

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, SEPTEMBER 22, 2011 (PW)

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 Friday, October 14, 2011 at 10:00 A.M.

Minutes of the Meeting of Thursday, August 25, 2011 (WG)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR FRIDAY, OCTOBER 14, 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, SEPTEMBER 21, 2011, AT 2:00 P.M., IN THE CHAIRMAN'S OFFICE, 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

September 22, 2011

BUREAUS OF TECHNICAL UTILITY SERVICES & INVESTIGATION & ENFORCEMENT (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2103524-TAS Vote 5-0.	A-2009-2103524 A-00115194	PENNDOT - Application for approval of the construction of the crossing over tracks of Norfolk Southern Railway Company in Montgomery County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2149771-TAS Vote 5-0.	A-2009-2149771	J & G PARATRANSIT CORPORATION - 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 as amended.
2181602-TAS Vote 5-0.	C-2010-2181602	BUREAU OF INVESTIGATION & ENFORCEMENT VS PREMIUM TAXI, LLC - Complaint alleging respondent operated its vehicles in violation of the PUC code and Commission regulations. Allentown, Lehigh County RECOMMENDATION: That the Commission adopt the proposed Order directing that the complaint be sustained, that the respondent be fined \$2,200 and ordered to cease and desist from further violations.
2182357-TAS Vote 5-0.	A-2010-2182357 A-00106929 A-00060314	PENNDOT - Application for approval to replace the existing superstructure of the bridge over East Penn Railroad, LLC in Ephrata Township, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2229036-TAS Vote 5-0.	R-2011-2229036 A-6411239	PEAKS AND VALLEYS TRANSPORT, LLC - Increase in rates. Indiana, Indiana County RECOMMENDATION: That the Commissioner dismiss Tariff Airport Transfer Pa. PUC No. 2, for failure to file adequate documentation.

BUREAUS OF TECHNICAL UTILITY SERVICES & INVESTIGATION & ENFORCEMENT (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2229609-TAS Vote 5-0.	A-2011-2229609	WINWRIGHT, LLC - Application for the right to transport as a contract carrier by motor vehicle, persons for Access2Care, LLC. Philadelphia, Philadelphia County RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2246075-TAS Vote 5-0.	A-2011-2246075	RIDES AND US INCORPORATED - 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.
2248102-TAS Vote 5-0.	A-2011-2248102 A-00114984	LOIS L FEISTER T/A FEISTER'S TAXI SERVICE - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Paradise, Lancaster County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2248233-TAS Vote 5-0.	A-2011-2248233 A-00100861F0003	WILLIAMS BUS LINES CO - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. Wilkes-Barre, Luzerne County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF AUDITS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2218445-AUD

D-2011-2218445

Vote 5-0.

COLUMBIA WATER COMPANY

- Focused Management and Operations Audit.

RECOMMENDATION:

That the Commission make the Audit Report and the Implementation Plan public.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2094125-OSA (PP from 09/08/2011)	C-2009-2094125 A-00118810 C-2010-2206731 C-2010-2166525 C-2011-2205571	BUR OF TRANSPORTATION & SAFETY VS FELIX M SZCZEPANSKI T/A J B TAXI - Complaint instituted on 3/11/09, alleging numerous violations of the Public Utility Code and the Commission's Regulations. BTS requested that a combined civil penalty of \$1,850 be imposed. The Respondent filed an Answer and New Matter. On 6/22/09, the Commission's Law Bureau Prosecutory Staff (LBPS) filed an Answer to New Matter. On 6/10/11, the Respondent and LBPS filed a Settlement Agreement. The Settlement Agreement also included and satisfied three subsequent outstanding Complaints and civil penalties. As part of the Settlement, the combined total civil penalty of the four Complaints, in the amount of \$2,450, would be reduced to \$1,600. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.

