

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, MARCH 1, 2012 (WG)

10:00 A.M.

**AUDITORIUM
THE STATE MUSEUM OF PENNSYLVANIA
300 NORTH ST, HBG**

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, March 15, 2012 at 10:00 A.M.

Minutes of the Meeting of Friday, January 27, 2012 (PW)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, MARCH 15, 2012 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, FEBRUARY 29, 2012, 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

March 1, 2012

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2189481-TAS Vote 5-0.	A-2010-2189481	UNITED MEDICAL TRANSPORT LTD - 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.
2194537-TAS Vote 5-0.	A-2010-2194537	DNA 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 dismissing the application.
2249149-TAS Vote 5-0.	A-2011-2249149	INSTITUTE FOR THE DEVELOPMENT OF AFRICAN-AMERICAN YOUTH 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.
2262613-TAS Vote 5-0.	A-2011-2262613	AMERICAN EAGLE BUS & LIMO 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, as amended.
2265188-TAS Vote 5-0.	A-2011-2265188	MOHAMMED ABOUS AND EMAD IBRAHIM CO-PARTNERS T/A SWEET RIDE - 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.
2265667-TAS Vote 5-0.	R-2011-2265667 A-00114599	HAZLE YELLOW CAB COMPANY INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Call or Demand PA PUC No. 5 to become effective 3/5/12.

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

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2266067-TAS Vote 5-0.	A-2011-2266067	JAMES T & CHRISTIE A ST. JOHN - 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.
2267856-TAS Vote 5-0.	A-2011-2267856 A-00121368	B.M. ENTERPRISES INC T/A A.G. TAXI - 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.
2270950-TAS Vote 5-0.	A-2011-2270950	PAUL S BEILER - 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.
2270994-TAS Vote 5-0.	A-2011-2270994	JACOB MICHAEL NESS - 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.
2273252-TAS Vote 5-0.	A-2011-2273252	GERSON SANTOS T/A PRECIOUS TRANSPORT ENTERPRISES - 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.

BUREAU OF AUDITS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2263041-AUD

D-2011-2263041

Vote 5-0.

CITIZEN POWER

- Report on the Energy and Education Services Program.

RECOMMENDATION:

That the Commission release the Audit Report to the public.

BUREAU OF CONSUMER SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2231038-BCS (PP from 02/16/2012) Statement by Commissioner Cawley. Vote 5-0.	M-2011-2231038	MET-ED, PENELEC, and PENN POWER - Universal Service and Energy Conservation Plans for 2012-2014 filed on 2/28/11, and amended Plans filed on 8/26/11 in accordance with the Commission's regulations at 52 Pa. Code §§54.71-78. RECOMMENDATION: That the Commission adopt the proposed Final Order, which approves the First Energy Companies' Plans.

