

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, AUGUST 11, 2011 (JC)

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
James H. Cawley	John F. Coleman, Jr.	Robert F. Powelson	Wayne E. Gardner	Pamela A. Witmer

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

The Next Public Meeting is Tentatively Scheduled for Thursday, August 25, 2011 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 14, 2011 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, AUGUST 25, 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, AUGUST 10, 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.

**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

August 11, 2011

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2189371-TAS Vote 5-0	A-2010-2189371	JITNEY HOME CARE TRANSPORTATION INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Cranberry Township, Allegheny County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2194455-TAS Vote 5-0	A-2010-2194455	HYBRID PLANET CHAUFFEUR SERVICE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in limousine service. Havertown, Delaware County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2208073-TAS Vote 5-0	C-2011-2208073	BUR OF TRANSPORTATION & SAFETY VS VA FIVE STAR INC - Complaint alleging Respondent permitted its drivers to operate its vehicles while under suspension for failing to maintain evidence of insurance on file and failed to have a complete trip sheet. Richboro RECOMMENDATION: That the Commission adopt the Order directing that the complaint be sustained, the certificate be cancelled and the Respondent be fined \$3,050.00.
2213072-TAS Vote 5-0	A-2010-2213072	GERARDO JOSE DEL GAUDIO T/A GERARDO'S TRANSPORTATION TAXICAB CO - Application for the right to transport as a common carrier by motor vehicle, persons upon call or demand. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
2222104-TAS Vote 5-0	C-2011-2222104 A-00123764	BUR OF TRANSPORTATION & SAFETY VS J & H TRANSPORT LLC - Complaint alleging failure to pay outstanding assessments. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, the certificate be cancelled, and Respondent be fined \$100.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2229464-TAS Vote 5-0	C-2011-2229464	BUR OF TRANSPORTATION & SAFETY VS ROSEMONT TAXICAB - Complaint alleging respondent permitted its driver to operate its vehicle without holding a valid driver's license, failed to maintain safe, adequate, efficient and reasonable service and facilities and failed to maintain logs for at least two years. RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and that Respondent be fined \$1300.
2230055-TAS Vote 5-0	A-2011-2230055 A-00119556	PENNDOT - Application for approval to alter the public crossing on State Route 3001 in Lower Macungie Township, Lehigh County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2231822-TAS Vote 5-0	A-2011-2231822	HONESDALE VOLUNTEER AMBULANCE CORPS INC T/A HONESDALE EMS - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Honesdale, Wayne County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2233609-TAS Vote 5-0	A-2011-2233609	MARCO TRALONGO T/A QUALITY LIMOUSINE SERVICE - 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. Pittsburgh, Allegheny County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2234452-TAS Vote 5-0	C-2011-2234452	BUR OF TRANSPORTATION & SAFETY VS FRANK J LOMBARDO - 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.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2234989-TAS Vote 5-0	C-2011-2234989	BUR OF TRANSPORTATION & SAFETY VS J. A. M. SUPERIOR EXCAVATING LLC - 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.
2235325-TAS Vote 5-0	C-2011-2235325	BUR OF TRANSPORTATION & SAFETY VS EDDYSTONE EQUIP & RENTAL 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.
