

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, AUGUST 25, 2011 (WG)

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, September 8, 2011 at 10:00 A.M.

Minutes of the Meeting of Thursday, July 28, 2011 (PW)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 8, 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 24, 2011, AT 9:00 A.M., IN THE 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 25, 2011

BUREAU OF TECHNICAL SERVICES & BUREAU OF INVESTIGATION & ENFORCEMENT (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2235752-TAS Vote 5-0.	C-2011-2235752	BUR OF TRANSPORTATION & SAFETY VS LARRY D BAER T/A BAER'S PAVING & SEALING - Complaint alleging failure to pay outstanding assessments. Dover, York County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained and the certificate be cancelled.
2238962-TAS Vote 5-0.	A-2011-2238962 A-2010-2176097	ACE TRANSIT MANAGEMENT LLC - Application for the approval of the transfer of the 51% membership interest of Alla Noudel to Semen Berkovich. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2242906-TAS Vote 5-0.	A-2011-2242906	BALDEV KAPOOR T/A SHIPPENSBURG LIMOUSINE SERVICE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service, which is to be a transfer of all rights authorized under the certificate issued to Baldev Kapoor and Felix Rivera, Co-Partners, t/a Shippensburg Limousine Service. Shippensburg, Cumberland County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2246728-TAS Vote 5-0.	R-2011-2246728	GREATER VALLEY EMERGENCY MEDICAL SVC - Increase in rates. Sayre, Bradford County RECOMMENDATION: That the Commission approve Paratransit Pa. PUC No. 3, to become effective 8/29/11.
2252520-TAS Vote 5-0.	R-2011-2252520	CHARLES E GROFF & SONS, INC - Increase in rates. Mt. Joy, Lancaster County RECOMMENDATION: That the Commission approve the 6th Revised Page 52 of Tariff Freight Pa. PUC No. 54, to become effective on 8/29/11.

