

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**PUBLIC MEETING**

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**THURSDAY, MARCH 29, 2012 (PW)**

**10:00 A.M.**

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

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**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:**

<b>COMMISSIONER</b>	<b>VICE CHAIRMAN</b>	<b>CHAIRMAN</b>	<b>COMMISSIONER</b>	<b>COMMISSIONER</b>
<b>James H. Cawley</b>	<b>John F. Coleman, Jr.</b>	<b>Robert F. Powelson</b>	<b>Wayne E. Gardner</b>	<b>Pamela A. Witmer</b>

**THE TAKING OF PHOTOGRAPHS IS PERMITTED PROVIDED FLASH IS NOT USED.**

**The Next Public Meeting is Tentatively Scheduled for Thursday, April 12, 2012 at 10:00 A.M.**

**Minutes of the Meeting of Thursday, March 1, 2012 (WG)**

**\*\*\*ANNOUNCEMENTS\*\*\***

**THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, APRIL 12, 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 TUESDAY, MARCH 27, 2012, AT 2:30 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.**

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**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 29, 2012

BUREAUS OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2210970-TAS  Vote 5-0.	A-2010-2210970	PENNSYLVANIA DEPARTMENT OF TRANSPORTATION - Application filed 11/22/10, to reconstruct Lehigh Street Bridge in Whitehall Township, Lehigh County and Borough of North Catasauqua, Northampton County. RECOMMENDATION: That the Commission adopt the Order approving the application.
2255598-TAS  Vote 5-0.	A-2011-2255598	C.R. WILKERSON LLC T/A ROYALTY CAR SERVICE - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Harrisburg, Dauphin County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2258646-TAS  Vote 5-0.	A-2011-2258646	DUNCANNON EMERGENCY MEDICAL SERVICES INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Duncannon, Perry County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2267343-TAS  Vote 5-0.	A-2011-2267343	PJ'S TRANSPORTATION LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Levittown, Bucks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2269955-TAS  Vote 5-0.	A-2011-2269955	RELIABLE TRANSIT INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia, Philadelphia County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

**BUREAUS OF TECHNICAL UTILITY SERVICES (Transportation)**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2273756-TAS</b> <b>Vote 5-0.</b>	<b>A-2011-2273756</b>	MANUALS BASIC BUSINESS SYSTEMS LLC T/A BASIC CAR SERVICE - 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.
<b>2278448-TAS</b> <b>Vote 5-0.</b>	<b>A-2011-2278448</b> <b>A-0012590</b>	TRANSPORTATION MANAGEMENT SERVICES T/A LENZNER COACH LINES - Application for the right to begin to transport as a common carrier by motor vehicle, persons in airport transfer. Philadelphia County and Pittsburgh, Allegheny County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2279146-TAS</b> <b>Vote 5-0.</b>	<b>A-2011-2279146</b>	BALDWIN LIMOUSINES INC - Application for the right to transport as a common carrier by motor vehicle, persons in group and party service in vehicles seating 11 to 15 passengers, including the driver. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
<b>2283000-TAS</b> <b>Vote 5-0.</b>	<b>A-2012-2283000</b>	BLACK TIE LUXURY LIMOUSINE INC - Application for transfer of issued and outstanding stock. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

## BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
<b>2286409-AUD</b> Vote 5-0.	<b>M-2012-2286409</b>	PIKE COUNTY LIGHT & POWER CO-ELECTRIC - Annual System Benefits Charge for Universal Service Programs and Consumer Education Plan. RECOMMENDATION: That the Commission approve Supplement No. 57 to Tariff Electric - Pa. P.U.C. No 8, to become effective 4/1/12.
<b>2286472-AUD</b> Vote 5-0.	<b>M-2012-2286472</b>	UGI UTILITIES, INC-ELECTRIC DIVISION - Consumer Education Charge. RECOMMENDATION: That the Commission approve Supplement No. 96 to Tariff Electric - Pa. P.U.C. No. 5 to become effective 4/1/12.
<b>2286706-AUD</b> Vote 5-0.	<b>M-2012-2286706</b>	PECO ENERGY COMPANY-ELECTRIC - Consumer Education Charge. RECOMMENDATION: That the Commission approve Supplement No. 36 to Tariff Electric - Pa. P.U.C. No. 4, reflecting the revised CEC rates to become effective 4/1/12.
<b>2290491-AUD</b> Vote 5-0.	<b>M-2012-2290491</b>	PECO ENERGY COMPANY-ELECTRIC - Generation Supply Adjustment. RECOMMENDATION: That the Commission approve Supplement No. 37 to Tariff Electric-Pa. P.U.C. No. 4, reflecting the proposed GSA rates to become effective 4/1/12.
<b>2291948-AUD</b> Vote 5-0.	<b>M-2012-2291948</b>	CITIZENS ELEC CO. OF LEWISBURG - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 67 to Tariff Electric-Pa. P.U.C. No. 14 that is effective 4/1/12.
<b>2291950-AUD</b> Vote 5-0.	<b>M-2012-2291950</b>	WELLSBORO ELECTRIC CO - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve Supplement No. 65 to Tariff Electric-Pa. P.U.C. No. 8 to be effective 4/1/12.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1072528-OSA</b>  Postponed until the Public Meeting of April 12, 2012.	<b>A-00106161</b>	<b>ON TIME DELIVERY INC</b> - Complaint instituted on 11/22/11, alleging that it failed to maintain evidence of insurance on file with the Commission. The Respondent was notified that, if an answer was not filed within 20 days of receipt of the Complaint, BI&E would request that the Commission impose a penalty. On 12/6/11, the Respondent's insurer filed evidence of insurance effective on 6/8/11, verifying that the Respondent did not have evidence on file with the Commission from 10/6/11 to 12/6/11. By Secretarial Letter of 1/24/12, the Respondent was directed to pay a civil penalty of \$500. On 2/6/12, the Respondent filed the instant Petition to Appeal Staff Action. No response has been received. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order, which denies the Petition.
<b>2167828-OSA</b>  Vote 5-0.	<b>C-2010-2167828</b>	<b>SAWINK INC T/D/B/A COUNTY CAB CO, ET AL VS OGED INC</b> - Complaint filed on 3/31/10, alleging that the Respondent had abandoned its operations and had also failed to report revenue to the Commission. On 4/26/10, the Respondent filed an Answer denying any wrongdoing. In his Initial Decision, issued on 1/25/12, ALJ Nguyen recommended, inter alia, that Complaint be sustained, in part. Exceptions and Reply Exceptions were filed by Complainants and Respondent. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that: (1) denies the Complainants' Exceptions; (2) grants the Respondent's Exceptions, in part; (3) modifies the ALJ's Initial Decision consistent with the Order; and (4) dismisses the Complaint.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2174509-OSA</b> Vote 5-0.	<b>F-2010-2174509</b>	<b>THEODORE PRESUTTI VS DUQUESNE LIGHT COMPANY</b> - Formal Complaint filed on 5/4/10, alleging that he had been overcharged for electric utility service during 2008 and 2009. On 5/26/10, Duquesne filed an Answer denying the allegations. On 5/17/10, the Complainant filed a second Formal Complaint alleging he had been overcharged during 2010 as well and requested a payment arrangement. On 6/11/10, Duquesne filed an Answer to the second Complaint and also filed a Motion to Consolidate the two Complaints. The Office of ALJ granted the Motion to Consolidate on 5/20/11. In an Initial Decision, issued 12/20/11, the ALJ denied the Complaints, in part, and granted them, in part. The Complainant filed Exceptions on 1/09/12. Duquesne filed Replies to Exceptions on 1/18/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the Complainant's Exceptions and adopts the ALJ's Initial Decision, as modified.
<b>2189197-OSA</b> Vote 5-0.	<b>A-2010-2189197</b>	<b>YELLOW CAB COMPANY OF PITTSBURGH</b> - Application filed on 7/16/10, to amend its Certificate. The Application was published in the PA Bulletin. Classy Cab Company and Cranberry Taxi each filed a Protest to the Application on 8/12/10. After hearing, ALJ Long issued an Initial Decision on 1/17/12, in which she recommended, inter alia, that the Application be granted. On 2/6/12, the Protestants filed Exceptions to the Initial Decision. On 2/16/12, the Applicant filed Reply Exceptions. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that: (1) denies the Protestants' Exceptions to the Initial Decision; (2) adopts the Initial Decision; and (3) grants the application.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2192880-OSA</b>  Vote 5-0.	<b>C-2011-2192880</b>	<b>BUR OF INVESTIGATION &amp; ENFORCEMENT VS JAVY ENTERPRISES INC</b> - Complaint instituted on 7/28/11, alleging that the Respondent violated 52 Pa. Code § 29.333(e) by operating two vehicles that were more than eight model years old, without first obtaining a waiver from the Commission. BI&E requested a civil penalty of \$1,000 for the alleged violations. On 8/17/11, the Respondent filed an Answer denying the material allegations in the Complaint. On 1/19/12, BI&E and Respondent filed a Settlement Agreement to resolve the allegations in the Complaint. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which approves the Settlement Agreement.
<b>2201861-OSA</b> <b>(PP from 03/15/2012)</b>  Joint Motion by Chairman Powelson and Commissioner Gardner. Vote 5-0.	<b>M-2012-2201861</b>	<b>MXENERGY ELECTRIC, INC</b> - Settlement Agreement filed on 1/6/12, with respect to an Informal Investigation conducted by the Prosecutory Staff focusing on MXenergy's marketing of its residential electric generation supplier services and specifically its door-to-door sales practices. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order seeking comments on the Settlement Agreement.
<b>2262613-OSA</b>  Vote 5-0.	<b>A-2011-2262613</b> <b>A-00119245</b>	<b>AMERICAN EAGLE BUS &amp; LIMO INC</b> - Application filed on 7/29/11, seeking to amend its paratransit authority to include additional counties. By Order entered 3/1/12, the Commission approved the Application, except as to Pike County, and required an acceptable Form E and tariff to be filed by American Eagle. On 3/13/12 American Eagle filed a Petition for Reconsideration of the 3/1/12 Order. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order that grants the Petition for Reconsideration pending review of, and consideration on, the merits.

