

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, SEPTEMBER 8, 2011 (JFC)

10:00 A.M.

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

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

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

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

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

The Commissioners seated on the bench are:

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 22, 2011 at 10:00 A.M.

Minutes of the Meeting of Thursday, August 11, 2011 (JC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, SEPTEMBER 22, 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.

**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

September 8, 2011

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2234309-TAS	A-2011-2234309 A-00121381	READING CHECKER CAB, INC. - Application for the approval of the transfer of 40 shares of the issued stock held by Barbara Wyke, Susan Innes and Deborah Stricker to Curtis Stricker. Reading, Berks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2234401-TAS	A-2011-2234401 A-00101102	READING METRO TAXI CAB, INC. - Application for the approval of the transfer of 200 hundred shares of the issued stock held by Frederick Brubaker and Curtis Stricker to Deborah Stricker. Reading, Berks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application for transfer of stock.
2234425-TAS	A-2011-2234425 A-00109547	READING YELLOW CAB, INC. - Application for the approval of the transfer of 200 hundred shares of the issued stock held by Susan Innes and Barbara Wyke to Deborah Stricker. Reading, Berks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application for transfer of stock.
2240712-TAS	A-2011-2240712	PENNDOT - Application for approval to replace on existing alignment the superstructure of the bridge in Upper Macungie Township, Lehigh County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2255789-TAS	R-2011-2255789	WILLIAM H. KIES, JR. - Rate Increase. Easton, Northampton County RECOMMENDATION: That the Commission approve the 4th Revised page 63 to Tariff Freight Pa. PUC No. 54, to become effective 9/12/11.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2125103-OSA	F-2009-2125103	<p>MARY A KING VS CAVALIER TELEPHONE MID-ATLANTIC - Formal Complaint filed on 8/20/09, alleging, inter alia, that charges were incorrect on her bill. On 9/8/09, the Respondent filed an Answer and New Matter to the Complaint in which it denied that there were incorrect charges on the bill. A hearing was held telephonically on 2/16/11. In her Initial Decision, issued on 5/24/11, ALJ Barnes recommended that the Complaint be dismissed due to the Complainant's failure to carry her burden of proof, and that the matter be closed. On 7/19/11, the Complainant filed Exceptions to the Initial Decision. On 7/27/11, the Respondent filed Reply Exceptions.</p> <p>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 as the action of the Commission.</p>
2253650-OSA	P-2011-2253650	<p>CORE COMMUNICATIONS, INC - Complaint and Petition for Interim Emergency Relief filed on 7/22/11, seeking an Order directing Verizon PA and Verizon North (collectively, Verizon) to resume payment for intercarrier compensation invoices Core issued to Verizon under currently effective Interconnection Agreements. On 8/3/11, ALJ Colwell issued an Order Denying the Petition for Emergency Relief and Certifying the Denial to the Commission as a Material Question.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.</p>

