Selected Recommendations from the 2007 Stratified Management and Operations Audit. RECOMMENDATION: That the Commission make the MEI report and the FE-PA Companies Implementation Plan public.</b>
<b>Motion by Commissioner Cawley. Vote 5-0.</b>		

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2091781-OSA</b>  <b>Vote 5-0.</b>	<b>C-2010-2091781</b> <b>A-00105846</b>	<b>BUREAU OF TRANSPORTATION &amp; SAFETY VS</b> <b>MCCLYMONDS SUPPLY &amp; TRANSIT CO, INC</b> - Complaint initiated on 3/12/10, alleging that the Respondent failed to maintain evidence of cargo and liability insurance on file with the Commission. BTS requested that a civil penalty of \$500 be imposed. The Respondent filed an Answer on 3/23/10. On 5/26/11, the Respondent and the Commission's Law Bureau Prosecutory Staff, representing BTS, filed a Settlement Agreement in order to satisfy the Complaint. On 6/20/11, LBPS filed an Amended Settlement Agreement to correct a signature deficiency. As part of the Amended Settlement, the proposed penalty of \$500 would be reduced to \$100. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
<b>2152607-OSA</b> <b>(PP from 06/30/2011)</b>  <b>Statement by Vice Chairman Coleman.</b> <b>Vote 5-0.</b>	<b>F-2010-2152607</b>	<b>JOHN PELUSO VS PENNSYLVANIA POWER</b> <b>COMPANY</b> - Formal Complaint filed on 1/14/10, alleging, inter alia, that prior to the installation of a new transformer in 4/09, he was not receiving sufficient power. Mr. Peluso requested that he be reimbursed for overcharges on his electric bill and for the shortened life of his furnace motor, light bulbs and appliances. By Initial Decision issued on 11/18/10, ALJ Dunderdale sustained the Complaint and directed that Penn Power recalculate the Complainant's electric consumption and issue a corrected bill. Penn Power filed Exceptions on 12/8/10. No Reply Exceptions were filed. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants the Exceptions in part, denies them in part, reverses the Initial Decision and dismisses the Complaint.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2153371-OSA</b> <b>Vote 5-0.</b>	<b>A-2010-2153371</b>	<p>LASER MARCELLUS GATHERING COMPANY LLC</p> <p>- Application for a Certificate of Public Convenience filed on 1/19/10, authorizing it to begin to offer natural gas gathering and transporting or conveying service by pipeline to the public in the townships of Apolacon, Choconut, Forest Lake, Great Bend, Jessup, Liberty, Middletown, and New Milford in Susquehanna Township, Pennsylvania. By Opinion and Order, entered 6/14/11, the Commission made a determination in the above-captioned proceeding. Petition for Reconsideration or, in the Alternative, Clarification of the Commission's Opinion and Order filed on 6/29/11 by MarkWest Liberty Midstream &amp; Resources, LLC; and on 6/29/11, the Pennsylvania Independent Oil and Gas Association filed a Petition for Reconsideration of the Commission's Opinion and Order.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order which grants the Petitions, pending further review of, and consideration on, the merits.</p>
<b>2171442-OSA</b> <b>Vote 5-0.</b>	<b>F-2010-2171442</b>	<p>NONA LEWIS VS PHILADELPHIA GAS WORKS</p> <p>- Formal Complaint filed on 1/21/10, requesting that the \$64 monthly payment toward her account balance, established by a BCS decision, be removed from her bill. The account balance was almost entirely the result of adjustments to the Complainant's account because she had been underbilled by PGW. By Initial Decision issued on 12/10/10, ALJ Smolen dismissed the Complaint thereby preserving the terms of the BCS decision. Ms. Lewis filed Exceptions on 12/22/10. Replies to Exceptions were filed by PGW on 1/7/11.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that denies the Exceptions, adopts the Initial Decision, dismisses the Complaint and makes a minor modification to the payment plan established by BCS.</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>2180859-OSA</b> <b>(PP from 06/30/2011)</b>  <b>Vote 5-0.</b>	<b>C-2010-2180859</b>	<b>BUREAU OF TRANSPORTATION AND SAFETY VS CHARALAMBOS EDGOS</b> - Complaint instituted 10/25/10, alleging failure to maintain evidence of liability insurance on file with the Commission. BTS requested that a civil penalty of \$500 be imposed for the violation. The Complaint was served on the Respondent on 10/25/10. The Respondent filed an Answer to the Complaint on 12/16/10. On 5/10/11, 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 civil penalty of \$500 would be reduced to \$250. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement consistent with the discussion therein.
<b>2213316-OSA</b>  <b>Postponed until the Public Meeting of July 28, 2011.</b>	<b>C-2010-2213316</b>	<b>SHIRA MENG MASTER HOLDING LP VS PHILADELPHIA GAS WORKS</b> - Formal Complaint filed on 11/30/10, alleging that PGW improperly filed a lien against one of its realty holdings. The Complaint requested that the Commission direct PGW to remove the lien. On 12/20/10, PGW filed an Answer denying the material allegations of the Complaint. Also on that date, PGW filed Preliminary Objections and Motion to Strike Impertinent Matter. The Complainant did not file an answer to PGW's Preliminary Objections. In her Initial Decision, issued on 3/23/11, ALJ Jandebaur recommended that the Preliminary Objections filed by PGW be sustained and that the Complaint be dismissed. On 4/11/11, the Complainant filed Exceptions to the Initial Decision. On 4/21/11, PGW filed Reply Exceptions. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that: (1) denies the Complainant's Exceptions to the Initial Decision; and (2) adopts the Initial Decision as the action of the Commission.