**Statement by Commissioner Witmer.
Vote 5-0.**

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2153353-OSA Joint Motion by Vice Chairman Coleman and Commissioner Witmer. Vote 5-0.	C-2010-2153353	<p>CORINNA LYNN SCHEFFER VS COLUMBIA GAS - Formal Complaint filed 1/19/10, alleging that her bill incorrectly listed charges for gas supply due to Novec Energy Solutions; that Novec tricked her into choosing it as her NGS; and, that her requests to have her NGS changed back to Columbia Gas were ignored for a lengthy period. On 11/4/10, the Commission issued ALJ Johnson's Initial Decision finding Columbia Gas in violation of Section 1501 of the Code, the Commission's natural gas switching Regulations, and the Commission's dispute resolution regulations. ALJ Johnson ordered Columbia Gas to adjust the Complainant's supply charges and fined Columbia Gas in the amount of \$5,250. Columbia Gas filed Exceptions to the Decision, and Dominion Retail and Interstate Gas Supply filed a Petition to Intervene and Exceptions contemporaneously.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Suppliers' Petition to Intervene, grants in part and denies in part the Exceptions of Columbia Gas and the Suppliers, and modifies the Initial Decision.</p>
2201568-OSA Vote 5-0.	C-2010-2201568	<p>BARBARA GALLAGHER VS PECO ENERGY CO - Formal Complaint filed on 9/27/10, objecting to an electric service line and pole located on her property. On 10/19/10, PECO filed an Answer. After an evidentiary hearing, ALJ Nguyen issued an Initial Decision on 6/29/11 that sustained the Complaint in part. On 7/19/11 both the Complainant and PECO filed Exceptions to the Initial Decision. On 7/28/11 PECO filed Reply Exceptions.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order granting in part and denying in part the Exceptions filed by the Complainant, granting in part and denying in part the Exceptions filed by PECO, and dismissing the Complaint.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2203671-OSA (PP from 09/08/2011) Motion by Chairman Powelson. Statement by Commissioner Cawley. Vote 5-0.	C-2010-2203671	BUR OF TRANSPORTATION & SAFETY VS LUXURY LIMOUSINE SERVICE INC - Complaint instituted, alleging that the Respondent had failed to provide a current vehicle list to the Commission. BTS requested that a civil penalty of \$500 be imposed for the violation. The Complaint was served on 11/16/10. The Respondent filed an Answer to the Complaint on 12/13/10. On 6/24/11, the Respondent and the Commission's Law Bureau 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 \$150. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement consistent with the discussion therein.
2237981-OSA (PP from 09/08/2011) Vote 5-0.	C-2011-2237981 A-00119021	BUR OF TRANSPORTATION AND SAFETY VS STEPHAN & SON TRUCKING INC - Complaint instituted on 5/4/11, alleging that it failed to maintain evidence of liability insurance on file with the Commission. Stephan & Son was notified that, if an answer was not filed within 20 days of receipt of the Complaint, BTS would request that the Commission issue an order imposing a penalty. On 5/11/11, BB&T Insurance Services, Inc., on behalf of its client Stephan & Son, filed evidence of insurance effective 4/4/11. By Secretarial Letter of 7/11/11, the Commission noted that no timely response to the Complaint was received. Accordingly, Stephan & Son was directed to pay a civil penalty of \$500 within 20 days. On 8/1/11, BB&T, purportedly on behalf of Stephan & Son, filed the instant Appeal from Staff Action, with reference to the Secretarial Letter of 7/11/11. No response to the Appeal has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the appeal.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2254054-OSA Vote 5-0.	A-2011-2254054	321 COMMUNICATIONS INC and VERIZON PA - Joint Petition filed on 7/22/11, requesting approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
2254062-OSA Vote 5-0.	A-2011-2254062	321 COMMUNICATIONS INC and VERIZON NORTH - Joint Petition filed on 7/22/11, requesting approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2121686-FUS Vote 5-0.	A-2009-2121686	U.S. GAS & ELECTRIC INC d/b/a PENNSYLVANIA GAS & ELECTRIC - Application filed on 5/24/11, for approval to amend its existing natural gas supplier license to include authorization to operate in the additional natural gas distribution company service territories of Valley Energy, Peoples TWP, Philadelphia Gas Works, PECO, Equitable Gas, and Peoples Natural Gas, within PA. RECOMMENDATION: That the Commission adopt the proposed Order approving the application amendment.
2248531-FUS Vote 5-0.	R-2011-2248531	WONDERVIEW SANITARY FACILITIES - Supplement No. 5 to Tariff Sewer – Pa. P.U.C. No. 3, filed on 8/12/11, proposing an annual increase in rates of \$23,065 (29.6%) to become effective 10/12/11, based on a future test year ending 12/31/11. By letter dated 6/28/11, the Commission granted the Respondent an extension of time for filing the general rate increase request. A formal complaint has been filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.
2249245-FUS Vote 5-0.	A-2011-2249245	AMERICAN POWER PARTNERS LLC - Application filed on 6/22/11, for approval to become a licensed electric generation supplier in the service territories of Duquesne, Met-Ed, Penelec, Penn Power, PECO, West Penn Power, and PPL, within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2250612-FUS Vote 5-0.	M-2011-2250612 M-00920354	WASHINGTON COUNTY'S 911 - System Renewal Plan filed on 6/30/11, from PEMA requesting a formal review of the costs associated with the contribution rate of \$1.25 per access line per month, and a recommendation to PEMA within 90 days. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.25 per access line per month.
2251191-FUS Vote 5-0.	M-2011-2251191 M-00920374	DELAWARE COUNTY'S 911 - System Renewal Plan filed on 7/11/11, from PEMA requesting a formal review of the costs associated with the contribution rate of \$1.00 per access line per month and a recommendation to PEMA within 90 days. RECOMMENDATION: That the Commission adopt the proposed Order which approves a contribution rate of \$1.00 per access line per month.
2251449-FUS Vote 5-0.	A-2011-2251449	DELTEL INC - Application filed on 6/27/11, for approval of the Company's Discontinuance and Abandonment as a Reseller of Interexchange Toll Services to the public within PA. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2252907-FUS Statement by Commissioner Witmer. Vote 5-0.	R-2011-2252907	CONEWAGO INDUSTRIAL PARK WATER & SEWER - Supplement No. 9 to Tariff Sewer - Pa. P.U.C. No. 1, filed on 7/19/11, for approval to propose decreases to existing surcharge costs and adding a Fats, Oils and Greases surcharge to become effective 9/17/11, and voluntarily postponed by Supplement No. 10 until 9/26/11. RECOMMENDATION: That the Commission adopt the proposed Order that approves this tariff supplement.

