

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, MAY 24, 2012 (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, June 7, 2012 at 10:00 A.M.

Minutes of the Meeting of Thursday, April 26, 2012 (WG)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JUNE 7, 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, MAY 23, 2012, AT 2:00 PM, 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

May 24, 2012

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2279231-TAS Vote 5-0.	A-2011-2279231	STAT MEDICAL TRANSPORT LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Drexel Hill, Delaware County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2282444-TAS Vote 5-0.	R-2012-2282444 A-00122208	HARRISBURG CITY CAB, INC - Increase in rates. RECOMMENDATION: That the Commission deny Call or Demand PA PUC No. 3.
2283814-TAS Vote 5-0.	R-2012-2283814 A-00117075	CENTRE LIFELINK EMS - Increase in rates. RECOMMENDATION: That the Commission approve Paratransit PA PUC No. 2, to become effective 5/28/12.
2284218-TAS Vote 5-0.	A-2012-2284218	HEATH L MAGILL T/A HEATH MAGILL LIMOUSINE SERVICE LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Montgomery County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2289844-TAS Vote 5-0.	A-2012-2289844	LAKE REGION FITNESS LLC T/A LAKE REGION LIMO LLC - Application for the right to transport as a common carrier by motor vehicle, persons in limousine service. Hawley, Wayne County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2290409-TAS Vote 5-0.	A-2012-2290409	FIRST CLASS COACH 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. Bucks, Montgomery and the City and County of Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2290614-TAS Vote 5-0.	A-2012-2290614	ACCESS AIRPORT CAB CO - Application for the discontinuance of service and cancellation of its certificate to transport as a common carrier by motor vehicle, persons in taxi service. Berks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application for cancellation of the certificate at A-6310691.
2295590-TAS Vote 5-0.	R-2012-2295590	SOUTH HILLS MOVERS, INC - Increase in rates. RECOMMENDATION: That the Commission approve 16th Revised Page 2 and 11th Revised page 12 to Tariff Freight PA PUC No. 1, to become effective 5/29/12.
2304224-TAS Vote 5-0.	R-2012-2304224 A-00121721	KEYSTONE RELOCATION, LLC - Increase in rates. RECOMMENDATION: That the Commission approve Freight PA PUC No. 3 to become effective 5/29/12.
2304284-TAS Vote 5-0.	R-2012-2304284 A-00094076	GLOSE MOVING & STORAGE, INC - Increase in rates. RECOMMENDATION: That the Commission approve 3rd Revised Page 48, 4th Revised Page 48-A, 3rd Revised Page 48-B, 5th Revised Page 48-C and 5th Revised Page 48-D to Tariff Freight PA PUC No. 54, to become effective 5/29/12.
2304308-TAS Vote 5-0.	R-2012-2304308 A-00097824	LABUDA TRUCKING, INC - Increase in rates. RECOMMENDATION: That the Commission approve 1st Revised Page 63-D to Tariff Freight PA PUC No. 54, to become effective 5/29/12.
2304323-TAS Vote 5-0.	R-2012-2304323	PARKS MOVING & STORAGE, INC - Increase in rates. RECOMMENDATION: That the Commission approve 3rd Revised Page 77, 1st Revised Page 77-A, and 5th Revised Page 78 of Tariff Freight PA PUC No. 54, to become effective 5/29/12.
2304325-TAS Vote 5-0.	R-2012-2304325 A-2008-2056408	DEAN L. MOOSE T/A VIROSTICK MOVING & STORAGE - Increase in rates. RECOMMENDATION: That the Commission approve freight PA PUC No. 3, to become effective 5/29/12.

DIRECTOR OF ADMINISTRATIONS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2304702-BAS Vote 5-0.		EVALUATION OF PROPOSALS TO SELECT A VENDOR - The Commission is seeking to secure a vendor to provide Captioned Telephone Voice-Carry-Over Relay Service ("CTRS") for the period beginning the effective date of the contract (anticipated to start 7/1/12) through 6/30/15 (three years), with two, two-year optional terms (at Commission's option) through 6/30/19. 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>
2221061-AUD (PP from 05/10/2012) Statement by Commissioner Gardner. Vote 5-0.	D-2011-2221061 D-2011-2221062 D-2011-2221063	UGI UTILITIES, UGI CENTRAL PENN, AND UGI PENN NATURAL GAS - Focused Management and Operations Audit Report. RECOMMENDATION: That the Commission make the Audit Report and UGI's Implementation Plan public.