BUREAU OF TECHNICAL UTILITY SERVICES (Fixed Utilities)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2220399-FUS	A-2011-2220399 A-2011-2220403	NET TALK.COM, INC - Application filed on 12/30/10, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA and Verizon North. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2228595-FUS	A-2011-2228595	PPL ELECTRIC UTILITIES CORP - Letter of Notification filed on 2/28/11, pursuant to 52 Pa. Code Chapter 57.72 with respect to the reconstruction of the PA portion of the Otter Creek-Conastone 230 kV Transmission Line in Chanceford, East Hopewell and Hopewell Townships in York County. Authority for this procedure is provided for at §57.72(d)(1)(i) and (v). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2231412-FUS	A-2011-2231412	EFFICIENT ENERGY SOLUTIONS, LLC - Application filed on 3/18/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for large commercial, industrial and governmental customers in the electric distribution company service territories of Duquense Light, Penn Power, West Penn Power, PPL Electric, Met-Ed, and Penelec within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Fixed Utilities)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2239180-FUS (PP from 08/25/2011)	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 application.
2240993-FUS	A-2011-2240993	OPTION ONE ENERGY, LLC - Application filed on 5/6/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial (25 kW and under demand), large commercial (over 25 kW demand), industrial and governmental customers in the electric distribution company service territories of Citizens' Electric, Met-Ed, PECO Energy, Pike County Light & Power, PPL Electric, UGI Utilities, and Wellsboro Electric within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2242416-FUS	A-2011-2242416	PENNSYLVANIA ELECTRIC CO. - Letter of Notification filed on 5/16/11, pursuant to 52 Pa. Code Chapter 57.72 with respect to the Niles Valley-Potter 115 kV HV transmission line Tap to Tri County REC-Tennessee Gas 313 delivery point project situated in Hebron Township, Potter 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>
2247731-FUS	M-2011-2247731 M-00930428	BLAIR COUNTY'S 911 - System Renewal Plan filed on 6/16/11, from PEMA requesting a formal review of the costs associated with the contribution rate of \$1.25 per access line per month and to 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.
2248091-FUS	M-2011-2248091 M-00920327	INDIANA COUNTY'S 911 - System Renewal Plan filed on 6/15/11, from PEMA requesting a formal review of the costs associated with the contribution rate of \$1.50 per access line per month and to 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 \$1.50 per access line per month.
2252782-FUS	A-2011-2252782	ROMAN LD, INC - Application filed on 7/8/11, for approval to offer, render, furnish or supply telecommunication services as a Reseller Interexchange Carrier throughout the PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1094575-LAW	A-211425	<p>HOPKINS & REEDY WATER CO - This is a small private water utility located in Summit Station, Schuylkill County, that serves exclusively residents living in a trailer park from two untreated wells. The Commission entered a Tentative Order dated 6/21/11, canceling the operating authority issued to the company subject to a 30-day comment period. Comments were received from OCA. RECOMMENDATION: That the Commission adopt the proposed Final Order decertifying Hopkins & Reedy Water Company as a public utility.</p>
2120504-LAW	P-2009-2120504	<p>ANTHONY CIOTTI, MICHAEL CONLEY & DANIELLE DANZUSO - Request for a Declaratory Order to determine whether a proposed driving service falls within the Commission's jurisdiction. RECOMMENDATION: That the Commission adopt the proposed Order.</p>
2257099-LAW	P-2011-2257099 P-00001854F1000	<p>VERIZON PENNSYLVANIA INC - Petitions for bona fide retail request deployment extensions of eight-weeks for the twenty-seven identified CSAs in its petition pursuant to 66 Pa. C.S. § 3014(c)(5). Verizon asserts the delay was attributable to a work stoppage as a result of striking employees that has affected its ability to complete construction. RECOMMENDATION: That the Commission adopt the proposed Order granting the petition as modified.</p>

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2170194-ALJ	C-2010-2170194	<p>EDWARD J SOPKO VS PECO - Formal Complaint filed on 4/9/10, alleging that since 11/09 he has had numerous power outages. Complainant requested PECO trim trees in his area and that he be provided a generator to offset future outages. On 5/12/10, PECO filed its answer and a hearing was held on 1/31/11. COMMISSION REVIEW: That the Commission adopt ALJ Nguyen's Initial Decision dismissing the complaint.</p>
2213955-ALJ	C-2010-2213955	<p>DENNIS VICARIO VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 12/6/10, alleging that PGW placed a lien on his property for unpaid natural gas service bills. On 12/22/10, PGW filed its Answer and Preliminary Objections. On 1/3/11, complainant filed an Answer to the Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Weisman del's Initial Decision dismissing the complaint.</p>
2235035-ALJ	C-2011-2235035 A-2008-2062639 A-6410464	<p>CHERYL WEIDENHAMMER & DAVID DOBSON VS MADALYN MATY CIABATTONI T/A THE READING EXPRESS AIRPORT SHUTTLE - Formal Complaint filed on 3/30/11, alleging a service dispute and requesting reimbursement for their rental car and gas. No answer filed by Reading. A hearing was held on 6/13/11. COMMISSION REVIEW: That the Commission adopt ALJ Nguyen's Initial Decision granting the complaint.</p>
2239839-ALJ	M-2011-2239839	<p>PPL ELECTRIC UTILITIES CORP - Act 129 Compliance Rider 1307(e) Reconciliation Statement filed on 4/29/11. A hearing was held on 6/13/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.</p>
2240268-ALJ	M-2011-2240268	<p>PPL ELECTRIC UTILITIES CORP - Generation Supply Charge-2 1307(e) Reconciliation Statement filed on 4/29/11. A hearing was held on 6/13/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.</p>

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2240269-ALJ	M-2011-2240269	PPL ELECTRIC UTILITIES CORP - Transmission Service Charge 1307(e) Reconciliation Statement filed on 4/29/11. A hearing was held on 6/13/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.
2240273-ALJ	M-2011-2240273	PPL ELECTRIC UTILITIES CORP - Generation Supply Charge-1 1307(e) Reconciliation Statement filed on 4/29/11. A hearing was held on 6/13/11. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision accepting the Statement, insofar as it is undisputed.