2235748-TAS Vote 5-0	C-2011-2235748	BUR OF TRANSPORTATION & SAFETY VS J L ENTERPRISE INC - Complaint alleging failure to pay outstanding assessments. Temple, Berks County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2235755-TAS Vote 5-0	C-2011-2235755	BUR OF TRANSPORTATION & SAFETY VS FL TRANSPORTATION INC - 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.
2235756-TAS Vote 5-0	C-2011-2235756	BUR OF TRANSPORTATION & SAFETY VS CHRISTOPHER KLUGE & JAMES RUHL - Complaint alleging failure to pay outstanding assessments. Lebanon, Lebanon County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2235757-TAS Vote 5-0	C-2011-2235757	BUR OF TRANSPORTATION & SAFETY VS ARVIL C MEISENHEITER JR T/A MEISENHEITER'S DELIVERY SERVICE - Complaint alleging failure to pay outstanding assessments. York, York County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2235759-TAS Vote 5-0	C-2011-2235759	BUR OF TRANSPORTATION & SAFETY VS SCOTT D SELLER - Complaint alleging failure to pay outstanding assessments. Glenmoore, Chester County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2236266-TAS Vote 5-0	C-2011-2236266	BUR OF TRANSPORTATION & SAFETY VS ROADLINK USA NATIONAL LLC - Complaint alleging failure to pay outstanding assessments. Bethlehem, Northampton County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2236267-TAS Vote 5-0	C-2011-2236267	BUR OF TRANSPORTATION & SAFETY VS CHRISTOPHER P HERBENER - Complaint alleging failure to pay outstanding assessments. White Haven, Luzerne County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2236268-TAS Vote 5-0	C-2011-2236268	BUR OF TRANSPORTATION & SAFETY VS A. T. REIGEL TRUCKING INC - Complaint alleging failure to pay outstanding assessments. Pine Grove, Schuylkill County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2236269-TAS Vote 5-0	C-2011-2236269	BUR OF TRANSPORTATION & SAFETY VS RUTH ANN TRANSPORT CO - Complaint alleging failure to pay outstanding assessments. Kittanning, Armstrong County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2236573-TAS Vote 5-0	C-2011-2236573	BUR OF TRANSPORTATION & SAFETY VS WENTLING TRANSPORTATION INC - 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.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2236575-TAS Vote 5-0	C-2011-2236575	BUR OF TRANSPORTATION & SAFETY VS M & T TRUCKING LLC - Complaint alleging failure to pay outstanding assessments. Gallitzin, Cambria County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2240538-TAS Vote 5-0	A-2011-2240538	DONALD EDWARD ROBERTSON T/A ROBERTSON TOWNCAR SERVICE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Delaware County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2242186-TAS Vote 5-0	A-2011-2242186	SMZ VENTURES INC T/A MEDICAL TRANSPORT SERVICES (MTS) - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Huntingdon, Huntingdon County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2250304-TAS Vote 5-0	R-2011-2250304	WALLS/DELAWARE VALLEY HAVERTOWN/ WESTTOWN MOVERS LLC - Increase in Rates. Havertown, Delaware County RECOMMENDATION: That the Commission approve the 1st Revised Page 106-D of Tariff Freight Pa. PUC No. 54, to become effective on 8/15/11.
2250305-TAS Vote 5-0	R-2011-2250305	CENTRAL VAN & STORAGE OF CHARLESTON INC - Increase in rates. Washington, Washington County RECOMMENDATION: That the Commission approve the 3rd Revised Page 30-D of Tariff Freight Pa. PUC No. 54 and 1st Revised Page 30-F of Tariff Freight Pa. PUC No. 54, to become effective 8/15/11.
2250306-TAS Vote 5-0	R-2011-2250306	HAMMER'S MOVING & STORAGE, INC - Increase in rates. RECOMMENDATION: That the Commission approve the 8th Revised Page 53 to Tariff Frieght Pa. PUC No. 54, to become effectie 8/15/11.