BUREAU OF ADMINISTRATIVE SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2256692-BAS Vote 5-0.		PUBLIC UTILITY COMMISSION - General Assessment upon Public Utilities for Fiscal Year July 1, 2011 to June 30, 2012. RECOMMENDATION: That the Commission approve the Assessment computation in accordance with the Public Utility Code.
2256693-BAS Vote 5-0.		OFFICE OF CONSUMER ADVOCATE - General Assessment upon Public Utilities for Fiscal Year July 1, 2011 to June 30, 2012. RECOMMENDATION: That the Commission approve the Assessment computation in accordance with the Public Utility Code.
2256695-BAS Vote 5-0.		OFFICE OF SMALL BUSINESS ADVOCATE - General Assessment upon Public Utilities for Fiscal Year July 1, 2011 to June 30, 2012. RECOMMENDATION: That the Commission approve the Assessment computation in accordance with the Public Utility Code.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2123024-AUD Vote 5-0.	D-2009-2123024	PPL ELECTRIC UTILITIES CORP - Auditor's Report on the Universal Service Rider for the Twelve Months Ended 12/31/09 and 12/31/08. RECOMMENDATION: That the Commission release the Audit Report to the public.
2183001-AUD Motion by Commissioner Cawley. Vote 5-0.	D-2010-2183001	WEST PENN POWER CO - Management Efficiency Investigation Evaluating the Implementation of Selected Recommendations from the 2008 Focused Management and Operations Audit. RECOMMENDATION: That the Commission make the Report and Implementation Plan public.
2232754-AUD Vote 5-0.	D-2011-2232754 D-2011-2232755	MET-ED and PENELEC - Non-Utility Generation Related Stranded Cost Recovery Through The Competitive Transition Charge For the Year Ended 12/31/10. RECOMMENDATION: That the Commission release the Audit Reports to the public and approve the Tentative Order.
2250673-AUD Vote 5-0.	M-2011-2250673	DUQUESNE LIGHT COMPANY - Energy Efficiency and Conservation and Demand Response Surcharge. RECOMMENDATION: That the Commission approve proposed Supplement No. 49 to Tariff Electric Pa. P.U.C. No. 24, reflecting adjusted EECDR Surcharge rates to become effective 9/1/11.
2252538-AUD Vote 5-0.	M-2011-2252538	NRG ENERGY CENTER HARRISBURG LLC - Steam Cost Rate. RECOMMENDATION: That the Commission approve the annual SCR statement reflecting the proposed SCR rates to become effective 9/1/11.
2252543-AUD Vote 5-0.	M-2011-2252543	PECO ENERGY COMPANY-ELECTRIC - Generation Supply Adjustment. RECOMMENDATION: That the Commission approve Supplement No. 20 to Tariff Electric - Pa. PUC No. 4, reflecting the proposed GSA-4 rates to become effective 9/1/11.
2255064-AUD Vote 5-0.	M-2011-2255064	VALLEY ENERGY, INC - Gas Cost Rate. RECOMMENDATION: That the Commission approve the proposed rates to become effective with service rendered on and after 9/1/11.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2255150-AUD Vote 5-0.	M-2011-2255150	VEOLIA ENERGY PHILADELPHIA INC - Steam Cost Rate. RECOMMENDATION: That the Commission approve the annual SCR statement, to become effective 9/1/11, subject to the adjustment to the SCR each month to reflect the actual cost of steam from the prior month.
2255287-AUD Vote 5-0.	M-2011-2255287	PIKE COUNTY LIGHT & POWER CO-GAS - Gas Cost Rate. RECOMMENDATION: That the Commission approve the proposed rate to become effective with service rendered on and after 9/1/11.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1191166-OSA Vote 5-0.	A-00121502	<p>PENNDOT - Application filed on 2/24/05, seeking Commission approval to reconstruct the at-grade crossing surface and improve the signalization where Broad Street (SR 93) intersects with the track of Norfolk Southern Railway Company (Norfolk Southern) in the City of Hazleton, Luzerne County. On 9/8/10, PennDOT filed to amend its Application in order to expand its original Application. A Field Investigation and Conference was held. By Secretarial Letter issued on 4/13/11, the Commission, inter alia, approved the instant Amended Application and the allocation of costs. On 5/6/11, Norfolk Southern filed the instant Petition to Appeal Secretarial Letter. On 5/26/11, PennDOT filed its Answer to the Petition. On 5/31/11, Norfolk Southern filed an Amended Petition to Appeal Secretarial Letter.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants the Amended Petition to the extent consistent with the Opinion and Order.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2170223-OSA Statement by Vice Chairman Coleman. Vote 5-0.	C-2010-2170223	<p>LINDA BERKERY VS PECO ENERGY COMPANY - Formal Complaint filed on 4/12/10, alleging improper billing for gas service. On 5/13/10, PECO filed an Answer and a companion Motion to Join Commerce Energy as an indispensable party. ALJ Nguyen granted PECO's Motion on 11/8/10. Ms. Berkery filed a Petition for Interlocutory Review and Answer to a Material Question on 11/15/10. The ALJ issued an Order staying the proceeding pending Commission review. By Secretarial Letter issued 11/19/10, the Commission waived the 30-day time period for consideration of the Petition to allow for additional time to consider the matter. By Order entered 1/13/11, the Commission declined to answer the Material Question and returned the matter to the OALJ for further proceedings as deemed necessary. On 5/25/11, the Commission issued ALJ Nguyen's Initial Decision. Exceptions were filed by Ms. Berkery on 6/14/11. Replies to Exceptions were filed by PECO and Commerce Energy on 6/14/11 and 6/24/11, respectively.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.</p>