BUREAU OF TECHNICAL UTILITY SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2255323-FUS

A-2011-2255323

Vote 5-0.

ULTIMATE ENERGY ADVISORS LLC
- Application filed on 7/27/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of analyzing electricity loads and negotiating for the purchase of electricity for residential, small commercial, large commercial, industrial, and governmental customers in the electric distribution company service territories of Duquesne, Met-Ed, Penelec, PECO, West Penn Power, UGI Utilities-Electric Division, PPL, and Penn Power within PA.

RECOMMENDATION:

That the Commission adopt the proposed Order which approves the application.

2258688-FUS

**A-2011-2258688
U-2011-2258694**

Vote 5-0.

YORK WATER CO

- Application filed on 8/17/11, for expedited approval of a municipal contract and for a certificate of public convenience authorizing it to abandon water service to certain portions of its certificated service territory in Oxford Township, Adams County. Proofs of service and publication were filed.

RECOMMENDATION:

That the Commission adopt the proposed Order which approves this application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1163714-LAW Vote 5-0.	M-00011530	RURAL TELECOMMUNICATIONS CARRIERS - State Certification of Rural Carriers for Federal Universal Service High Cost Support for 1/1/12 through 12/31/12. RECOMMENDATION: That the Commission adopt the Secretarial Letters.
1190373-LAW Vote 5-0.	M-00051865	TECHNCIAL REFERENCE MANUAL 2012 UPDATE - The Commission adopted the 2009 update to the TRM on 5/28/09. In that Order, the Commission directed the Bureau of CEEP to annually revise the TRM. In August 2009, the Commission contracted with GDS Associates, Inc., to be the Act 129 Statewide Evaluator, which is to assist in reviewing and providing suggested changes to the TRM. The SWE, in conjunction with a Technical Working Group, has reviewed the 2011 version of the TRM and proposes several changes and additions for the 2012 TRM update. The Commission seeks comments on the proposed 2012 TRM update. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
1192634-LAW Vote 5-0.	A-311365	CLOSECALL AMERICA, INC - Failure to file its 2010 TRS Annual Access Line Summary Report. Commission staff has been unable to reach Closecall America by mail, phone calls, or e-mails. Information provided during staff's investigation confirms that the company is out of business. RECOMMENDATION: That the Commission adopt the proposed Tentative Order that revokes the company's certificate of public convenience after a 30-day comment period following publication in the PA Bulletin, absent adverse comment.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2095604-LAW Motion by Vice Chairman Coleman. Statement by Commissioner Witmer. Vote 5-0.	L-2009-2095604	RULEMAKING - DEFAULT SERVICE AND RETAIL ELECTRIC MARKETS - Final Rulemaking Order issued on 5/10/07, at Docket No. L-00040169, addressing default service. The default service regulations became effective on 9/15/07. The passage of Act 129 required that certain modifications be made to the Commission's existing regulations governing default service. By Order entered 1/19/10, the Commission initiated a rulemaking proceeding to consider amendments to our default service regulations as required by the enactment of Act 129 such that our regulations shall be consistent with the Act. The Final Rulemaking Order implements changes to the default service regulations required by Act 129. RECOMMENDATION: That the Commission adopt the Final Rulemaking Order.
2104274-LAW Joint Statement by Chairman Powelson and Vice Chairman Coleman. Vote 5-0.	L-2009-2104274	RULEMAKING - SERVICE OUTAGE RESPONSE AND RESTORATION PRACTICES - The purpose of this rulemaking is to establish a uniform approach for reporting standards among gas, water/wastewater and electric industries in the event of utility service outages. RECOMMENDATION: That the Commission adopt the proposed Order.
2140580-LAW Statement by Commissioner Witmer. Vote 5-0.	M-2009-2140580	PROPOSED POLICY STATEMENT-DEFAULT SERVICE AND RETAIL ELECTRIC MARKETS - The passage of Act 129 resulted in the need for certain modifications to the Commission's existing Policy Statement governing default service. A Proposed Policy Statement was issued for comment. Following receipt of comments, the Law Bureau has drafted the Final Policy Statement Regarding Default Service and Retail Electric Markets. RECOMMENDATION: That the Commission adopt the Final Policy Statement.