BUREAU OF TRANSPORTATION & SAFETY

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2250308-TAS

R-2011-2250308

JENSEN MOVERS & STORAGE, INC
- Increase in Rates. Hatfield, Montgomery County
RECOMMENDATION:
That the Commission approve the 10th Revised Page
59 of Tariff Freight Pa. PUC No. 54, to become
effective 8/15/11.

Vote 5-0

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1091061-OSA Vote 5-0	A-00113496 A-2011-2226132	TRIDENT, INC - Complaint instituted on 11/7/10, alleging failure to maintain evidence of insurance on file with the Commission. By Letter filed on 12/13/10, the President of Trident contacted the Commission and enclosed a signed Commission form which requested that its Certificate at Docket No. A-00113496 be cancelled. By Secretarial Letter of 2/23/11, the Commission granted Trident's request and cancelled its authority. On 6/1/11, Hi Tech Accounting & Financial Services, Inc., purportedly on behalf of Trident, filed the instant Appeal of Staff Action with reference to the Secretarial Letter of 2/23/11. No response to the Appeal has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the appeal.
2140177-OSA Vote 5-0	A-2009-2140177 A-6411522	SCOTT R RICE - Application filed on 10/5/09. Airlines Acquisition Co., Inc., t/d/b/a Airlines Transportation Company, and Airport Limousine Service, Inc., filed a Protest on 12/2/09. On 5/10/10, the Parties filed a Restrictive Amendment. The Commission rejected the Restrictive Amendment in a Tentative Order entered 8/2/10. The Protestants filed Comments to the Tentative Order on 8/23/10. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which remands this matter to the Office of Administrative Law Judge.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2152607-OSA Vote 5-0	F-2010-2152607	<p>JOHN PELUSO VS PENNSYLVANIA POWER COMPANY</p> <p>- 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, appliances and light bulbs. By Initial Decision issued 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. By Opinion and Order entered 7/14/11, the Commission granted the Exceptions in part, denied them in part, reversed the Initial Decision, and dismissed the Complaint. On 7/20/11, Mr. Peluso filed a Petition for Reconsideration.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Petition for Reconsideration pending review of and consideration on the merits.</p>
2176164-OSA Vote 5-0	C-2010-2176164	<p>YORK ROAD REALTY CO VS PECO ENERGY COMPANY</p> <p>- Formal Complaint filed on 5/12/10, against the request for payment of a \$27,340 security deposit. On 7/16/10, PECO filed a Motion for Judgment on the Pleadings requesting that the Complaint be dismissed. By Initial Decision issued 6/14/11, ALJ Vero recommended that PECO's Motion be granted and that the Complaint be dismissed with prejudice. York Road filed Exceptions on 7/5/11.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions, adopts the Initial Decision and dismisses the Complaint with prejudice.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2189362-OSA Vote 5-0	C-2010-2189362	GERALD S LEPRE JR VS EQUITABLE GAS COMPANY - Formal Complaint filed on 7/19/10, alleging, inter alia, improper billing and the improper termination of his gas service. On 8/6/10, the Respondent filed a Certificate of Satisfaction which stated that the Parties had settled all matters. On 8/12/10, the Complainant filed an Objection to the Certificate and requested that the Complaint be reinstated. On 9/14/10, the Respondent filed an Answer to the Complaint which denied improper billing and termination. A hearing was held on 12/16/10. In his Initial Decision, issued on 3/18/11, ALJ Johnson recommended that the Complaint be dismissed as settled and satisfied, and that the matter be closed. On 4/6/11, the Complainant filed Exceptions to the Initial Decision. On 4/29/11, the Respondent filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) grants, in part, and denies, in part, the Complainant's Exceptions; (2) modifies the Initial Decision of ALJ Johnson, consistent with the Initial Decision; and (3) denies the Complaint.
2196342-OSA Vote 5-0	M-2011-2196342	PPL ELECTRIC UTILITIES CORP - Proposed Settlement filed on 5/20/11, pertaining to an informal investigation of the termination of a residential account for nonpayment on 6/10/10. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order issuing the Settlement for comment.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2210992-OSA Vote 5-0	C-2010-2210992 A-00113245	BUREAU OF TRANSPORTATION & SAFETY VS GEORGE E CARROLL T/A GEORGE E CARROLL GENERAL HAULING - Complaint instituted on 11/24/10, alleging failure to maintain evidence of cargo insurance on file with the Commission. BTS requested that a civil penalty of \$500 be imposed. The Respondent filed an Answer on 12/6/10. On 5/18/11, the Respondent and the Commission's Law Bureau Prosecutory Staff, representing BTS, filed a Settlement Agreement in order to satisfy the Complaint. As part of the Settlement, the proposed penalty of \$500 would be reduced to \$100. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
2213316-OSA Vote 5-0 Statement by Commissioner Gardner	C-2010-2213316	SHIRA MENG MASTER HOLDING LP VS PHILADELPHIA GAS WORKS - 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. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Complainant's Exceptions to the Initial Decision, and adopts the Initial Decision as the action of the Commission.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2218562-OSA Vote 5-0 Statement by Chairman Powelson	R-2011-2218562 U-2010-2213726 '920	CMV SEWAGE COMPANY - Proposed Sewage Service Agreement with the Authority for Approval filed on 12/1/10. On 12/30/10, CMV filed Tariff Supplement 14, proposing a base rate increase and the establishment of separate rates for its Chanceford Manor and Colonial Crossing Divisions. Eleven formal complaints were filed by nine individuals, the OCA and the OTS. ALJ Barnes presided over an evidentiary hearing on 5/18/11. On 6/22/11, a Joint Petition for Certification and Expedited Treatment, and a Joint Petition for Full Settlement of Rate Proceeding and Application to Transfer Assets and Abandon Service was filed on behalf of CMV, the Authority, North Codorus Township, the OCA, the OTS and DEP. The Settlement is unopposed. On 7/6/11, ALJ Barnes certified the record to the Commission. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order approving the Settlement.