2228385-AUD Statement by Commissioner Gardner. Vote 5-0.	D-2011-2228385	NATIONAL FUEL GAS DISTRIBUTION CORP - Focused Management and Operations Audit. RECOMMENDATION: That the Commission make the Audit Report and NFGDC's Implementation Plan public.
2260487-AUD Vote 5-0.	D-2011-2260487	CITIZENS ELEC CO OF LEWISBURG - Generation Supply Service Rate for the twelve months ended 12/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
2260488-AUD Vote 5-0.	D-2011-2260488	WELLSBORO ELECTRIC CO - Generation Supply Service Rate for the twelve months ended 12/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
2277071-AUD Vote 5-0.	D-2011-2277071	SERGEANT GAS CO - Final Gas Cost Rate for the month ended 9/30/11 and the twelve months ended 8/31/11 and 8/31/10. RECOMMENDATION: That the Commission release the Audit Report to the public.
2297871-AUD Vote 5-0.	M-2012-2297871	DUQUESNE LIGHT COMPANY - Consumer Education Surcharge effective 6/1/12. RECOMMENDATION: That the Commission approve Supplement No. 59 to Tariff Electric - Pa. P.U.C. No. 24, reflecting the proposed CES rates.
2298326-AUD Vote 5-0.	M-2012-2298326	WEST PENN POWER CO - Energy Efficiency and Conservation Surcharge. RECOMMENDATION: That the Commission approve Supplement No. 216 to Tariff Electric - Pa. P.U.C. No. 39 and Supplement No. 159 to Tariff Electric - Pa. P.U.C. No. 37, reflecting the revised EE&C rates.
2302078-AUD Vote 5-0.	M-2012-2302078	PENNSYLVANIA ELECTRIC CO - Default Service Support Rider and Solar Photovoltaic Requirement Charge Rider effective 6/1/12. RECOMMENDATION: That the Commission approve Supplement No. 22 to Tariff Electric - Pa. P.U.C. No. 80, reflecting the proposed DSSR and SPVRC rates.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2302081-AUD Vote 5-0.	M-2012-2302081	METROPOLITAN EDISON CO - Default Service Support Rider and Solar Photovoltaic Requirement Charge Rider effective 6/1/12. RECOMMENDATION: That the Commission approve Supplement No. 24 to Tariff Electric - Pa. P.U.C. No. 51, reflecting the proposed DSSR and SPVRC rates.
2302214-AUD Vote 5-0.	M-2012-2302214	PENNSYLVANIA POWER CO - Default Service Support Rider and Solar Photovoltaic Requirement Charge Rider effective 6/1/12. RECOMMENDATION: That the Commission approve Supplement No. 85 to Tariff Electric - Pa. P.U.C. No. 35, reflecting the proposed DSSR and SPVRC rates.
2302890-AUD Vote 5-0.	M-2012-2302890	UGI UTILITIES, INC-ELECTRIC DIVISION - Default Generation Supply Service and Alternative Energy Cost Charge effective 6/1/12. RECOMMENDATION: That the Commission approve Supplement No. 100 to Tariff Electric - Pa P.U.C. No. 5, reflecting the revised GSR and AECC rates to become effective 6/1/12.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1085150-OSA Vote 5-0.	A-00110190 C-2011-2219826	LIMOUSINE SERVICES TRANSPORTATION INC - Complaint instituted on 1/13/11 at Docket No. C-2011-2219926 alleging failure to maintain evidence of insurance on file with the Commission. No answer to the Complaint was timely filed. By Secretarial Letter issued 4/12/11, the Commission, inter alia, cancelled Petitioner's Certificate of Public Convenience. No appeal from staff action was filed. On 3/8/12 and 4/13/12, the Petitioner filed Letters-Petition for Rescission, seeking rescission of the 4/12/11 Secretarial Letter and reinstatement of its Certificate. No response to the Petition has been filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) grants the Petition to the extent outlined in the Opinion and Order; and (2) assigns these matters to the OALJ for such further action as deemed necessary.