DIRECTOR OF REGULATORY OPERATIONS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2237952-DIR Statement by Chairman Powelson. Vote 5-0.	I-2011-2237952	INVESTIGATION OF PA'S RETAIL ELECTRICITY MARKET - Establishing an intermediate work plan prepared by the PA PUC's Office of Competitive Market Oversight. This work plan is provided pursuant to the Commission's pending Investigation of Pennsylvania's Retail Electricity Market. In designating this work plan as intermediate, OCMO proposes that all issues and goals included herein be implemented prior to the expiration of the EDCs' next round of default service plans. The intermediate work plan provides recommendations regarding the following topics: (1) the expansion of consumer education; (2) the initiation of a customer referral program; (3) the initiation of a retail opt-in auction program; (4) the inclusion of the default PTC on customer bills; and (5) the increase in coordination between EDCs and EGSSs. RECOMMENDATION: That the Commission adopt the Final Order.
2287755-DIR Vote 5-0.	P-2012-2287755 M-2008-2032278	DUQUESNE LIGHT COMPANY - Petition filed 2/3/12, seeking to amend its Consumer Education Plan to provide funding for 3 consumer education mailings in 2012, and for mailings related to the Eligible Customer List Reconsideration Order. Also, requesting the opportunity to recover costs associated with these mailings through the existing Consumer Education Surcharge contained its tariff. No answers in opposition were filed. 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>
1200765-OSA Vote 5-0.	A-00122984 C-2011-2224369	HAWK VISION MOVING & STORAGE LLC - Complaint instituted on 2/23/11 (C-2011-2224369), alleging that Petitioner failed to pay an outstanding civil penalty of \$350, imposed on Petitioner due to its failure, inter alia, to provide an "Information for Shippers" statement to a shipper prior to the preparation of an order for service. Petitioner did not file an answer to the Complaint. By Order entered 4/29/11, the Commission cancelled Petitioner's Certificate of Public Convenience. On 5/19/11, Petitioner filed a Petition for Reinstatement. No response to the Petition has been received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Petition, subject to a condition.
1505395-OSA (PP from 02/16/2012) Dissenting Statement by Commissioner Witmer. Vote 4-1 with Commissioner Witmer Dissenting.	M-2009-1505395	EQUITABLE GAS COMPANY (NGS Supplier) - Settlement Agreement file on 5/11/09, to resolve multiple alleged violations of the Commission's Regulations and the Code of Federal Regulations regarding natural gas pipeline safety. As part of the Settlement, Equitable agreed to pay \$65,000 into its Hardship Fund in lieu of a civil penalty. By Order entered 11/25/09, the Commission modified the Agreement to require Equitable to pay an additional \$65,000 in civil penalties and sought comments with respect to the modification. Equitable filed comments objecting to the modification. Upon review of the comments, the Commission adopted the modified Settlement by its Order entered on 5/10/10. By letter dated 6/9/10, Equitable withdrew from the Settlement causing the proceeding to revert to its informal investigation status. On 10/27/11, LBPS and Equitable filed a Renegotiated Settlement Agreement with respect to the Informal Investigation conducted by the LBPS. 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>
2157955-OSA (PP from 02/16/2012) Vote 5-0.	M-2011-2157955	PEOPLES NATURAL GAS D/B/A DOMINION PEOPLES - Settlement Agreement filed on 12/23/11, with regard to an incident involving damage to a natural gas service line and resulting fire at the site of a house demolition in Pittsburgh. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order issuing the Settlement Agreement for comments by any interested party.
2187540-OSA Postponed until the Public Meeting of March 15, 2012.	A-2010-2187540 A-2010-2187542	TRANS-ALLEGHENY INTERSTATE LINE T/A TRAILCO - Application filed on 7/9/10. On 5/4/11, the Commission issued ALJ Dunderdale's Recommended Decision. No Exceptions were filed. On 5/23/11, Trailco filed a Petition to Reopen the Evidentiary Record and to Stay the Exception Period. On 7/5/11, the Commission issued ALJ Dunderdale's Recommended Decision on Remand. On 12/30/11, Trailco filed an Exception. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Exception to the ALJ's Recommended Decision on Remand and adopts the ALJ's Recommended Decision and the Recommended Decision on Remand as modified by this Opinion and Order.
2206955-OSA Vote 5-0.	C-2010-2206955	DONALD HALE VS UGI PENN NATURAL GAS - Formal Complaint filed on 10/27/10, alleging that UGI PNG wrongfully placed bills in his name after finding that a foreign load situation existed at his property that he leases to tenants. UGI PNG filed an Answer on 11/18/10, averring that the Complainant was properly charged. A telephonic hearing was held on 10/20/11. In an Initial Decision, issued 12/8/11, ALJ Corbett denied the Complaint. The Complainant filed Exceptions on 12/21/11. UGI PNG filed Replies to Exceptions on 1/9/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the Exceptions and adopts the Initial Decision.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2262962-OSA Vote 5-0.	A-2011-2262962	LENORA'S MOVING COMPANY - Application filed on 8/29/11, for certain household goods in use authority. Notice was publish in the PA Bulletin. No Protests were filed. On 11/15/11, the Applicant was sent a request for, inter alia, updated financial statements. The Applicant was afforded ten business days in which to provide the requested information. Per Order of 1/13/12, the Commission noted that the Applicant failed to comply with the data request in a timely manner. Accordingly, the Application was denied and dismissed. On 1/18/12, the Applicant filed a Petition for Rescission of the 1/13/12 Order. No response has been filed to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Petition; (2) rescinds the Order entered 1/13/12; and (3) refers this matter to the Bureau of Technical Utility Services for such further proceedings as may be necessary.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155989-FUS Vote 5-0.	A-2010-2155989	DTE ENERGY SUPPLY INC - Application filed on 11/22/11, for approval to amend its existing electric generation supplier license to include the provision of service to small commercial customers (demand of 25 kW and below) in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2242385-FUS Statement by Commissioner Witmer. Vote 5-0.	A-2011-2242385	TYBEC ENERGY MANAGEMENT SPECIALISTS INC - Application filed on 5/20/11, for approval to offer, render, furnish, or supply natural gas supply services to small commercial, large commercial, industrial, and governmental customers in the service territories of NFG, Peoples Natural Gas, Peoples TWP, Columbia Gas, and Philadelphia Gas Works within PA, as a broker/marketer engaged in the business of supplying natural gas services. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2273119-FUS (PP from 01/27/2012) Vote 5-0.	M-2011-2273119 M-00960799	TIMEFRAME REQUIREMENTS - TELECOM CARRIERS PROVIDING SERVICE - Staff conducted an inquiry in November 2008 into reported access lines used for TRS surcharges. The Commission found a significant quantity of non-operating carriers holding a Certificate of Public Convenience. Research into the procedures of other state regulatory commissions forms the basis of the staff recommendation. RECOMMENDATION: That the Commission adopt the Tentative Order establishing a timeframe requirement for telecommunications carriers to be active on an annual basis.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2276723-FUS Vote 5-0.	A-2011-2276723	ENERCOM INC D/B/A ENERCOM OF MICHIGAN INC - Application filed on 12/1/11, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to small commercial, large commercial, and industrial customers in the electric distribution company service territories of Duquesne Light, Met-Ed, Penelec, PECO Electric, West Penn Power, UGI Utilities-Electric, PPL Electric, Penn Power, Citizens' Electric, Wellsboro Electric, and Pike County Light & Power with PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2278059-FUS Vote 5-0.	A-2011-2278059	THOM TAHOPOULOS D/B/A MOXI ENERGY ADVISORS LLC - Application filed on 11/3/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial and governmental customers in the electric distribution company service territory of PECO within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2280772-FUS Vote 5-0.	A-2011-2280772	AMERICAN ENERPOWER FRANCHISOR LLC - Application filed on 12/19/11, 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 negotiating and/or re-negotiating third-party supply agreements for the purchase of electricity for residential, large commercial (over 25 kw demand), small commercial (25 kw and under demand), governmental and industrial customers in the electric distribution company service territory of PECO 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>
2281399-FUS Vote 5-0.	A-2012-2281399	WEST PENN POWER CO. - Letter of Notification filed on 12/28/11, for approval of the reconstruction and relocation of the Allegheny Ludlum No.2 138kV Transmission Line in the City of Lower Burrell, Westmoreland County. Authority for this procedure is provided for at §57.72(d)(1)(v) and (vi). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2281455-FUS Vote 5-0.	A-2012-2281455	PENNSYLVANIA ELECTRIC CO - Letter of Notification filed on 12/28/11, for approval of the construction of the East Towanda-Moshannon 230 kV HV Transmission Line Loop to the Scotch Hollow Switching Station Project in Towanda Township, Bradford County. Authority for this procedure is provided for at 57.72(d)(1)(vi). No protest was filed and no hearing was held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2282635-FUS Vote 5-0.	S-2012-2282635 G-2012-2285085	COLUMBIA GAS OF PA INC - Securities certificate filed on 12/29/11, for approval for registration of a securities certificate and approval of an affiliated interest agreement concerning the issuance of promissory notes between Columbia and its corporate affiliate NiSource Finance Corporation in a principal amount not to exceed \$185 million. Columbia voluntarily extended the statutory consideration period to 3/2/12. RECOMMENDATION: That the Commission register the securities certificate and approve the affiliated interest agreement consistent with the proposed Order.
2283810-FUS Vote 5-0.	R-2012-2283810	FRONTIER COMM OF: BREEZEWOOD, CANTON, LAKEWOOD, OSWAYO RIVER, PA - 2012 Joint Price Stability Index/Service Price Index filing of 2/1/12. No tariffs were filed. No protests were filed and no hearings held. RECOMMENDATION: That the Commission adopt the proposed Order approving the filing.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2284728-FUS Vote 5-0.	A-2012-2284728	DSLNET COMMUNICATIONS, LLC - Application filed on 1/18/12, seeking approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Reseller, Competitive Local Exchange Carrier, Facilities-based Interexchange Carrier and Competitive Access Provider services to the public within PA. RECOMMENDATION: The Commission adopt the proposed Order approving the application.
2286487-FUS Vote 5-0.	R-2012-2286487	CITIZENS TELEPHONE CO OF KECKSBURG - 2012 Price Stability Index/Service Price Index filing of 2/1/12. No tariffs were filed. No protests were filed and no hearings were held. RECOMMENDATION: The Commission adopt the proposed Order that approves this filing.
2286617-FUS Vote 5-0.	R-2012-2286617	IRONTON TELEPHONE CO - 2012 Price Stability Index/Service Price Index filing of 2/1/12. 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.
2287111-FUS Vote 5-0.	M-2012-2287111	SPRINT SPECTRUM LP - Filing to reclaim 4 blocks of numbers that have not been put into service. No replies have been made to the Commission's repeated requests for information for these blocks. RECOMMENDATION: The Commission adopt the proposed Order.
2289411-FUS Statement by Chairman Powelson. Vote 5-0.	M-2012-2289411 M-2008-2069887	ACT 129 ENERGY EFFICIENCY PROGRAM - PHASE 2 - The Commission begins the process of evaluating the cost-effectiveness of the EE&C Program and determining whether additional incremental consumption and peak demand reduction targets shall be adopted. Comments on important topics and issues will be instrumental in designing and implementing the next phase of the EE&C Program. RECOMMENDATION: That the Commission adopt the Secretarial Letter.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2034622-LAW Vote 5-0.	L-2008-2034622	<p>RULEMAKING - AMENDMENT 52 PA CODE § 59.33 (SAFETY) - Section 102 of the Public Utility Code, 66 Pa. C.S.A. § 102, defines a public utility as “Any person or corporations now or hereafter owning or operating in the Commonwealth equipment or facilities for . . . (v) Transporting or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, materials for refrigeration, or oxygen or nitrogen, or other fluid substance, by pipeline or conduit, for the public for compensation.” Id. § 102(1)(v). The PUC exercises jurisdiction over petroleum and oil pipeline utilities. The Commission also has jurisdiction over hazardous materials and liquid fuels transported via pipeline or conduit, but has no specific regulations in place to effectively address enforcement and safety issues. We intend to adopt safety regulations to address hazardous materials and liquid fuels as consistent with 49 C.F.R. § 195.0 et seq., and in accordance with the Pipeline Safety Grant Program Payment Agreement entered into with the Department of Transportation.</p> <p>RECOMMENDATION: That the Commission adopt the Final Rulemaking Order.</p>

