

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 1, 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 Thursday, December 15, 2011 at 10:00 A.M.

Minutes of the Meeting of Friday, October 28, 2011 (JC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, DECEMBER 15, 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 TUESDAY, NOVEMBER 29, 2011, AT 2:00 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

December 1, 2011

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2178238-TAS Vote 5-0.	A-2010-2178238 M-00870143 A-00100490	CITY OF PITTSBURGH - Application for approval of the alteration of the crossing in the City of Pittsburgh in Allegheny County. RECOMMENDATION: That the Commission adopt the Order approving the application.
2191735-TAS Vote 5-0.	A-2010-2191735	MERCYLIFE AMBULANCE INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2192196-TAS Vote 5-0.	A-2010-2192196	EXACT CARE LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application, as amended.
2202828-TAS Vote 5-0.	A-2010-2202828	LIFESTYLE LIMOUSINE, INC T/A LIFESTYLE LIMOUSINE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2221920-TAS Vote 5-0.	A-2011-2221920	FIRST AID AND SAFETY PATROL OF LEBANON T/A FIRST AID AND SAFETY PATROL - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application, as amended.

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2231824-TAS Vote 5-0.	A-2011-2231824	ADAM C OSWALT T/A OSWALT TRANSPORTATION SERVICE - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application, as amended.
2233398-TAS Vote 5-0.	A-2011-2233398	SUPERIOR LIMOUSINE & LUXURY COACHES INC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2240960-TAS Vote 5-0.	A-2011-2240960	MIDATLANTIC TRANSPORTATION SERVICES INC T/A MIDATLANTIC EXPRESS CAB - 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 approving the application.
2247080-TAS Vote 5-0.	R-2011-2247080 A-00113298	MCCARTHY FLOWERED CABS INC - Rate Increase. RECOMMENDATION: That the Commission approve Tariff Call or Demand PA PUC No. 7, to be effective on 12/5/11.
2250337-TAS Vote 5-0.	A-2011-2250337	SOUTH SHORE LIMOUSINE LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order dismissing the application.
2250338-TAS Vote 5-0.	R-2011-2250338	TRISTATE HOUSEHOLD GOODS TARIFF CONFERENCE INC - Rate Increase. RECOMMENDATION: That the Commission approve the revised pages to Tariff Freight PA PUC No. 50 (50-T), to become effective 12/5/11.

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2254403-TAS Vote 5-0.	A-2011-2254403	COUNTY LIMO LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the transfer application and that a certificate be issued to the applicant. The certificate issued to the transferor is to be canceled by Supplemental Order.
2256609-TAS Vote 5-0.	R-2011-2256609	TRI COUNTY TRANSIT SERVICE, INC - Rate Increase. RECOMMENDATION: That the Commission approve Tariff Paratransit Pa. PUC No. 5, to become effective 12/5/11.
2256878-TAS Vote 5-0.	A-2011-2256878	JDOG, LLC - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.
2258008-TAS Vote 5-0.	A-2011-2258008	KUHN TRANSPORTATION LLC - Application for the right to transport as a common carrier by motor vehicle, persons in airport transfer service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2260213-TAS Vote 5-0.	A-2011-2260213	HEAR YE HEERY LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2260260-TAS Vote 5-0.	A-2011-2260260	JOHN BARNEY III & DONNA E BARNEY T/A JOHN BARNEY CONSTRUCTION - Application for the right to begin to transport, as a motor carrier, property, excluding household goods in use. RECOMMENDATION: That the Commission adopt the proposed Order denying and dismissing the application.

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2260727-TAS Vote 5-0.	A-2011-2260727	TAYLOR MADE TRANSPORTATION LLC - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed Order approving the application and cancelling the Certificate of Public Convenience at A-6412167.
2261482-TAS Vote 5-0.	R-2011-2261482	VETERAN'S CAB COMPANY, INC - Rate Increase. RECOMMENDATION: That the Commission deny the Paratransit PA PUC No. 7.
2264300-TAS Vote 5-0.	R-2011-2264300	DONALD FIX T/D/B/A DON FARR MOVING COMPANY - Rate Increase. RECOMMENDATION: That the Commission approve Supplement No. 4 (distances of 40 miles and less), which cancels Supplement No. 2 since Supplement No. 3 was withdrawn, to PA P.U.C. No. 3, to become effective 12/5/11.
2272835-TAS Vote 5-0.	A-2011-2272835	FLINT ENERGY SERVICES INC - Application for the emergency temporary authority granting the right to begin to transport, as a common carrier, by motor vehicle, property. RECOMMENDATION: That the Commission ratify the Emergency Temporary Authority granted to Flint Energy Services Inc.