2246790-OSA Vote 5-0	A-2011-2246790 A-2009-2126965	AT&T COMMUNICATIONS OF PA LLC and WINDSTREAM PENNSYLVANIA LLC - Joint Petition filed on 6/9/11, seeking approval of Amendment No. 1, to an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2100320-FUS Postponed until Public Meeting Sept 8, 2011	A-2009-2100320	PALMCO ENERGY PA, LLC - Application filed on 12/21/09, for approval for a license to operate as a supplier of natural gas supply services in the service territory of PECO Energy. On 5/17/11, application filed to expand its services to include the additional service territories of Philadelphia Gas Works, Columbia of Pennsylvania, UGI Gas Service, UGI Penn Natural Gas, and UGI Central Penn Gas. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application amendment.
2201777-FUS (PP from 07/28/2011) Postponed until Public Meeting Sept 8, 2011	A-2010-2201777	ALPHABUYER, LLC - Application filed on 9/28/10, for approval to offer, render, furnish, or supply natural gas supply services to residential and commercial customers in the service territory of Valley Energy, National Fuel Gas, UGI Central Penn, Peoples Natural Gas, T.W. Phillips, UGI Utilities, UGI Penn Natural Gas, Columbia Gas, Equitable Gas, Philadelphia Gas Works, and PECO, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2236764-FUS Vote 5-0	A-2011-2236764	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 4/20/11, for approval of the right to offer, render, furnish, or supply water service to the public in a portion of Newberry Township, York 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>
2239171-FUS Postponed until Public Meeting August 25, 2011	A-2011-2239171	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 4/29/11, pursuant to 52 Pa. Code Chapter 57 Subchapter G, with respect to the siting and construction of the Elroy-Hatfield #1 & #2 138/69 kV Transmission Lines in Hatfield and Franconia Townships, Montgomery County. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the Letter of Notification.
2239180-FUS Postponed until Public Meeting August 25, 2011	A-2011-2239180	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 4/29/11, pursuant to 52 Pa. Code Chapter 57.72 with respect to Elroy #2 500 kV Tie Line in Hatfield Township, Montgomery 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 Letter of Notification.
2243116-FUS Vote 5-0	M-2011-2243116 M-00940545	NORTHUMBERLAND COUNTY'S 911 - System Renewal Plan filed on 5/19/11, from PEMA requesting a formal review the costs associated with the contribution rate of \$1.25 per access line per month and 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.
2245835-FUS Vote 5-0	A-2011-2245835	HIGH MEADOWS MOBILE HOME PARK - Application filed on 5/27/11, for approval of the right to offer, render, furnish, or supply wastewater service to the public in an additional territory in Allegheny Township, Westmoreland 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>
2247118-FUS Vote 5-0	A-2011-2247118	ENERGY INITIATIVES INC - Application filed on 6/15/11, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of analyzing and monitoring clients' electric consumption for the purpose of offering competitive supply alternatives for residential, small commercial (25kw and under demand), large commercial (over 25kw demand), industrial, and governmental customers in the electric distribution company service territories of Met-Ed, PECO, PPL, and UGI within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2247372-FUS Vote 5-0	A-2011-2247372	MOSAIC NETWORKX LLC - Application filed on 6/14/11, 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.
2249389-FUS Vote 5-0	S-2011-2249389	NATIONAL FUEL GAS DISTRIBUTION - Registration of a securities certificate filed on 6/29/11, in respect to the issuance of promissory notes in an aggregate amount not to exceed \$130 million, and an affiliated interest agreement which governs the credit transactions and the costs and benefits related to derivative instruments under a Credit and Derivative Agreements between NFG Distribution Corporation and its corporate parent National Fuel Gas Company. NFG Distribution Corporation voluntarily extended the statutory consideration period to 8/31/11. RECOMMENDATION: That the Commission approve the Affiliated Interest application and register the Securities Certificate consistent with the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2071852-LAW Vote 5-0	M-2008-2071852	IMPLEMENTATION OF ACT 129 - In 2008, the Legislature passed Act 129 which repealed sections of the Public Utility Code which had created certain specific bureaus within the Commission and, instead, gave the PUC greater flexibility to establish bureaus and assign staff. The Commission undertook an internal review of its operations with a view towards reorganization of its bureaus and offices that will better position the Commission to meet its responsibilities under the Public Utility Code. That review has been completed and the PUC is ready to implement its reorganization plan. RECOMMENDATION: That the Commission approve the proposed order.
2248534-LAW (PP from 07/28/2011) Vote 5-0	P-2011-2248534	WINDSTREAM PENNSYLVANIA LLC - Petition for a bona fide retail request deployment extension of six-months for specific exchanges pursuant to 66 Pa. C.S. § 3014(c)(5). Windstream asserts that the delay in completing the project is attributable to the delay in the release of the Broadband Initiatives Program funding from the Rural Utilities Service under the US Dept. of Agriculture and the construction of new pads, which require surveys and the acquisition and recording of at least one, and possibly more, new rights-of-way. RECOMMENDATION: That the Commission adopt the proposed Order granting the petition.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2254509-LAW