**OFFICE OF SPECIAL ASSISTANTS**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2273565-OSA</b>  Statement by Commissioner Witmer. Vote 5-0.	<b>C-2011-2273565</b>	<b>LARRY AND GAIL NEWMAN VS PHILADELPHIA GAS WORKS</b> - Formal Complaint filed on 11/15/11, requesting that a municipal lien filed by the City of Philadelphia, on behalf of PGW for unpaid gas service, be removed from their property. On 12/8/11, PGW filed an Answer as well as Preliminary Objections and a Motion to Strike Impertinent Matter. The Complainants filed an Answer to the Preliminary Objections on 12/28/11. In an Initial Decision, issued 1/11/12, ALJ Nguyen found that the Commission did not have jurisdiction to adjudicate the municipal lien imposed on the Complainants' property and dismissed the Complaint. The Complainants filed Exceptions on 1/17/12. PGW filed Replies to Exceptions on 2/10/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which denies the Exceptions and modifies the Initial Decision.
<b>2285454-OSA</b>  Vote 5-0.	<b>A-2012-2285454 A-2008-2032619</b>	<b>BANDWIDTH.COM CLEC, LLC and VZ NORTH</b> - Joint Petition filed on 1/26/12, seeking approval of Amendment No. 1 to 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. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
<b>2285471-OSA</b>  Vote 5-0.	<b>A-2012-2285471 A-2008-2032337</b>	<b>BANDWIDTH.COM CLEC, LLC and VZ PA</b> - Joint Petition filed on 1/26/12, seeking approval of Amendment No. 1 to 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. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>1195950-FUS</b> <b>Vote 5-0.</b>	<b>A-110166</b>	COEXPRISE INC - Petition filed on 11/10/11, for approval to abandon Electric Generation Supplier License. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application for abandonment.
<b>2100320-FUS</b> <b>Vote 5-0.</b>	<b>A-2009-2100320</b>	PALMCO ENERGY PA LLC - Application filed 2/18/11, for approval to operate as a supplier of natural gas supply services in the service territory of PECO Energy within PA. On 5/17/11, Palmco filed an application to extend the service territory to include Philadelphia Gas Works, Columbia Gas, UGI Gas, UGI Penn Natural, and UGI Central Penn Gas. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2118836-FUS</b> <b>(PP from 03/01/2012)</b> <b>Vote 5-0.</b>	<b>A-2009-2118836</b>	MAJOR ENERGY SERVICES LLC - Application filed on 11/22/11, for approval to amend its natural gas supplier license to begin to offer, render, furnish or supply natural gas supply services to residential, small commercial and large commercial customers in the additional natural gas distribution company service territories of PECO Energy, UGI Utilities, UGI Penn Natural Gas, and UGI Central Penn Gas. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application amendment.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2228071-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2228071</b>	<b>EVOLVING ENERGY SYSTEMS OF PENNSYLVANIA LLC</b> - Application filed on 1/8/11, 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 supplying electricity throughout PA. Evolving Energy System failed to adequately respond to Commission Staff data requests, as well as failed to timely respond to a 10-day Secretarial Letter sent by certified mail. EES has been given ample opportunity to respond/comply. In addition, the EES' bond has been canceled. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which denies the application.
<b>2258266-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2258266</b>	<b>HB HAYES &amp; ASSOCIATES LLC D/B/A ALTERNATIVE ENERGY SOURCE</b> - Application filed on 8/16/11, 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 supplying electricity to large commercial (over 25kW demand) and industrial customer classes in all the electric distribution company service territories throughout PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2259041-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2259041</b>	<b>COLEMAN HINES INC</b> - Application filed on 8/19/11, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity to large commercial (over 25kW demand) customers in the electric distribution company service territories of West Penn Power, PECO Energy, Duquesne Light, PPL Electric, Met-Ed, Penelec, Penn Power, UGI Utilities, Pike County Light & Power within PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2260201-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2260201</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - Letter of Notification filed on 8/30/11, for approval pursuant to 52 Pa. Code Chapter 57.72 with respect to the reconstruction of a portion of the Martins Creek-Siegfried #2 230kV Transmission Line in Moore, Lehigh and Allen Townships in Northampton County. Authority for this procedure is provided for at §57.72(d)(1)(i) and (v). One protest was filed and no hearings were held. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order that approves the application.