DIRECTOR OF ADMINISTRATION

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2272902-BAS

Postponed until the Public Meeting
of December 15, 2011

PA UNIVERSAL SERVICE FUND
ADMINISTRATOR

- The Commission is seeking to secure an Administrator for the PaUSF for the next contracting period anticipated to be 1/1/12 through 12/31/15, with one optional year (at the Commission's option) through 12/31/16.

RECOMMENDATION:

That the Commission approve the vendor selected by the Evaluation Committee.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2218792-AUD Vote 5-0.	D-2011-2218792	PECO ENERGY COMPANY - Auditor's Report on the Competitive Transition Charge and the Intangible Transition Charge for the Final Eleven Months Ended 12/31/10 and the Twelve Months Ended 1/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
2240641-AUD Vote 5-0.	D-2011-2240641	NATIONAL FUEL GAS DISTRIBUTION CORP - A Report Of LIRA Rider F Reconciliation For The Twelve Months Ended 9/30/09 and 9/30/08; and The Consumer Education Charge Reconciliation Statement For the Two Years Ended 12/31/09. RECOMMENDATION: That the Commission release the Audit Report to the public.
2267510-AUD Vote 5-0.	M-2011-2267510	HERMAN OIL & GAS COMPANY, INC - Interim Gas Cost Rates. RECOMMENDATION: That the Commission approve the interim GCR of \$0.7093 per MCF and associated base cost of gas of \$3.8351 per MCF to become effective with service rendered on and after 12/1/11.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1098442-OSA Vote 5-0.	C-00019560	<p>UNITED TRANSPORTATION UNION, PA STATE LEGISLATIVE BOARD VS NORFOLK SOUTHERN RAIL</p> <p>- Petition filed on to Rescind Commission Order entered 6/12/75, which concerns the prevention of run outs at Conway Yard (Yard), Beaver Co. Notice of the Petition was published in the PA Bulletin on 1/16/10. United Transportation Union (Union) filed Comments opposing the Petition. On 9/1/10, Norfolk Southern filed its Amended Petition, which was published in the PA Bulletin on 12/18/10. The Union filed Comments opposing the Amended Petition. On 10/19/11, the Union filed its Petition for Emergency Relief which requested that the Commission direct Norfolk Southern to implement certain changes in its operation of the Yard, due to safety concerns. An emergency hearing was held before ALJ Salapa. The record closed on 11/1/11. On 11/2/11, ALJ Salapa issued his Order Denying Interim Emergency Relief and Certifying Material Question (Interim Order). On 11/9/11, Norfolk Southern filed a Brief in Support of the Interim Order.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that: (1) answers the material question in the affirmative; and (2) refers the matter back to OALJ for further proceedings as deemed appropriate.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155312-OSA Vote 5-0.	M-2011-2155312	<p>UGI CENTRAL PENN GAS, INC</p> <p>- A four-inch distribution line was compromised on 9/2/09, while a contractor was installing new sewer and water main. The damage took place in an unpopulated section of Bedford Township. On 5/13/09, PA One Call was notified. UGI noted there was a conflict with natural gas lines nearby and stated "direct contact to follow by facility owner." On 8/14/09, PA One Call was notified that the new mains would be installed at a depth of six feet for approximately 1700 feet along both sides of the roadway. UGI's response to the second PA One Call was "marked". On 9/2/09, UGI's inspector was told the markings had been accurate to this point. Moments after the UGI inspector left the site, the four-inch distribution line was struck. Final repairs were completed within twenty-nine hours without service interruption and normal operating pressure was resumed. On 9/20/11, a Settlement Agreement between BI&E Staff and UGI was filed with the Commission.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order seeking comments on the Settlement.</p>
2163390-OSA Vote 5-0.	F-2010-2163390	<p>GREGORY BERRY VS PHILADELPHIA GAS WORKS</p> <p>- Formal Complaint filed on 2/27/10, alleging incorrect charges on his bill. On 3/30/10, PGW filed an Answer denying the allegations within the Complaint. A hearing was conducted on 10/29/10, by ALJ Jones. On 5/20/11, the Commission issued ALJ Jones' Initial Decision dismissing the Complaint. On 6/09/11, the Complainant filed Exceptions. On 6/20/11, PGW filed Reply Exceptions.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Opinion and Order that denies the Complainant's Exceptions, in part, and grants them, in part, and modifies the Initial Decision.</p>