LAW BUREAU

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2250661-LAW

P-2011-2250661

Vote 5-0.

TRACFONE WIRELESS INC
- Petition for Protective Order filed on 6/30/11, regarding its annual 2011 Lifeline 135 Service Tracking Report (Lifeline Report). TracFone asserts that its Lifeline Report contains confidential, competitively sensitive and proprietary information. TracFone submitted a confidential “proprietary” version and a redacted “public” version of its Lifeline Report for the year 2010. On 7/28/11, OCA and the PULP both filed answers objecting to TracFone’s petition for protective order.
RECOMMENDATION:
That the Commission denies the Petition for Protective Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2173715-ALJ Vote 5-0.	F-2010-2173715	LINDA RUMBAUGH VS DUQUESNE LIGHT COMPANY - Formal Complaint filed on 4/28/10, alleging improper overcharge for electric service provided at her prior residence. On 5/21/10, DLC filed its answer. A hearing was held on 8/10/10. COMMISSION REVIEW: That the Commission adopt ALJ Dunderdale's Initial Decision dismissing the complaint.
2186425-ALJ Vote 5-0.	F-2010-2186425	ANN FALCONE NOLAN VS PECO ENERGY CO - Formal Complaint filed on 7/7/10, alleging that she had paid all the bills she was required to pay, that the balance was incorrect, and that PECO shut off her service without justification. On 7/28/10, PECO filed its answer. A hearing was held on 10/15/10. COMMISSION REVIEW: That the Commission adopt ALJ Nguyen's Initial Decision dismissing the complaint.
2187305-ALJ Postponed until the Public Meeting of October 14, 2011.	F-2010-2187305	RAINEY RICHMOND VS PECO ENERGY CO - Formal Complaint filed on 7/12/10, alleging incorrect charges on his electric bill. On 7/21/10, PECO filed Preliminary Objections. The Complainant did not file an Answer to the Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Initial Decision dismissing the complaint.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2193709-ALJ Vote 5-0.	C-2010-2193709	NEW BETHLEHEM TEMPLE ATTN: ROY SMALLS VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 8/13/10, alleging a billing dispute. On 9/7/10, PGW filed its Answer. Complainant failed to comply, due to limited funds, with ALJ's 3/1/10 Prehearing Order requiring a licensed attorney for the hearing. COMMISSION REVIEW: That the Commission adopt ALJ Chestnut's Initial Decision dismissing the complaint.
2201413-ALJ Vote 5-0.	F-2010-2201413	LYDINE DUTTON VS CORDIA COMMUNICATIONS CORP - Formal Complaint filed on 9/27/10, alleging complainant should not be responsible for paying for internet services and related charges. On 10/20/10, Cordia filed its Answer. On 11/22/10, Cordia filed a Preliminary Objection with respect to DSL charges. The Complainant did not file an Answer to the Preliminary Objection. COMMISSION REVIEW: That the Commission adopt ALJ Buckley's Initial Decision dismissing the complaint.
2202957-ALJ (PP from 09/08/2011) Vote 5-0.	C-2010-2202957	BERNA DIKEANYIAM VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 10/2/10, alleging that PGW wrongly placed a lien on her property without notification because of a bill accrued by a tenant at another property. On 10/28/10, PGW filed its Answer and Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Initial Decision dismissing the complaint.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2209072-ALJ Vote 5-0.	C-2010-2209072	JAMES SMITH JR VS PECO ENERGY CO - Formal Complaint filed on 11/5/10, alleging that his electric box was defective. On 11/30/10, PECO filed its Answer and New Matter, as well as Preliminary Objections. The Answer denies wrongdoing, and the New Matter alleges Complainant has already brought a Formal Complaint with the same subject matter and received an opportunity to litigate it. The Preliminary Objections seek dismissal of the Complaint, and bar the Complainant from prosecuting the present Complaint. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Initial Decision granting the Preliminary Objections and dismissing the complaint with prejudice.
2213931-ALJ Vote 5-0.	C-2010-2213931	DANIEL SHINEFIELD VS PECO ENERGY COMPANY - Formal Complaint filed on 12/6/10, alleging that he is a Customer Assistance Program (CAP) customer, that he missed a payment, and that PECO cancelled the agreement. On 12/29/10, PECO filed its Answer and New Matter as well as Preliminary Objections. The Complainant did not file an Answer to the Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Initial Decision granting the Preliminary Objections and dismissing the complaint.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2217354-ALJ Vote 5-0.	C-2010-2217354	STEPHEN HYMOWITZ VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 12/20/10, with the aid of legal counsel alleging that his tenant had PGW install a new commercial gas service line in 2001 without the consent or knowledge of the owner of the property. PGW filed a lien against the property for non-payment by the tenant in May of 2010. On 1/18/11, PGW filed its Answer and Preliminary Objections. On 1/28/11, Counsel for Complainant forwarded a copy of its Answer to the Preliminary Objections and New Matter. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Initial Decision granting the Preliminary Objections and dismissing the complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