2093216-OSA Vote 5-0.	M-2009-2093216	PPL ELECTRIC UTILITIES CORP - Revised EE&C Plan filed on 2/2/12, pursuant to Act 129 of 2008. In response to Comments filed by the PPL Industrial Customer Alliance (PPLICA) and the Sustainable Energy Fund of Central Eastern Pennsylvania (SEF), the Commission assigned the Revised Plan to the OALJ for further proceedings. On 4/30/12, PPL, PPLICA and SEF filed a Joint Petition for Settlement. The Settlement resolves the issues raised by PPLICA and SEF and recommends a few modifications to the Revised Plan. Also on 4/30/12, ALJ Barnes issued an Order certifying the record to the Commission. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which, inter alia, adopts the Settlement and approves the Revised Plan, subject to the modifications proposed in the Settlement.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2109324-OSA Statement by Chairman Powelson. Vote 5-0.	I-2009-2109324	CLEAN TREATMENT SEWAGE INVESTIGATION - Investigation initiated by Order entered 5/15/09 at Docket No. C-20078197. Four prehearing conferences were held in this matter. At the fourth status conference held on 11/08/11, the Parties submitted a Joint Stipulation Addressing the Requirements of Section 529(a) of the Public Utility Code. The hearing convened as scheduled on 11/15/11, and the Joint Stipulation was admitted into the record. On 1/25/12, Clean Treatment Sewage Company (CTSC) filed a Motion Re Security for New Capital Financing. On 2/14/12, the OCA filed an Answer in Opposition to the Motion, and Delaware Township filed an Objection to the Motion. The Recommended Decision was issued on 1/31/12. PA American Water filed Exceptions on 2/8/12, and CTSC and the OCA filed Exceptions on 2/10/12. CTSC, the OCA, and the Bureau of Investigation and Enforcement filed Replies to Exceptions on 2/17/12. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order.
2141712-OSA (PP from 04/26/2012) Motion by Commissioner Gardner. Vote 5-0.	M-2012-2141712	UGI UTILITIES CORP - Settlement Agreement filed on 2/3/12, for approval by the Commission with regard to an incident involving damage to a natural gas tapping tee at the site of an excavation in Mountville, that resulted in the escape of natural gas. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order issuing the Settlement Agreement for comments by any interested party.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2155312-OSA Motion by Commissioner Gardner. Vote 5-0.	M-2011-2155312	UGI CENTRAL PENN GAS, INC. - Joint Petition filed on 9/20/11, requesting approval of a Settlement Agreement related to an incident involving a UGI four-inch high pressure natural gas distribution line that was damaged by a private contractor while installing a new sewer and water main for the Bedford Township Municipal Authority. The damage to the gas line, alleged to have occurred because UGI failed to mark its lines in accordance with established procedures, caused natural gas to leak at a high rate in an excavation area located in an unpopulated section of Bedford Springs, Bedford County. By Order entered 12/2/11, the Commission was seeking comments to the proposed Settlement Agreement from interested parties. On 12/9/11, the Dollar Energy Fund submitted comments. Replies to Comments were not filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order granting the Petition and adopting the Settlement Agreement without modification.
2205782-OSA (PP from 04/26/2012) Motion by Commissioner Gardner. Vote 5-0.	M-2012-2205782	PECO ENERGY COMPANY-GAS - Following a fire and explosion at a residence on 12/26/09 in Montgomery County, BI&E launched an informal investigation into the practices and procedures of PECO's natural gas operations. On 12/2/11, BI&E and PECO filed a Settlement Agreement and a Joint Statement in Support thereof. The Settlement, inter alia, makes specific findings regarding PECO's actions, requires PECO to retrain its emergency response crews, and imposes a fine of \$35,000. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which directs that the Settlement and Joint Statement be issued for comments by interested parties.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2252042-OSA Vote 4-1 with Commissioner Witmer Dissenting.	P-2011-2252042	<p>PIKE COUNTY LIGHT & POWER CO-ELECTRIC - Petition for Approval of its Default Service Implementation Plan filed on 7/15/11, pursuant to 66 Pa. C.S. §§2801 et seq. Answers to the Petition were filed by the OCA and the OSBA on 8/4/11. The Bureau of Investigation and Enforcement (BI&E) filed a Notice of Appearance. Direct Energy filed an unopposed Petition to Intervene on 8/8/11. On 8/12/11, a Prehearing Conference was held. All Parties agreed to waive cross-examination of witnesses in this case. On 11/7/11, a Joint Motion for Admission of Testimony and Exhibits was submitted by the Parties and was granted by Order dated 11/8/11. By Recommended Decision issued on 2/14/12, the ALJ adopted the OCA's position of including an on-peak fixed price financial hedge contract for a portion of the on-peak residential default service load. Exceptions were filed by Direct Energy and Pike on 3/5/12. Replies to Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order reversing the ALJ's Recommended Decision, granting, in part and denying, in part the Parties Exceptions.</p>