2202828-OSA Vote 5-0.	A-2010-2202828	<p>LIFESTYLE LIMOUSINE, INC - Petitioner's Application for limousine authority was dismissed on 3/18/11, based upon the failure to demonstrate financial ability as well as failure to demonstrate that it can operate legally, based on past non-compliance issues. On 6/16/11, a Petition for Rescission or Amendment of the Commission's 3/18/11 Order was filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Petition for Rescission or Amendment of Order to the extent that the 3/18/11 Order is rescinded; and, (2) refers the Application to the Bureau of Technical Utility Services.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2206523-OSA Vote 5-0.	F-2010-2206523	WILLIAM L JAMISON VS PECO ENERGY COMPANY - Formal Complaint filed on 10/25/10, alleging, inter alia, unwarranted additional charges should be removed from his bill. On 11/16/10, the Respondent filed an Answer to the Complaint in which it denied that there were incorrect charges on the bill. By notice dated 5/10/11, a hearing was scheduled to be held on 6/21/11. The Complainant did not appear at the scheduled time of the hearing. In her Initial Decision, issued on 6/29/11, ALJ Fordham recommended that the Complaint be dismissed in its entirety with prejudice, and that the matter be closed. On 7/13/11, the Complainant filed Exceptions to the Initial Decision. On 7/29/11, the Respondent filed Reply Exceptions. RECOMMENDATION: 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 of ALJ Fordham as the action of the Commission.
2218474-OSA Statement by Commissioner Gardner. Vote 5-0.	C-2011-2218474	MARVIN BLACK VS PHILADELPHIA GAS WORKS - On 12/29/10, the Complainant filed a Formal Complaint filed on 12/29/10, objecting to the placement of municipal liens on his properties. On 1/24/11, PGW filed an Answer and Preliminary Objections. On 3/7/11, ALJ Colwell issued an Initial Decision granting the Preliminary Objections and dismissing the Complaint for lack of jurisdiction. On 3/24/11, the Complainant filed Exceptions to the Initial Decision. On 4/14/11, PGW filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies Complainant's Exceptions and adopts the Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2242433-OSA Vote 5-0.	A-2011-2242433	R&R VAN SERVICES INC - Application for Motor Common Carrier of Persons in Paratransit Service filed on 5/10/11. The Commission issued a Tentative Order on 7/5/11 denying the Application and providing a 10-day comment period. On 7/8/11, the Applicant filed comments in the form of a letter. RECOMMENDATION: That the Commission adopt the proposed final Opinion and Order denying the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Fixed Utilities)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1093479-FUS Vote 5-0.	A-110107	ON-DEMAND ENERGY, INC - Application filed on 5/19/11, for approval to amend its electric generation supplier license to also serve residential and small commercial (25kW demand and under) customers as a broker/marketer throughout all the electric distribution service territories within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the electric generation supplier license application.
1154362-FUS Vote 5-0.	A-125087	T W PHILLIPS ENERGY CORP - Application filed on 5/31/11, for approval to abandon its natural gas supplier license. RECOMMENDATION: That the Commission approve the abandonment request.
1167128-FUS Vote 5-0.	A-110156	SUEZ ENERGY RESOURCES NA, INC - Application filed on 4/28/11, for approval to amend its electric generation supplier license to include residential and small commercial (25kW and under) customers in Mixed Meter Scenarios. RECOMMENDATION: That the Commission adopt the proposed Order which approves the amendment to the electric generation supplier license.
2138310-FUS Vote 5-0.	A-2009-2138310	JEROME H RHOADS D/B/A RHOADS ENERGY CORP - Application filed on 6/30/11, for approval to amend its natural gas supplier license to also serve all customer classes in the additional natural gas distribution company service territories of UGI Penn Natural, UGI Central Penn, and PECO Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the license amendment.
2203042-FUS Vote 5-0.	A-2010-2203042	VIRIDIAN ENERGY PA LLC - Application filed on 6/30/11, for approval to amend its natural gas supplier license to also serve all customer classes in the additional natural gas distribution company service territory of PECO Gas within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the license amendment.