**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>1150478-FUS</b> <b>Vote 5-0.</b>	<b>A-125051</b>	<b>INTERSTATE GAS SUPPLY D/B/A IGS SUPPLY</b> - Application filed on 8/31/10, to amend its natural gas supplier license to begin to offer, render, furnish, or supply natural gas supply services to residential, small commercial (less than 6,000 Mcf annually), large commercial (6,000 Mcf or more annually), industrial and governmental customers in the additional service territory of the Peoples Natural Gas, within PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application amendment.
<b>1198573-FUS</b> <b>Vote 5-0.</b>	<b>A-110169</b>	<b>ENERGY SAVERS, INC</b> - Application filed on 4/1/11, for approval to amend its electric generation supplier license to also serve residential and small commercial (25 kW and under demand) customers as a broker/marketer and consultant in all electric distribution company service territories, within PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the amendment to the electric generation supplier license.
<b>2208901-FUS</b> <b>Vote 5-0.</b>	<b>A-2010-2208901</b> <b>P-2010-2208869</b>	<b>PPL ELECTRIC UTILITIES CORP</b> -Letter of Notification filed on 11/4/10, pursuant to 52 Pa. Code Chapter 57 Subchapter G, with respect to the Dappers 138/69 kV Transmission Tap Line in Cherry Ridge Township, Wayne County. Authority for this procedure is provided for at §57.72(d)(1)(vi). No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that 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>2233203-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2233203</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - Letter of Notification filed on 3/25/11, to the relocation of a portion of the West Hempfield – Manor #2 230 kV Transmission Line in Manor Township, Lancaster County. Authority for this procedure is provided for at §57.72(d)(1)(vi). No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that approves the application.
<b>2234677-FUS</b> <b>Vote 5-0.</b>	<b>P-2011-2234677</b>	<b>YORK WATER COMPANY</b> - Petition filed on 4/5/11, for an Order Authorizing the Amortization of Acquisition Adjustments on the Company’s Corporate Books. <b>RECOMMENDATION:</b> That the Commission approves the petition.
<b>2236711-FUS</b> <b>Vote 5-0.</b>	<b>R-2011-2236711</b>	<b>KEYSTONE UTILITIES GROUP, INC</b> - Tariff Sewer - PA P.U.C. No. 2; filed on 4/15/11, effective on 7/15/11, proposing to replace its original tariff with the Commission’s model tariff in serving the public in a portion of Greenwood Township, Crawford County, PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that recommends approval of the proposed Tariff.
<b>2237488-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2237488</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - Letter of Notification filed on 4/21/11, for approval pursuant to 52 Pa. Code Chapter 57.72 with respect to the Allentown-Siegfried #1 & #2 138 kV Transmission Line and the East Allentown #1 & #2 138 kV Tap Line in the City of Allentown, Lehigh County. Authority for this procedure is provided for at 57.72(d)(1)(v) and (vi). No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that 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>2237858-FUS</b>  <b>Vote 5-0.</b>	<b>M-2011-2237858</b> <b>M-00920351</b>	<b>BEAVER COUNTY'S 911</b> - System Renewal Plan filed on 4/26/11, by PEMA requesting a formal 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. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.
<b>2240477-FUS</b>  <b>Vote 5-0.</b>	<b>A-2011-2240477</b>	<b>METROPOLITAN EDISON CO</b> - Letter of Notification filed on 5/5/11, pursuant to 52 Pa. Code Chapter 57.72 with respect to the Gardners-Round Top 115 kV HV transmission line structure relocation project situated in Franklin Township, York County. Authority for this procedure is provided for at §57.72(d)(1)(v). No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that approves the application.
<b>2241270-FUS</b>  <b>Vote 5-0.</b>	<b>S-2011-2241270</b>	<b>PENNSYLVANIA AMERICAN WATER CO</b> - Securities certificate filed on 5/13/11, in regards to the issuance of Promissory Notes in an aggregate outstanding principal amount not to exceed \$107 million. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order for the registration of the securities certificate for the issuance of Promissory Notes in an aggregate outstanding principal amount not to exceed \$107 million for a period of two years.