2270559-OSA Vote 5-0.	C-2011-2270559	<p>BUR OF INVESTIGATION & ENFORCEMENT VS WILLOW GROVE YELLOW CAB CO INC - Complaint initiated on 11/29/11, alleging violations of provisions of the Rules and Regulations of the Commission. On 1/27/12, the parties submitted a Settlement Agreement for consideration by the Commission. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the Settlement Agreement and imposes a \$250 civil penalty on the company.</p>

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2246617-FUS (PP from 05/10/2012) Motion by Commissioner Gardner. Vote 5-0.	A-2011-2246617	BOUNCE ENERGY PA LLC - Application filed on 5/27/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier of electricity serving residential, small commercial, large commercial, industrial, and governmental customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2274476-FUS (PP from 05/10/2012) Motion by Commissioner Cawley. Dissenting Statement by Commissioner Witmer. Vote 3-2 with Commissioner Gardner and Commissioner Witmer Dissenting.	A-2011-2274476	VCHARGE INC - Application filed on 9/2/11, for approval for a license to offer, render, furnish or supply electricity or electric generation services as a supplier to 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 PPL. The application also contained a request that a reduced supplier bond of \$50,000 be approved. RECOMMENDATION: That the Commission approve the application, but deny the request for a lower bonding level.
2279554-FUS Vote 5-0.	A-2011-2279554 A-2011-2279542 A-2011-2279543 A-2011-2279544 A-2011-2279545 A-2011-2279546 A-2011-2279547	MCIMETRO ACCESS TRANS SVC LLC - Expansion Application filed on 12/22/11, for approval to offer, render, furnish or supply telecommunication services as a CLEC in the service areas of Commonwealth Telephone d/b/a Frontier Communications Commonwealth Telephone; Frontier Communications of Breezewood; Frontier Communications of Canton; Frontier Communications of Oswayo River; Frontier Communications of Pennsylvania; Frontier Communications of Lakewood and Citizens Telecommunications of New York. No protests were filed and no hearings were held. RECOMMENDATION: The Commission approve the application consistent with the proposed Order.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2281401-FUS Vote 5-0.	M-2012-2281401 M-00900239	TRS ANNUAL SURCHARGE RECALCULATION 2012-2013 - Recalculation of the PA Telecommunications Relay Service Surcharge. The Commission has completed its annual recalculation of the PA TRS Surcharge and hereby notifies the LECs that the monthly residential and business monthly wireline access line surcharge to be applied from 7/1/12 through 6/30/13, will be set at \$0.08 per access line. This surcharge recalculation factors in cost estimates for TRS, TDDP, and PMASP operations. RECOMMENDATION: The Commission adopt the proposed Order.
2289779-FUS Vote 5-0.	A-2012-2289779	AMBIT NORTHEAST LLC - Application filed on 2/15/12, for approval to offer, render, furnish, or supply natural gas supply services as a supplier and broker/marketer to residential and commercial customers in the service territory of National Fuel Gas, Peoples Natural Gas, Equitable Gas, Columbia Gas, UGI Central Penn, UGI Penn Natural, and UGI Utilities within PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2290597-FUS Vote 5-0.	R-2012-2290597	PPL ELECTRIC UTILITIES CORP - Supplement filed on 3/30/12, for approval of the proposed changes in rates, rules, and regulations calculated to produce approximately \$104.6 million in additional annual revenues, a 2.9% increase in total annual revenues. Supplement No. 118 is proposed to become effective 6/1/12. A number of formal complaints, protests, and petitions to intervene have been filed. RECOMMENDATION: The Commission adopt the proposed Order that suspends Supplement No. 118 to Tariff Electric –Pa. PUC No. 201 by operation of law until 1/1/13, and institutes an investigation.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2293653-FUS Vote 5-0.	A-2012-2293653	INCITE ENERGY LLC - Application filed on 3/13/12, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential, small commercial, large commercial, and industrial customers in the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2296089-FUS Vote 5-0.	R-2012-2296089	VENUS TELEPHONE CORP - Simplified Ratemaking Plan Revenue Neutral Rate Rebalancing Filing and Tariff Supplement No. 138 to Tariff PA PUC No. 1 filed on 4/16/12, requesting to roll touch tone charges into basic local service rates and eliminate the separate stand-alone touch tone charge for residential and business dial tone line customers. No protests were filed and no hearings were held. RECOMMENDATION: The Commission adopt the proposed Order approving the proposed rate changes.