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2081503-LAW Vote 5-0.	A-2008-2081503	<p>PENNDOT - Right-of-way plan filed 2/23/10, to appropriate portions of railroad property to accommodate its Morehall Road (S.R. 0029) improvement project in the vicinity of the railroad crossing located in Charlestown Township, Chester County. The Commission, by Order entered 5/21/10, approved the right-of-way plan and appropriated property pursuant to Section 335(a) of the Public Utility Code, 66 Pa. C. S. § 335(a). On 1/24/12, PENNDOT filed a petition with the Commission to Transfer Jurisdiction to the Court of Common Pleas of Chester County, pursuant to 66 Pa. C. S. § 2407. RECOMMENDATION: That the Commission adopt the Order which grants PENNDOT's petition, referring this matter to the Court of Common Pleas of Chester County.</p>
2103524-LAW Vote 5-0.	A-2009-2103524 A-00115194	<p>PENNDOT - Application filed on 4/27/09, seeking approval to reconstruct two crossings at a location in Lower Pottsgrove Township, Montgomery County, for the replacement of two bridge structures. The Commission, by Order entered 9/26/11, approved the alteration of the crossings pursuant to Section 335(a) of the Public Utility Code, 66 Pa. C. S. § 335(a). On 1/24/12, PENNDOT filed a petition with the Commission to Transfer Jurisdiction to the Court of Common Pleas of Montgomery County, pursuant to 66 Pa. C. S. § 2407. RECOMMENDATION: That the Commission adopt the Order which grants PENNDOT's petition, referring this matter to the Court of Common Pleas of Montgomery County.</p>