M-2011-2254509

Vote 5-0

VERIZON PENNSYLVANIA INC
- PA Safety Valve Numbering Resource Request form submitted on 7/28/11, pursuant to our order entered at M-2008-2032767. Verizon PA is requesting expedited review of a denial by the Pooling Administrator, Neustar, Inc., of its request for additional numbering resources in the 570 Number Plan Area (NPA) for use by a large business customer. Verizon PA requests 1K block of numbers (1,000 telephone numbers) from the 570 NPA be assigned to the Williamsport Rate Center. Verizon PA's request comes before the Commission since the Company's current inventory of numbers will not meet the demand of its customer.
RECOMMENDATION:
The Commission grant Verizon PA's request for additional numbering resources in the 570 Area Code.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2148587-ALJ Vote 5-0	C-2009-2148587	THEODORE MOSIER VS UGI UTILITIES INC - Formal Complaint filed on 12/18/09 alleging that there were improper charges billed to his account and requesting a “full audit” and a reasonable payment arrangement. UGI filed its answer 1/11/10 denying the allegations. A hearing was held 8/24/10. COMMISSION REVIEW: That the Commission adopt ALJ Jandebour’s Initial Decision dismissing the complaint.
2174147-ALJ Vote 5-0	F-2010-2174147	ALIA SLAYTON VS PECO ENERGY CO - Formal Complaint filed 4/10/10 alleging incorrect charges on her bill and disputing responsibility for a bill. PECO filed its answer on 5/18/10, denying the material allegations of the complaint. A hearing was held 1/21/11. COMMISSION REVIEW: That the Commission adopt ALJ Pell's Initial Decision denying the complaint.
2184380-ALJ Vote 5-0	C-2010-2184380	DOMINIC & BUNITO LONGO VS VERIZON PA - Formal Complaint filed on 6/28/10, concerning a right-of-way for facilities located in a locked gated area of a yard on Complainants property. Verizon filed its answer with new matter 8/9/10, asserting that it has a valid right-of-way to have its facilities on Complainants’ property. Verizon also filed preliminary objections seeking to dismiss the complaint for lack of subject matter jurisdiction. COMMISSION REVIEW: That the Commission adopt ALJ Corbett's Initial Decision dismissing the complaint for lack of jurisdiction.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2200860-ALJ Vote 5-0	C-2010-2200860	CATHERINE ALPOHORITIS VS PHILADELPHIA GAS WORKS - Formal complaint filed 9/22/10, alleging a municipal lien had been placed on her rental property for unpaid natural gas service bills. Complainant requested that the lien be removed. On 10/19/10, PGW filed an Answer and Preliminary Objections. On 11/1/10, Complainant filed an Answer and New Matter to PGW's Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Initial Decision dismissing the complaint.
2214415-ALJ Vote 5-0 Joint statement by Chairman Powelson and Commissioner Cawley	R-2010-2214415	UGI CENTRAL PENN GAS, INC - Base Rate filing of 1/14/11, designed to increase annual gas distribution revenues by approximately \$16.5 million, and proposed an energy efficiency and conservation plan. OCA, OSBA, Bob Cummings and Raymond Howlin filed formal complaints and OTS, SEF, CPGLUG and PIOGA intervened. On 6/23/11, the parties filed a settlement signed by all parties which addressed all issues and increases the revenues by \$8.9 million. COMMISSION REVIEW: That the Commission adopt ALJs Colwell and Vero's Recommended Decision approving the Joint Petition for Settlement without modification.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2228694-ALJ Vote 5-0 Statement by Commissioner Cawley	R-2011-2228694	PEOPLES NATURAL GAS CO - Proposed tariff supplement filed on 4/1/11, containing changes in the Purchased Gas Cost included in tariff rates resulting from Peoples' projected cost of gas purchased for the period from 2/1/11 through 9/30/12. The complaints of the OCA and the OSBA, as well as several individual formal complaints were consolidated with the Commission's investigation. On 6/29/11, Peoples, OTS, OCA, OSBA and Dominion Retail filed a Joint Settlement Agreement, together with their supporting statements. PIOGA did not oppose the settlement. The record closed 7/15/11. COMMISSION REVIEW: That the Commission adopt ALJ Long's Recommended Decision approving the Joint Settlement Agreement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