2303513-FUS Vote 5-0.	M-2012-2303513	QUARTER 4 2011 EARNINGS REPORT - The Bureau of Technical Utility Services staff has completed a report representing the earned and adjusted returns on rate base and common equity capital for PA non-telephone fixed utilities with jurisdictional operating revenues of over \$1,000,000. Staff has included detailed, market-based analysis of the current cost of equity across industry-wide groups. RECOMMENDATION: That the Commission make the earnings report public.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2156502-LAW Vote 5-0.	P-2010-2156502	CRICKET COMMUNICATIONS INC - The FCC issued its Lifeline Reform Order on 2/6/12, which affected all pending ETC petitions. Cricket modified its original proposal to meet Commission and FCC requirements. Comments regarding the petition were filed by the OCA. Cricket filed reply comments. RECOMMENDATION: That the Commission adopt the proposed Order.
2275383-LAW Vote 5-0.	P-2011-2275383	COLUMBIA GAS OF PA, INC - Petition filed on 11/29/11, seeking permission to defer for accounting purposes certain costs bill to it by its affiliate NiSource Corporate Service Company which are related to a change from a cost to an accrual methodology for Other Post-Employment Benefits for NiSource employees. On 12/19/11, OCA filed an answer. RECOMMENDATION: That the Commission adopt the proposed Order.
2300653-LAW Vote 5-0.	M-2012-2300653 M-2009-2108601	ACT 129 PHASE 2 TOTAL RESOURCE COST TEST-2012 - Act 129 of 2008 directs use of the TRC test to analyze costs and benefits of energy efficiency and conservation (EE&C) plans that EDCs are required to file pursuant to Act 129. The PA TRC Test was first adopted in 2009 and revised in 2011. This Tentative Order seeks comments on proposed refinements to the PA TRC test for use should a Phase II of EE&C plans be required of the EDCs. Comments are due 6/29/12. Reply Comments are due 7/9/12. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1087149-ALJ Vote 5-0.	A-00111016 C-00913256	CONSOLIDATED RAIL CORP - Providence Township, Lancaster County filed a Petition on 3/15/11, seeking to modify portions of the Order entered 10/9/97 to have a bridge structure remain in place to maintain its historical significance and the continuity of the recreational trail to be developed along the right of way in the Township. On 3/22/12, a Stipulation of Settlement was signed by counsel for all parties active in the proceeding that arose from the Petition. COMMISSION REVIEW: That the Commission adopt ALJs Barnes and Cheskis' Recommended Decision approving the Stipulation without modification.
2179796-ALJ Vote 5-0.	M-2010-2179796	PPL ELECTRIC UTILITIES CORP - Petition to Stay and a Complaint filed on 11/22/11, by Lorrie Koons, regarding PPL's tariff revision filings for its Universal Service and Energy Conservation Plan. Ms. Koons averred that modifications to PPL's OnTrack payment design to a CAP Plus design is contrary to settlement provisions previously filed at this docket. On 2/24/12, a Petition for Settlement of All Issues was filed. COMMISSION REVIEW: That the Commission adopt ALJs Colwell and Cheskis' Recommended Decision approving the Settlement without modification.
2244383-ALJ Vote 5-0.	F-2011-2244383	PHILADELPHIA GAS WORKS VS FALLYN GARDINER - Timely appeal filed on 4/28/11, on a BCS decision dated 4/9/11. The BCS decision found Appellee was not liable for service after 4/15/08 for \$8,374.07. Hearing held 2/6/12. COMMISSION REVIEW: That the Commission adopt ALJ Nguyen's Initial Decision dismissing the complaint and reinstating the BCS decision, if it is consistent with the Initial Decision.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2284906-ALJ Vote 5-0.	C-2012-2284906	LA VERNE DIGGS VS COLUMBIA GAS OF PENNSYLVANIA, INC. - Complaint filed on 1/20/12, alleging that the Complainant submitted a written request to Columbia to connect natural gas service, but Columbia refused to do so. Columbia filed Preliminary Objections on 2/14/12, asserting that the facilities that the Complainant requested connection, and refused to provide natural gas service, are owned by Columbia Gas Transmission Corp. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision sustaining the Preliminary Objections, dismissing the complaint.