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2246415-ALJ Vote 5-0.	R-2011-2246415	TWIN LAKES UTILITIES, INC - Tariff Water – Pa. P.U.C. No. 4, filed on 6/10/11, containing proposed changes in rates, rules and regulations calculated to produce \$124,420 (367.67%) in additional annual revenues. Seventeen formal complaints were filed against the increase. By Order entered 7/28/11, Supplement No. 253 to Tariff Water – Pa. P.U.C. No. 4 was suspended by operation of law until 3/10/12. Twin Lakes voluntarily extended the deadline for adjudication until 5/9/12. Two Public Input hearings were held. On 12/20/11, a Joint Petition for Settlement of Rate Investigation was filed with the Commission. COMMISSION REVIEW: That the Commission adopt ALJs Jones' and Vero's Recommended Decision approving the Joint Petition for Settlement.
2264876-ALJ Vote 5-0.	C-2011-2264876 C-2011-2258635	REGINA POWELL VS VERIZON PENNSYLVANIA INC - Complaint filed on 9/16/11, alleging inadequate service with respect to a borough's municipal lighting. VZ filed an Answer and New Matter on 11/18/11, alleging that Complainant was not a customer of VZ and that VZ had no responsibility for the street lighting at issue. VZ also filed Preliminary Objections on 11/18/11, on the grounds of lack of Commission jurisdiction, inclusion of impertinent matter, and insufficiency of the Complaint. COMMISSION REVIEW: That the Commission adopt ALJ Melillo's Initial Decision dismissing the complaint.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