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. Several Parties, including Global Medical Transportation Services, Inc., filed protests. Except for Global's protest, the protests were withdrawn based on restrictive amendments, and the case was returned to the BTS. On 5/31/11, the Applicant modified its proposed service territory to transportation originating in Carbon, Lehigh, Monroe, Northampton, and Schuylkill Counties. By Order entered 8/1/11, the Commission approved the Application as modified. On 8/4/11, Global filed a Petition for Rescission and Amendment of the Order. No answers to the Petition were filed. By Tentative Order entered 10/14/11, the Commission tentatively denied Global's Petition and provided the Parties with 20 days to file exceptions or to initiate appropriate proceedings. Global filed Exceptions to the Tentative Order on 10/20/11. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which remands this proceeding to the Office of ALJ.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2235775-OSA Vote 5-0.	C-2011-2235775	<p>MARK MAZZA VS PECO ENERGY COMPANY - Formal Complaint filed on 4/14/11 alleging, inter alia, that he received improper notice the his utility service was being terminated. On 5/4/11, the Respondent filed an Answer and Preliminary Objections, averring that this Complaint should be dismissed because there are presently three other open actions regarding the same issues. In her Initial Decision, issued on 6/28/11, ALJ Barnes recommended that Respondent's Preliminary Objections be granted and that the Complaint be dismissed with prejudice. On 8/10/11, the Complainant filed Exceptions to the Initial Decision. No response to the Exceptions has been filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that reverses the Initial Decision and remands the case to the Office of ALJ for such further proceedings as may be warranted.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2264797-OSA Vote 5-0.	A-2011-2264797	PEERLESS NETWORKS OF PA and VERIZON NORTH - Joint Petition filed on 9/22/11, 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.
2264806-OSA Vote 5-0.	A-2011-2264806	WIMACTEL INC and VERIZON PA - Joint Petition filed on 9/22/11, 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.
2264818-OSA Vote 5-0.	A-2011-2264818	WIMACTEL INC and VERIZON NORTH - Joint Petition filed on 9/22/11, 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.
2265890-OSA Vote 5-0.	M-2011-2265890	PENNSYLVANIA ELECTRIC CO. - Petition for Appeal of Staff Action filed on 10/31/11, pursuant to 52 Pa. Code §5.44, with regard to the 10/21/11, Secretarial Letter, which denied Penelec's request for Exclusion of Major Outage for Reliability Reporting Purposes, for the period 8/28/11 through 9/5/11. On 11/4/11, Penelec filed revised pages 4 and 5 to its 10/31/11 Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2205475-FUS Vote 5-0.	A-2010-2205475	<p>GREAT AMERICAN POWER LLC</p> <p>- Application filed on 10/11/11, for approval to serve as a supplier and aggregator engaged in the business of supplying electricity to all customer classes in the electric distribution company service territories of PECO Energy, PPL Electric, and Met-Ed; as well as, the additional EDC service territory of Duquesne Light within PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the application amendment.</p>
2231457-FUS Vote 5-0.	P-2011-2231457	<p>PPL ELECTRIC UTILITIES CORPORATION</p> <p>- Petition filed on 3/17/11, pursuant to 52 Pa. Code Chapter §5.41 and 53 P.S. §10619 for a finding that a building to shelter control equipment at the existing Jenkins 230-69kV Substation in Plains Township, Luzerne County, is reasonably necessary for the convenience or welfare of the public and therefore, exempt from any local zoning ordinance. No protests were filed. One hearing was held.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order that grants the Petition.</p>
2250633-FUS Vote 5-0.	A-2011-2250633	<p>SPERIAN ENERGY CORPORATION</p> <p>- Application filed on 9/16/11, for approval to include large commercial (over 25 kW), industrial, and governmental customers, and to expand territories served to include all of the electric distribution company service territories throughout PA.</p> <p>RECOMMENDATION:</p> <p>That the Commission adopt the proposed Order which approves the amendment to the electric generation supplier license.</p>