BUREAU OF TECHNICAL UTILITY SERVICES (Fixed Utilities)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2228643-FUS Vote 5-0.	A-2011-2228643	INTERSTATE GAS SUPPLY D/B/A IGS ENERGY - Application filed on 6/13/11, for approval to amend its electric generation supplier license to serve as a supplier for residential, small commercial (25kw and demand and under), large commercial (over 25kw demand), industrial and governmental customers in the additional electric distribution company service territories of PPL and Duquesne Light within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application amendment.
2237599-FUS Vote 5-0.	A-2011-2237599	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 4/25/11, for approval of the reconstruction of the Hosensack-Wescosville 230 kV Transmission Line in Upper Macungie, Lower Macungie, Upper Milford and Lower Milford Townships, Lehigh County. Authority for this procedure is provided for at 57.72(d)(1)(i). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2239171-FUS (PP from 08/11/2011) Vote 5-0.	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.

BUREAU OF TECHNICAL UTILITY SERVICES (Fixed Utilities)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2239180-FUS (PP from 08/11/2011) Postponed until the Public Meeting of September 8, 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.
2240484-FUS Vote 5-0.	A-2011-2240484	METROPOLITAN EDISON CO - Letter of Notification filed on 5/6/11, with respect to the Middletown Junction-Round Top 115 kV HV transmission line rebuilding and reconducting project situated in Newberry 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. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2244371-FUS Vote 5-0.	A-2011-2244371	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 5/27/11, for approval to site and construct the Tafton #2 138/69 kV Tap Line in Blooming Grove Township, Pike 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.
2244725-FUS Vote 5-0.	A-2011-2244725	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 5/27/11, for approval to site and construct the Ledgesdale 138/69 kV Tap Line in Palmyra Township, Pike 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.

BUREAU OF TECHNICAL UTILITY SERVICES (Fixed Utilities)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2244737-FUS Vote 5-0.	M-2011-2244737 M-00930392	LEBANON COUNTY'S 911 - System Renewal Plan filed on 6/1/11, from 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 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.
2250344-FUS Vote 5-0.	A-2011-2250344 A-2011-2250345	AQUA PA, INC and SAND SPRINGS WATER CO - Joint Application filed on 6/28/11, for the approval of: (1) the acquisition by Aqua of the water assets of SSWC situated in a portion of Butler Township, Luzerne County; and (2) the right of Aqua to begin to offer, render, furnish and supply water service to the public in an additional portion of Butler Township, Luzerne County, inclusive of the right to serve the 113.461 acre parcel owned by Sand Springs Development Corporation (parent of SSWC); and (3) the abandonment by SSWC of public water service in a portion of Butler Township, Luzerne County. RECOMMENDATION: That the Commission adopt the proposed Order that approves the Joint Application.
2250633-FUS Vote 5-0.	A-2011-2250633	SPERIAN ENERGY CORP - Application filed on 7/7/11, for approval to offer, render, furnish or supply electricity or electric generation services as a generator, supplier, aggregator, and broker/marketer engaged in the business of selling retail electricity to residential and small commercial customers (25 kw and under demand) in the electric distribution company service territories of PECO Energy and PPL Electric, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

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. On 8/11/11, the Commission granted reconsideration so that it might retain jurisdiction while it considered the reconsideration on the merits. RECOMMENDATION: That the Commission approve the proposed Order.
2224488-LAW Vote 5-0.	P-2011-2224488	SANDY LAKE BOROUGH - Petition for Declaratory Order that its provision of water service to isolated customers in Sandy Lake Township does not constitute the provisions of Public Utility Service. The Borough of Sandy Lake serves 25 customers outside its corporate boundaries. RECOMMENDATION: That the Commission adopt the Tentative Order.
2249757-LAW Vote 5-0.	P-2011-2249757	COLUMBIA GAS OF PA, INC - Petition filed on 7/1/11, seeking to defer for accounting purposes only extraordinary losses it states it incurred on 3/23/11, when a tornado caused damage to one of its facilities in Westmoreland County. It does not know the full extent of the cost of the repairs at this time, but Columbia estimates it could be close to \$1 million. RECOMMENDATION: That the Commission approved the proposed Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2137873-ALJ (PP from 07/28/2011) Postponed until the Public Meeting of September 22, 2011.	F-2009-2137873	GRETCHEN BUCHANAN VS PIKE COUNTY LIGHT & POWER COMPANY - Formal Complaint filed on 10/15/09, alleging an inability to pay for electric and gas service. On 11/17/09, Pike County filed an Answer and New Matter addressing the material allegations of the complaint. A hearing was held on 7/17/10. COMMISSION REVIEW: That the Commission adopt ALJ Vero's Initial Decision sustaining the complaint.
2228696-ALJ Vote 5-0.	R-2011-2228696	COLUMBIA GAS OF PA, INC - Pre-filing data provided on 3/1/11, for a decrease in its rates of recovery of purchased gas costs. Subsequently, Columbia filed Supplement No. 169 to Tariff Gas – Pa. P.U.C. No. 9. On 6/24/11, a Joint Petition for Settlement of Rate Investigation was filed. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Recommended Decision approving the Settlement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