March 1, 2012

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2121883-OSA	M-2009-2121883 M-2010-2189236 M-2011-2223715	BARKER BROTHERS, INC - Objections to FY09, FY10 and FY11 assessments because it averred, inter alia, that the paratransit service it provides on behalf of Armstrong County under the MA Transportation Program is exempt from Commission jurisdiction. By Initial Decision issued 5/18/10, ALJ Corbett denied the Objection to the FY09 assessment. By Opinion and Order entered 9/24/10, this matter was remanded to the OALJ for further hearing. By Interim Order dated 2/9/11, the ALJ consolidated the FY09, FY10 and FY11 Objections. By Initial Decision issued 10/26/11, the ALJ granted the Objections to the extent they concern MA transportation service. Exceptions were filed by the Bureau of Administrative Services on 10/26/11, and Barker Brothers filed Reply Exceptions on 12/6/11. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies BAS' Exceptions and adopts the Initial Decision, as modified by the Opinion and Order.

Vote 5-0.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SUPPLEMENTAL CARRY-IN AGENDA

March 1, 2012

DIRECTOR OF ADMINISTRATIVE SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2290882-BAS

**Vote 4-0 with Commissioner Witmer
Abstaining.**

**PUC WEBSITE VENDOR SELECTION
- PUC Website Vendor.**

RECOMMENDATION:

That the Commission approve the vendor selection.