<b>2266024-FUS</b> <b>Vote 5-0.</b>	<b>A-2011-2266024</b>	<b>DRD INC D/B/A POWER DIRECT</b> - Application filed on 9/12/11, 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 within PA. Power Direct failed to respond to Commission staff data requests concerning missing information, as well as failed to respond to a 10-day Secretarial Letter sent by certified mail. Power Direct has been given ample opportunity to respond/comply. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which denies the application.
<b>2271125-FUS</b> <b>Withdrawn by the Bureau of Technical Utility Services.</b>	<b>R-2011-2271125</b>	<b>NATIONAL FUEL GAS DISTRIBUTION</b> - Supplement No. 121 to Tariff Gas – Pa. P.U.C. No. 9 filed on 11/3/11, proposing a number of revisions and updates to various sections of the tariff. Supplement No. 121 was originally filed to become effective on 1/2/12. However, NFG filed subsequent tariff supplements to voluntarily postpone the effective date of Supplement No. 121 to 3/14/12, 3/16/12, and 3/30/12. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order approving Tariff Gas – Pa. P.U.C. No. 9.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2280181-FUS</b> <b>Vote 5-0.</b>	<b>R-2011-2280181</b>	QUENTIN WATER CO. - Supplement No. 46 to Tariff Water-Pa. P.U.C. No.2 filed on 12/21/11, proposing an annual increase in revenues of \$16,631 (24.8%) to become effective 4/1/12. RECOMMENDATION: That the Commission adopt the proposed Order that approves this tariff supplement.
<b>2281591-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2281591</b>	ENERGY SOLUTIONS USA INC - Application filed on 12/27/11, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of providing energy consulting and electric brokering services for residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in all electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
<b>2282704-FUS</b> <b>Vote 5-0.</b>	<b>A-2012-2282704</b>	AQUA PENNSYLVANIA, INC. - Application filed on 12/28/11, for approval of (1) the acquisition by Aqua of the water system assets of Bristol Township situated in a portion of Bristol Township, Bucks County, and (2) the right of Aqua to begin to offer, render, furnish and supply water service to the public in an additional portion of Bristol Township, Bucks County. Proofs of publication and service to the appropriate entities were submitted. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
<b>2283801-FUS</b> <b>Vote 5-0.</b>	<b>R-2012-2283801</b>	COMMONWEALTH TELEPHONE CO. - 2012 Price Stability Index/Service Price Index filed on 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.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
2284700-FUS  Vote 5-0.	M-2012-2284700 M-00920316	CAMBRIA COUNTY'S 911 - System Renewal Plan filed on 1/23/12, by 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.
2285055-FUS  Vote 5-0.	A-2012-2285055 A-2012-2285052 A-2012-2285057 A-2012-2285058	LIBERTY-BELL TELECOM LLC - Application filed on 1/5/12, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service areas of Verizon PA, Verizon North, and CenturyLink; and also, as a Reseller Interexchange Carrier throughout PA. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2286421-FUS  Vote 5-0.	A-2012-2286421	PENNSYLVANIA ELECTRIC CO. - Letter of Notification filed on 1/31/12, with respect to the PJM P 28 Mehoopany-Mehoopany Wind Energy, LLC 115kV Transmission Line in Washington Township, Wyoming 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.
2287271-FUS  Vote 5-0.	A-2012-2287271	ARMSTRONG TELECOMMUNICATION INC - Application filed on 1/30/12, for approval to offer, render, furnish or supply telecommunication services as a Competitive Local Exchange Carrier in the service territory of Frontier Communications Commonwealth Telephone. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.