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2258221-FUS Postponed until the Public Meeting of January 26, 2012.	S-2011-2258221	UGI PENN NATURAL GAS COMPANY - Securities Certificate filed on 8/17/11, for approval for the incurrence of indebtedness under a \$125 million financing agreement through and until 10/15/15. UGI Penn Natural agreed on 9/1/11, 10/27/11, and 11/11/11, to voluntarily extend the consideration period until 10/28/11, 11/14/11, and 12/2/11 respectively. RECOMMENDATION: That the Commission adopt the proposed Order that approves the registration of the securities certificate for the incurrence of indebtedness under a \$125 million financing agreement through and until 10/15/15.
2258325-FUS Vote 5-0.	R-2011-2258325	UNITED TELEPHONE D/B/A CENTURYLINK - 2011 Price Stability Index/Service Price Index filing of 9/1/11. No tariffs were filed. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves this filing.
2258334-FUS Postponed until the Public Meeting of January 26, 2012.	S-2011-2258334	UGI UTILITIES, INC - GAS DIVISION - Securities Certificate filed on 8/17/11, for approval for the incurrence of indebtedness in an amount up to \$400 million under an unsecured, revolving credit agreement through and until 10/31/15. UGI Utilities on 9/1/11, 10/27/11, and 11/11/11, agreed to voluntarily extend the consideration period until 10/28/11, 11/14/11, and 12/2/11, respectively. RECOMMENDATION: That the Commission adopt the proposed Order that approves the registration of the securities certificate for the incurrence of indebtedness in an amount up to \$400 million under an unsecured, revolving credit agreement through and until 10/31/15.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2258347-FUS Postponed until the Public Meeting of January 26, 2012.	S-2011-2258347	UGI CENTRAL PENN GAS, INC - Securities Certificate filed on 8/17/11, for approval for the incurrence of indebtedness under a \$50 million financing agreement through and until 10/15/15. UGI Central Penn Gas agreed on 9/1/11, 10/27/11, and 11/11/11, to voluntarily extend the consideration period until 10/28/11, 11/14/11, and 12/2/11, respectively. RECOMMENDATION: That the Commission adopt the proposed Order that approves the registration of the securities certificate for the incurrence of indebtedness under a \$50 million financing agreement through and until 10/15/15.
2259198-FUS Vote 5-0.	A-2011-2259198	MASTER CALL CORPORATION - Application filed on 7/27/11, for approval to offer, render, furnish or supply telecommunication services as an Interexchange Toll Facilities-based Carrier (detariffed) throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: The Commission approve the application consistent with the proposed Order.
2260766-FUS Vote 5-0.	A-2011-2260766	UTILITY SAVINGS SOLUTIONS LLC - Application filed on 9/2/11, 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 Duquesne Light, Met-Ed, Penelec, Penn Power, PECO Energy, PPL Electric, and UGI Utilities, 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>
2264037-FUS Vote 5-0.	M-2011-2264037 M-00960812	LAWRENCE COUNTY'S 911 - System Renewal Plan from PEMA filed on 9/15/11, 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.
2264304-FUS Vote 5-0.	P-2011-2264304	METROPOLITAN EDISON CO - Petition filed on 9/15/11, for approval of a prospective solar photovoltaic alternative energy credit sale and purchase agreement between Met-Ed and Air Products and Chemicals, Inc. RECOMMENDATION: That the Commission adopt the proposed Order.