September 22, 2011

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2257694-AUD Vote 5-0.	M-2011-2257694	PECO ENERGY COMPANY-ELECTRIC - Generation Supply Adjustment. RECOMMENDATION: That the Commission approve Supplement No. 21 to Tariff Electric - Pa. P.U.C. No. 4, reflecting the proposed GSA rates to become effective 10/1/11.
2260439-AUD Vote 5-0.	M-2011-2260439	CITIZENS ELEC CO. OF LEWISBURG - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 64 to Tariff Electric - Pa. P.U.C. No. 14, submitted on 9/7/11, reflecting a GSSR of \$0.070730 per KWH, effective 10/1/11.
2260441-AUD Vote 5-0.	M-2011-2260441	WELLSBORO ELECTRIC CO - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 62 to Tariff Electric - Pa. P.U.C. No. 8, reflecting a GSSR of \$0.070320 per KWH, effective 10/1/11.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2261261-FUS Vote 5-0.	S-2011-2261261 S-2011-2261334 A-2011-2235657 A-2011-2235659	NTELOS OF WEST VIRGINIA INC - Securities certificate filed on 8/31/11, with respect to the issuance of debt in a principal amount not to exceed \$370 million. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the securities certificate with respect to the issuance of debt in a principal amount not to exceed \$370 million.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2263370-FUS Vote 5-0.	S-2011-2263370	PPL ELECTRIC UTILITIES - Securities Certificate filed on 9/19/11, for approval of an amendment to extend the maturity date of a credit facility approved by Commission Order issued 8/18/10 at Docket No. S-2010-2183912. RECOMMENDATION: That the Commission adopt the proposed Order that approves the registration of the securities certificate.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2262525-LAW Vote 5-0.	M-2011-2262525	VERIZON PENNSYLVANIA INC - PA Safety Valve Numbering Resource Request form submitted on 9/12/11, requesting expedited review of a denial by the Pooling Administrator of its requests for additional numbering resources in the 215 Number Plan Area (NPA). Specifically, Verizon PA requests 1,000 telephone numbers from the 215 NPA be assigned to the Philadelphia Suburban Zone 33 Rate Center. Verizon PA'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. RECOMMENDATION: That the Commission grant Verizon PA's request for additional numbering resources in the 215 Area Code.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2239524-ALJ Vote 5-0.	A-2011-2239524	SERGEANT GAS COMPANY - Application filed on 5/4/11, seeking Commission approval of the transfer of its Distribution System Assets to Utility Pipeline Ltd, and immediately thereafter to Knox Energy Cooperative Assn., Inc., a Bona Fide Cooperative, and for the abandonment of all PA regulated service by Sergeant Gas Co., with the immediate commencement of service by Knox Energy Cooperative Assn., Inc. Protest filed by OCA. On 8/10/11, a Joint Petition for Approval of Application and Adoption of Settlement Agreement was filed. COMMISSION REVIEW: That the Commission adopt ALJ Long's Initial Decision approving the Settlement.