**BUREAU OF TECHNICAL UTILITY SERVICES**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2289988-FUS</b>  <b>Vote 5-0.</b>	<b>A-2012-2289988</b>	<b>KINETIC ENERGY ASSOCIATES LLC</b> - Application filed on 2/22/12, 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 supplying electricity to residential, small commercial (25kW and under demand), large commercial (over 25kW), industrial and governmental customer classes in all the electric distribution company service territories throughout PA. <b>RECOMMENDATION:</b> That the Commission adopt the proposed Order which approves the application.
<b>2290156-FUS</b>  <b>Vote 5-0.</b>	<b>R-2012-2290156</b>	<b>MAHANOEY &amp; MAHANTANGO TEL and SUGAR VALLEY TEL</b> - 2012 combined Price Index/Service Price Index report filing and accompanying tariff supplements requesting an aggregate rate increase of \$37,974. On 3/1/12, the subject report and tariff supplements were filed. No protests were filed and no hearings were held. <b>RECOMMENDATION:</b> The Commission adopt the proposed Order approving the report and proposed rate increases.

**LAW BUREAU**

<u><b>AGENDA NO.</b></u>	<u><b>DOCKET NO.</b></u>	<u><b>NAME AND SUBJECT</b></u>
<b>2249441-LAW</b>  Vote 5-0.	<b>M-2011-2249441</b>	<b>NET METERING - USE OF 3RD PARTY OPERATORS</b> - With the passage of the Alternative Energy Portfolio Standards Act of 2004 (AEPS Act), this Commonwealth embarked on a policy of promoting alternative generation sources. To further this commitment, the Commission, in a Tentative Order, proposed that it be the policy of the Commission to interpret the term “operator” in the definition of “customer-generator” as including customer-generators with distributed alternative energy systems that contract with a third party to perform the operational functions of the system. RECOMMENDATION: That the Commission adopt the proposed Final Order.
<b>2290512-LAW</b>  Vote 5-0.	<b>P-2012-2290512</b> <b>M-2009-2093215</b>	<b>PECO ENERGY COMPANY-ELECTRIC</b> - Petition filed seeking expedited approval of four demand response contracts for demand response service in connection with the Company’s Energy Efficiency and Conservation Plan. In its Petition, PECO states that it will be amending the four contracts to enable it to take steps to secure additional demand response resources and submit those amended contracts for Commission approval through the normal staff delegated authority approval process. RECOMMENDATION: That the proposed Opinion and Order be adopted.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2181504-ALJ</b> <b>Motion by Commissioner Cawley.</b> <b>Vote 5-0 with Vice Chairman Coleman</b> <b>Concurring in Result Only.</b>	<b>C-2010-2181504</b>	<b>ROY WINSTON VS PHILADELPHIA GAS WORKS</b> - Complaint was filed on 6/1/10, alleging incorrect charges on his gas bill. On 6/21/10, PGW filed an Answer. On 6/22/11, PGW filed a Petition for Continuance based upon the belief that the Complainant was deceased. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Jones' Initial Decision dismissing the complaint.
<b>2248937-ALJ</b> <b>Vote 5-0.</b>	<b>R-2011-2248937</b>	<b>FAIRVIEW SANITATION CO.</b> - Supplement No. 14 to Tariff Sewer - Pa. P.U.C. No. 1, filed on 10/28/11, to become effective 12/30/11, containing proposed changes in rates, rules, and regulations calculated to produce additional annual revenues based on a future test year ending 12/31/11. On 12/15/11, the Commission issued an Order initiating an investigation into the lawfulness, justness and reasonableness of the proposed rates, and suspending the effective date until 7/30/12, by operation of law. The Company voluntarily extended the suspension date for sixty days or until 9/28/12. On 2/10/12, a Joint Petition for Settlement was filed. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Long's Recommended Decision approving the Settlement.
<b>2255159-ALJ</b> <b>Vote 5-0.</b>	<b>R-2011-2255159</b>	<b>PENN ESTATES UTILITIES, INC</b> - Supplement No. 7 to Tariff Water-Pa. P.U.C. No. 3, filed on 9/30/11, to become effective 11/29/11, containing proposed changes in rates, rules, and regulations calculated to produce additional revenues. By Order entered 11/10/11, the Commission instituted an investigation and suspending the effective date until 6/29/12, by operation of law. On 1/25/12, a Joint Petition for Settlement of Rate Investigation and a Stipulation for the Admission of Evidence were filed. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJs Melillo and Cheskis' Recommended Decision approving the Settlement without modification.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2274077-ALJ</b> <b>Vote 5-0.</b>	<b>M-2011-2274077</b>	<b>NORTH EAST HEAT &amp; LIGHT CO</b> - Section 1307(e) Gas Cost Rate Reconciliation Statement filed on 11/15/11, setting forth the over/under collections for the period which ended on 8/31/11. A hearing was held. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.
<b>2274473-ALJ</b> <b>Vote 5-0.</b>	<b>M-2011-2274473</b>	<b>PECO ENERGY COMPANY-ELECTRIC</b> - Section 1307(e) Transmission Service Charge Reconciliation Statement filed on 11/18/11, setting forth the over/under collections for the period which ended on 10/31/11. A hearing was held. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Salapa's Recommended Decision accepting the Statement, insofar as it is undisputed.
<b>2276341-ALJ</b> <b>Vote 5-0.</b>	<b>M-2011-2276341</b>	<b>PPL ELECTRIC UTILITIES CORP</b> - Reconciliation Statement filed on 12/1/11 for its Universal Service Rider for the year ended 11/30/11. A hearing was held. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Colwell's Recommended Decision approving the Reconciliation, insofar as it is undisputed.
<b>2276390-ALJ</b> <b>Vote 5-0.</b>	<b>M-2011-2276390</b>	<b>PENNSYLVANIA POWER CO</b> - Reconciliation Statement filed on 12/2/11, for its Universal Service Charge for the year ended 10/31/11. A hearing was held. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Colwell's Recommended Decision approving the Reconciliation, insofar as it is undisputed.
<b>2276391-ALJ</b> <b>Vote 5-0.</b>	<b>M-2011-2276391</b>	<b>METROPOLITAN EDISON CO</b> - Reconciliation Statement filed on 12/2/11, for its Universal Service Charge for the year ended 10/31/11. A hearing was held. <b>COMMISSION REVIEW:</b> That the Commission adopt ALJ Colwell's Recommended Decision approving the Reconciliation, insofar as it is undisputed.