**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>2242007-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2242007</b>	UTILITIES ANALYSES INC - Application filed on 5/12/11, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of assisting clients in selecting an electricity supplier for 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. Company requests a reduction in the amount of security bond pursuant to 66 Pa. C.S. § 2809 and 52 Pa. Code § 54.40(d). RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2245433-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2245433</b>	PRIORITY POWER MANAGEMENT LLC - Application filed on 6/2/11, for approval to become a licensed electric generation supplier as a broker/marketer in the electric distribution company service territories of West Penn Power, PECO, Duquesne Light, PPL, Wellsboro Electric, UGI Utilities, Penelec, Met-Ed, Pike County Light & Power, and Citizens' Electric within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2246812-FUS</b> <b>Vote 5-0.</b>	<b>S-2011-2246812</b>	PPL ELECTRIC UTILITIES CORP - Securities certificate filed on 6/14/11, in respect to the issuance of long-term debt in an aggregate principal amount not to exceed \$500 million. RECOMMENDATION: That the Commission register the securities certificate.

**COMBINED BUREAU AGENDA**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2244756-FUS</b> <b>Vote 5-0.</b>	<b>R-2011-2244756</b>	CITY OF BETHLEHEM - BUREAU OF WATER - Supplement No. 8 to Tariff Water-Pa. P.U.C. No. 6, filed on 5/27/11, proposing an annual increase in revenues of \$996,710 (13.6%) for customers residing outside the City to become effective 7/26/11. On 6/15/11, OCA filed a Formal Complaint. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
<b>2244756-OTS</b> <b>Adopt 5-0 to the extent that it is consistent with 2244756-FUS.</b>	<b>R-2011-2244756</b>	CITY OF BETHLEHEM - BUREAU OF WATER - Supplement No. 8 to Tariff Water - Pa. P.U.C. No. 6, filed on 5/27/11, to become effective 7/26/11, proposing an increase of \$996,710 which represents an increase in annual revenues of 13.5% for jurisdictional customers. 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 2/26/12.