August 11, 2011

DIRECTOR OF OPERATIONS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2256450-DIR Vote 5-0		APPOINTMENT - Director, Bureau of Technical Utility Services RECOMMENDATION: That the Commission ratify the appointment of Paul Diskin to the position of Director, Bureau of Technical Utility Services, effective 8/11/11.
2256451-DIR Vote 5-0		APPOINTMENT - Director, Bureau of Investigation and Enforcement RECOMMENDATION: That the Commission ratify the appointment of Johnnie E. Simms to the position of Director, Bureau of Investigation and Enforcement, effective 8/11/11.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1189996-OSA Vote 5-0	I-00040105 C-2009-2098380	RLEC ACCESS CHARGE INVESTIGATION - Joint Petition for Limited Reconsideration and a Stay filed on 8/2/11, by PA Telephone Association and CenturyLink, seeking reconsideration on certain decisions in Commission's Opinion and Order in its RLEC Access Charge Investigation, Order entered on 7/18/11. On 8/2/11, AT&T Communications of PA, and two of its affiliates TCG Pittsburgh and TCG New Jersey, Inc., collectively filed a Petition for Reconsideration and Clarification in the same Rural Access Charge Investigation. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants reconsideration, pending review and consideration based on the merits of the Petitions.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195426-LAW Vote 5-0	P-2010-2195426	CITIZEN POWER AND PA STEEL & CEMENT MANUFACTURERS - 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. In a 7/15/11 Order, the Commission granted a motion to dismiss the Joint Petition. On 8/1/11, Joint Petitioners filed for reconsideration of the July 15 Order. RECOMMENDATION: That the Commission approve the proposed Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2213369-ALJ Vote 5-0	A-2010-2213369 A-2011-2221461	DUQUESNE LIGHT, EPSOM, DUET, and DUET3 - Joint Application filed on 12/2/10, for all of the authority and the necessary certificate(s) of public convenience to transfer the interests and shares in DQE Holdings LLC, currently owned by DUET, to Epsom, a subsidiary of GIC Infra and an indirect wholly-owned subsidiary of GIC Ventures, and to approve the resulting change in control of DLC and Network Services. 1/20/11, the Applicants filed an amendment to the Joint Application to add Network Services as an applicant. On 5/5/11, a Joint Petition for Settlement of All Issues was filed. COMMISSION REVIEW: That the Commission adopt ALJ Hoyer's Initial Decision approving the Settlement.