2264916-FUS Vote 5-0.	A-2011-2264916	PLYMOUTH ROCK ENERGY LLC - Application filed on 9/22/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), and industrial customers in electric distribution company service territories of PECO Energy, PPL Electric, Penelec, West Penn Power, Duquesne Light, Met-Ed and Penn Power throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2267472-FUS Vote 5-0.	R-2011-2267472	VERIZON PENNSYLVANIA INC - Revision to Services for Other Telephone Companies Tariff PA P.U.C No. 216, filed on 10/17/11, proposing to withdraw its unbundled services rate element Operator Services, automated, to become effective 12/16/11. RECOMMENDATION: That the Commission adopt the proposed order that approves this filing.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2269318-FUS Vote 5-0.	A-2011-2269318	TOTAL ACCESS TELECOM INC - Application filed on 10/20/11, for approval to offer, render, furnish or supply telecommunication services as a detariffed Interexchange Toll Reseller throughout 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>
2269403-LAW Vote 5-0.	P-2011-2269403	UNITED TELEPHONE D/B/A CENTURYLINK - 2011 Annual Price Stability Index/Service Price Index Filing and the associated revenue increases, filed on 9/1/11. On 10/24/11 additional information was filed in support of its 2011 Annual Price Cap Filing. A public version and a proprietary version of Appendix E (Revenue Change Summary) was filed. Concurrently, on 10/24/11, CenturyLink filed a Petition for Protective Order regarding disclosure of proprietary/confidential information. RECOMMENDATION: That the Commission grant the Petition for Protective Order for its 2011 Annual Price Cap Filing.
2271408-LAW Vote 5-0.	P-2011-2271408	VERIZON PA and VERIZON NORTH - Petitions filed for bona fide retail request deployment extensions of an additional three-months for Bloomsburg CSA 1392 and an additional two-weeks for Sabinsville CSA 3101 in its petition pursuant to 66 Pa. C.S. § 3014(c)(5). Verizon asserts that the delays are attributable to extreme weather events, specifically Hurricane Irene and Tropical Storm Lee, which have affected its ability to complete construction. RECOMMENDATION: That the Commission adopt the proposed Order granting the petition.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195222-ALJ Vote 5-0.	F-2010-2195222	LINDA NELSON VS PECO ENERGY COMPANY - Formal Complaint filed 8/19/10, alleging that there are incorrect charges on her bill. Answer filed 9/13/10 denying the allegations. Hearing held 7/11/11. COMMISSION REVIEW: That the Commission adopt ALJ Pell's Initial Decision denying the Complaint.
2226084-ALJ (PP from 11/10/2011) Motion by Vice Chairman Coleman. Joint Statement by Commissioner Gardner and Commissioner Cawley. Vote 4-1 with Commissioner Witmer Dissenting.	C-2011-2226084	ETHAN CLAY VS DUQUESNE LIGHT COMPANY - Formal Complaint filed on 2/14/11, alleging improper termination of commercial electric service on 12/20/10 for nonpayment of bill. Duquesne filed its answer on 3/4/11. A hearing was held on 7/19/11. COMMISSION REVIEW: That the Commission adopt Judge Corbett's Initial Decision granting the complaint, in part, to the extent it alleged DLC violated 52 Pa. Code §55.2(b) by failing to serve Complainant's billing address with written notice of a proposed service termination.
2258256-ALJ Vote 5-0.	M-2011-2258256	PPL ELECTRIC UTILITIES CORP - Section 1307(e) Smart Meter Rider Reconciliation Statement filed on 8/17/11, setting forth the over/under collections for the six month period ended 6/30/11. On 9/22/11, a hearing was held. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