August 25, 2011

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2255330-AUD Vote 5-0.	M-2011-2255330	UGI UTILITIES, INC-ELECTRIC DIV - Default Generation Supply Service. RECOMMENDATION: That the Commission approve Supplement No. 87 to Tariff Electric - Pa. P.U.C, reflecting revised GSR rates to become effective 9/1/11.
2258733-AUD Statement by Chairman Powelson. Vote 5-0.	M-2011-2258733	PPL ELECTRIC UTILITIES CORP - Generation Supply Charge effective 9/1/11. RECOMMENDATION: That the Commission adopt the proposed Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2153371-OSA Dissenting Statement by Commissioner Cawley. Vote 4-1 with Commissioner Cawley Dissenting.	A-2010-2153371	LASER MARCELLUS GATHERING COMPANY LLC - Application filed on 1/19/10. On 9/10/10, several Parties filed a non-unanimous Joint Petition for Settlement. The Commission issued ALJ Colwell's Recommended Decision on 12/1/10. Several Parties filed Exceptions and Replies to Exceptions. The Commission issued an Order entered 6/14/11. MarkWest Liberty Midstream & Resources, LLC and the Pennsylvania Independent Oil and Gas Association filed Petitions for Reconsideration on 6/29/11. On 7/11/11, Laser, the OTS, the OCA, and Vera Scroggins filed Answers to the Petitions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2223613-OSA Vote 5-0.	A-2011-2223613 A-6413167	KUHN TRANSPORTATION LLC - Application filed on 1/12/11. Between 2/18/11 and 3/2/11, protests were filed by various Parties. The protests were subsequently withdrawn by agreement to restrictive amendments. On 5/31/11, the Applicant requested to further restrict its operating territory. On 8/1/11, the Commission entered an Order approving the Application as revised by the Applicant. On 8/4/11, Global Medical Transportation Services, Inc., filed a Petition for Rescission and Amendment of the Order. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition pending further review of, and consideration on, the merits.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2160942-LAW Vote 5-0.	L-2010-2160942	PROPOSED RULEMAKING - REVISIONS TO CODE OF CONDUCT - Pursuant to a Motion adopted at the Public Meeting of 2/25/10, the Commission announced it would be reviewing the Competitive Safeguards subchapter of its customer choice rules (52 Pa. Code §§ 54.121 – 123). Subsequently, the Commission issued an Advance Notice of Proposed Rulemaking Order identifying the scope of the proceeding and soliciting initial comments. Pursuant to a second Motion adopted at the Public Meeting of 2/4/11, the Commission identified additional safeguards for a properly functioning competitive market to be included in this rulemaking. RECOMMENDATION: That the Commission adopt the Proposed Rulemaking Order to consider the regulations set forth in Annex A.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2255163-LAW Vote 5-0.	P-2011-2255163	PPL ELECTRIC UTILITIES CORP - Petition filed on 8/2/11, asking for an extension of time in which to make its next solicitation of its customers regarding the release of customer information to EGSs. This solicitation is now scheduled for September 2011, but because of the pending reconsideration of the Eligible Customer List (ECL) Order, PPL states it may be required to conduct a second solicitation within months which would be costly for the Company and confusing for customers. PPL asks to delay the solicitation until after the Commission acts on the ECL. RECOMMENDATION: That the Commission approve the proposed Order.