**LAW BUREAU**

<u><b>AGENDA NO.</b></u>	<u><b>DOCKET NO.</b></u>	<u><b>NAME AND SUBJECT</b></u>
<b>2195426-LAW</b> <b>Vote 5-0.</b>	<b>P-2010-2195426</b>	<b>CITIZEN POWER AND PA STEEL &amp; CEMENT MANUFACTURERS</b> - Petition filed on 8/24/10, asking that the Commission conduct an investigation into stranded cost recovery by PA electric distribution companies and order refunds, if necessary. On 10/12/10, PPL Electric filed a Motion for Judgment on the pleadings dismissing the petition on the grounds that the Commission does not have authority to retroactively change its determinations made more than a decade ago as to the level of each EDC's stranded costs. <b>RECOMMENDATION:</b> That the Commission approve the proposed Order.
<b>2214432-LAW</b> <b>Motion by Commissioner Gardner.</b> <b>Vote 5-0.</b>	<b>P-2010-2214432</b> <b>M-2010-2203164</b>	<b>NORTH EAST HEAT &amp; LIGHT CO</b> - Waiver of 52 Pa. Code § 53.66(d) reducing its interest rate on over-collections to 2% for the previous GCR year, based on extraordinary circumstances that resulted in a large net over-collection, granted on 12/17/09 (M-2009-2134358). On 11/24/10, NEH&L filed a letter with the Secretary's Bureau requesting that the waiver again be granted to them at the same rate citing similar reasons. The letter was not served on the Statutory Advocates or any other interested party. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Tentative Order and further recommends that the order be served on NEH&L, OTS, OCA, and OSBA for comment.
<b>2216111-LAW</b> <b>Vote 5-0.</b>	<b>P-2010-2216111</b>	<b>WEST PENN POWER CO</b> - Petition filed on 12/16/10, seeking authority to defer certain losses associated with storm damage incurred in 2/2011 for regulatory accounting and reporting purposes. The Commission granted the petition in an order entered 4/1/11. West Penn now seeks clarification or, in the alternative, reconsideration of the Order. <b>RECOMMENDATION:</b> That the Commission approve the proposed order.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2174191-ALJ</b> <b>(PP from 06/09/2011)</b>  <b>Vote 5-0.</b>	<b>A-2010-2174191</b>	<b>KH WASTEWATER TREATMENT COMPANY, LLC</b> - Application filed on 4/28/10, for approval to purchase assets of a non-utility sewage company, and to serve customers beyond the mobile home park served by the existing company in anticipation of residential development adjoining the mobile home park. OCA filed a protest on 6/1/10 to ensure that the sale of assets and issuance of a certificate of public convenience is in the public's interest. The parties filed a Joint Petition for Settlement on 3/14/11. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Colwell's Recommended Decision approving the Settlement.
<b>2218386-ALJ</b>  <b>Vote 5-0.</b>	<b>R-2011-2218386</b>	<b>NATIONAL FUEL GAS DISTRIBUTION</b> - Section 1307(f) Projected Rate Increase to become effective on 2/1/11. On 5/6/11, a Stipulation in Settlement of the Rate Investigation was filed. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Hoyer's Recommended Decision approving the Settlement.
<b>2224739-ALJ</b>  <b>Vote 5-0.</b>	<b>R-2011-2224739</b>	<b>PHILADELPHIA GAS WORKS</b> - Section 1307(f) Purchased Gas Cost Rate to become effective 9/1/11. Petition to Intervene and complaints filed. Prehearing conference held on 3/14/11. A Joint Petition for Settlement of Rate Investigation filed on 5/9/11. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Pell's Recommended Decision approving the Settlement.