December 1, 2011

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2179796-OSA Statement by Commissioner Witmer. Vote 5-0.	M-2010-2179796	PPL ELECTRIC UTILITIES CORP - Revised Tariff page filed on 11/3/11, describing its CAP Plus program and setting an implementation date of 12/1/11. On 11/22/11, Lorrie Koons (Complainant) filed a Petition and Complaint for Stay and Modification of PPL's Universal Service Plan. The Complaint seeks, inter alia, a stay of PPL's proposed implementation date of the CAP Plus program. PPL submitted an Answer to the Complaint on 11/29/11, which denied the material allegations of the Complaint. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the request for stay and refers the Complaint and Answer to the OALJ for such additional proceedings as are appropriate.
2248532-OSA Vote 5-0.	A-2011-2248532	ENERPENN USA LLC D/B/A YEP & YEP ENERGY - Commission Order entered 11/14/11, granting the application subject to certain conditions. A Petition for Reconsideration of the Commission's 11/14/11 Opinion and Order was filed on 11/29/11. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order granting reconsideration pending further review of the merits of the Petition.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2065532-LAW Postponed until the Public Meeting of December 15, 2011	M-2008-2065532	<p>POLICY STATEMENT-UTILITY SVC OUTAGE PUBLIC NOTIFICATION GUIDELINES</p> <p>- Hurricane Ike swept through PA on 9/14/08, interrupting electric service to over 450,000 customers. On 9/25/08, a Joint Motion of Vice Chairman Christy and Commissioner Pizzigrilli was issued, and an investigation was opened regarding EDCs' service outage responses and restoration practices. In 4/2009, CEEP and the Office of Communications submitted a report entitled, Electric Distribution Company Service Outage Response and Restoration Practices Report which was adopted at Public Meeting of 4/30/09. On the same date, the Commission adopted a Joint Motion of Vice Chairman Christy and Commissioner Pizzigrilli to propose a policy statement regarding service outages.</p> <p>RECOMMENDATION: That the Commission adopt the Final Policy Statement.</p>
2069117-LAW Statement by Vice Chairman Coleman. Statement by Commissioner Witmer. Vote 5-0.	L-2009-2069117 I-00040103F0002	<p>PROPOSED RULEMAKING NATURAL GAS DISTRIBUTION BUSINESS PRACTICES</p> <p>- The Proposed Rulemaking Order set forth business practices and standards for NGDCs and NGSs relating to financial transactions, communications (information and data and exchange) and operational rules for managing gas on a NGDC's system. The Order directed Commission staff to initiate of a stakeholder working group to develop these standards and a model Supplier Coordination Tariff format. The Order set a 45-day comment period and a 15-day reply comment period. The Order was published in the PA Bulletin on 10/17/09 at 39 Pa.B. 6078. The public comment period ended 12/16/ 09. The expiration date for the rulemaking is 12/16/11.</p> <p>RECOMMENDATION: That the Commission adopt the Order that withdraws the proposed rulemaking.</p>

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2136951-LAW Vote 5-0.	P-2009-2136951	717 NPA RELIEF PLANNING - Petition filed on 10/10/09, requesting approval of its plan for the 717 Numbering Plan Area (“NPA”). According to the petition, the industry reached a consensus to implement an all services distributed overlay for the geographic area covered by the 717 NPA which would create a new area code to service the area. RECOMMENDATION: That the Commission dismiss the 10/20/09 area code relief petition for the 717 area code.
2268135-LAW Vote 5-0.	M-2011-2268135	WINDSTREAM PENNSYLVANIA LLC - PA Safety Valve Numbering Resource Request form filed on 10/14/11, requesting expedited review of a denial by the Pooling Administrator of its requests for additional numbering resources in the 724 Number Plan Area (NPA). Specifically, Windstream PA requests 10,000 telephone numbers from the 724 NPA be assigned to the Fredonia Rate Center for Location Routing Number purposes. Windstream 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 Windstream Pennsylvania LLC’s request for additional numbering resources in the 724 Area Code.
2271982-LAW Vote 5-0.	M-2011-2271982	NATURAL GAS PIPELINE REPLACEMENT & PERFORMANCE PLANS - The Secretarial Letter issued on 11/21/11 states the Commission will ratify it at the 12/1/11 Public Meeting. RECOMMENDATION: That the Commission issue the proposed Ratification Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2272810-LAW Vote 5-0.	M-2011-2272810	SPRINT COMMUNICATIONS CO L.P. - PA Safety Valve Numbering Resource Request form filed on 11/9/11, requesting expedited review of a denial by the Pooling Administrator of its requests for additional numbering resources in the 610 Number Plan Area (NPA). Specifically, Sprint requests 1,000 telephone numbers from the 610 NPA be assigned to the Slatington Rate Center. Sprint'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 Sprint Communications Company, L.P.'s request for additional numbering resources in the 610 Area Code.

COMMISSIONERS OFFICE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2244363-CMR Motion by Chairman Powelson. Vote 5-0.		CONSUMER ADVISORY COUNCIL - Motion of Chairman Powelson Appointment of Member.