**OFFICE OF ADMINISTRATIVE LAW JUDGE**

<b><u>AGENDA NO.</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>NAME AND SUBJECT</u></b>
<b>2276396-ALJ</b> <b>Vote 5-0.</b>	<b>M-2011-2276396</b>	PENNSYLVANIA ELECTRIC CO - Reconciliation Statement filed on 11/29/11, for its Universal Service Charge for the year ended 10/31/11. A hearing was held. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Reconciliation, insofar as it is undisputed.
<b>2276459-ALJ</b> <b>Motion by Chairman Powelson.</b> <b>Vote 5-0.</b>	<b>M-2011-2276459</b>	DUQUESNE LIGHT COMPANY - Reconciliation Statement filed on 12/1/11, for its Universal Service Charge for the nine months ended 12/31/11. A hearing was held. COMMISSION REVIEW: That the Commission adopt ALJ Colwell's Recommended Decision approving the Reconciliation, insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

March 29, 2012

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2286665-AUD Vote 5-0.	M-2012-2286665	WEST PENN POWER CO - Consumer Education Charge. RECOMMENDATION: That the Commission approve the request for waiver from CEC Tariff Rider, proposed Supplement No. 215 to Tariff Electric- Pa. P.U.C. No. 39, and proposed Supplement No. 158 to Tariff Electric-Pa. P.U.C. No. 37 to become effective 6/1/12.
2286698-AUD Vote 5-0.	M-2012-2286698	PENNSYLVANIA ELECTRIC CO - Consumer Education Charge. RECOMMENDATION: That the Commission approve the proposed Supplement No. 20 to Tariff Electric-Pa. P.U.C. No. 80 to become effective 4/1/12.
2286699-AUD Vote 5-0.	M-2012-2286699	METROPOLITAN EDISON CO - Consumer Education Charge. RECOMMENDATION: That the Commission approve the proposed Supplement No. 22 to Tariff Electric-Pa. P.U.C. No. 51 to become effective 4/1/12.