**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>2228497-ALJ</b> Vote 5-0.	<b>M-2011-2228497</b>	METROPOLITAN EDISON CO - Annual 1307(e) Consumer Education Charge Reconciliation Statement filed on 3/9/11, setting forth the over/under collections for the twelve-month period which ended on 12/31/10. A hearing was held on 4/19/11. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.
<b>2228617-ALJ</b> Vote 5-0.	<b>M-2011-2228617</b>	PENNSYLVANIA ELECTRIC CO - Annual 1307(e) Consumer Education Charge Reconciliation Statement filed on 3/1/11, setting forth the over/under collections for the twelve-month period which ended on 12/31/10. A hearing was held on 4/19/11. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.
<b>2228937-ALJ</b> Vote 5-0.	<b>M-2011-2228937</b>	SCHUYLKILL HAVEN BOROUGH (Electric) - Annual 1307(e) Power Purchase Adjustment Charge Reconciliation Statement filed on 3/3/11, setting forth the over/under collections for the twelve-month period which ended on 1/31/11. A hearing was held on 4/19/11. 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

July 14, 2011

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2213893-OSA  Motion by Commissioner Cawley. Statement by Commissioner Witmer. Vote 5-0.	A-2010-2213893 G-2010-2213894	UGI PENN NATURAL GAS COMPANY - Application filed on 12/1/10, requesting a certificate of public convenience and Affiliated Interest Agreement representing the Pipeline Interconnection, Operating and Emergency Services Agreement between UGI Energy Services (UGIES) and PNG. An initial prehearing conference was held before ALJ Buckley on 1/7/11. An evidentiary hearing was held on 3/16/11 and on 3/23/11, PNG, the OTS and OCA filed a Joint Stipulation in Settlement resolving all issues. The OSBA reserved one issue for litigation. On 3/30/11 and 4/8/11, the OSBA and PNG filed Main Briefs and Reply Briefs respectively. On 5/12/11, the ALJ's Recommended Decision was issued. On 5/23/11 the OSBA filed Exceptions and on 5/31/11, PNG filed Replies to Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2240234-FUS  Motion by Commissioner Gardner. Vote 5-0.	S-2011-2240234	WELLSBORO ELECTRIC CO. - Securities certificate in regards to the issuance of Notes, in an aggregate principal amount of up to \$3,000,000, to its Parent, C&T Enterprises, Inc. RECOMMENDATION: That the Commission adopt the proposed Order for the registration of the securities certificate for the issuance of Notes, in an aggregate principal amount of up to \$3,000,000, to its Parent, C&T Enterprises, Inc.

## LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2093053-LAW</b>  Withdrawn by the Law Bureau.	<b>P-2009-2093053</b> <b>P-2009-2093054</b>	<p>MET-ED and PENELEC - Order entered 4/26/11, soliciting comments from the parties on the timing of the Consumer Education Programs. The programs had been approved as part of the Companies' 2009 settlement in its default service proceeding. Upon review of the comments and reply comments, the Law Bureau recommends suspending the Consumer Education Programs until the Commission's Investigation of Pennsylvania's Retail Electricity Market at Docket No. I-2011-2237953 is completed.</p> <p>RECOMMENDATION: That the Commission adopt the Order, which suspends the Companies' Consumer Education Programs until the Commission's Investigation of Pennsylvania's Retail Electricity Market is completed.</p>
<b>2250515-LAW</b>  Vote 5-0.	<b>M-2011-2250515</b>	<p>CTSI, LLC - PA Safety Valve Numbering Resource Request form submitted on 7/5/11, pursuant to Order entered at M-2008-2032767. CTSI is requesting expedited review of a denial by the Pooling Administrator of its request for additional numbering resources in the 570 Number Plan Area (NPA). Specifically, CTSI requests 1000 telephone numbers from the 570 NPA be assigned to the Sunbury Rate Center. CTSI's request comes before the Commission since it does not meet the numbering resource utilization and months-to-exhaust (MTE) threshold implemented by Neustar to obtain additional numbering resources.</p> <p>RECOMMENDATION: That the Commission grants CTSI LLC's request for additional numbering resources in the 570 Area Code.</p>