2286257-ALJ Vote 5-0.	M-2012-2286257	WELLSBORO ELECTRIC CO - Section 1307(e) Generation Service Supply Rate reconciliation statement filed on 1/30/12, setting forth the over/under collections for the twelve month period which ended on 12/31/11. A hearing was held on 3/27/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statement insofar as it is undisputed.
2286303-ALJ Vote 5-0.	M-2012-2286303	PIKE COUNTY LIGHT & POWER CO-ELECTRIC - Section 1307(e) System Benefits Charge reconciliation statement filed on 1/30/12, setting forth the over/under collections for the twelve-month period which ended on 12/31/11. A hearing was held on 3/27/12. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Recommended Decision accepting the statement insofar as it is undisputed.
2287446-ALJ Vote 5-0.	M-2012-2287446	WEST PENN POWER CO - Section 1307(e) Default Service Generation reconciliation statement filed on 2/3/12, setting forth the over/under collections for the twelve-month period which ended on 12/31/11. A hearing was held on 3/27/12. 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

May 24, 2012

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2302069-AUD Vote 5-0.	M-2012-2302069	PPL ELECTRIC UTILITIES CORP - Act 129 Compliance Rider Surcharge. RECOMMENDATION: That the Commission direct PPL to submit, within 10 days, the appropriate tariff supplement to become effective 6/1/12, reflecting the revised ACR rates.
2302073-AUD Vote 5-0.	M-2012-2302073	DUQUESNE LIGHT COMPANY - Transmission Service Charge. RECOMMENDATION: That the Commission approve Supplement No. 60 to Tariff Electric - PA P.U.C. No. 24, reflecting the proposed TSC rates to become effective 6/1/12.
2302811-AUD Vote 5-0.	M-2012-2302811	PPL ELECTRIC UTILITIES CORP - Transmission Service Charge. RECOMMENDATION: That the Commission direct PPL to submit the appropriate tariff supplement to become effective 6/1/12, reflecting revised TSC rates and properly inform its customers of all TSC rate changes for the twelve months 6/1/12 through 5/31/13.
2302829-AUD Statement by Chairman Powelson. Vote 5-0.	M-2012-2302829	PPL ELECTRIC UTILITIES CORP - Generation Supply Charge-2. RECOMMENDATION: That the Commission direct PPL to submit, within 10 days, the appropriate tariff supplement to become effective 6/1/12, reflecting the revised GSC-2 rate.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2286473-FUS Vote 5-0.	R-2012-2286473	PECO ENERGY COMPANY-GAS - Supplement No. 118 to Tariff Gas – Pa. P.U.C. No. 2 filed on 1/31/12, for approval to propose two revisions to the tariff. Supplement No. 118 was originally filed to become effective on 3/31/12. However, PECO filed subsequent tariff supplements to voluntarily postpone the effective date to 5/30/12. RECOMMENDATION: That the Commission adopt the proposed Order approving Supplement No. 118 to Tariff Gas – Pa. P.U.C. No. 2.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2275748-LAW Vote 5-0.	P-2011-2275748	T-MOBILE - Petition filed on 12/1/11, seeking approval to be designated as an ETC throughout the Commonwealth for the limited purpose of providing Lifeline service to qualified low income consumers. The petition was published in the PA Bulletin on 1/28/12. The OCA filed comments and T-Mobile filed Reply Comments as well as supplements to its petition. The OCA supports T-Mobile's petition subject to the same reporting and verification requirements imposed upon all ETCs to ensure consistent treatment and protection of PA consumers, as well as protecting the USF from fraud and abuse. RECOMMENDATION: That the Commission adopt the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2282031-LAW Vote 5-0.	M-2012-2282031	ACT 127-GAS & HAZARDOUS LIQUIDS PIPELINE ACT - The Commission is adopting a Tentative Order to revise its February 16, 2012, Act 127 Implementation Order to explicitly include Class 1 Transmission lines as part of its jurisdiction, and to require pipeline operators of Class 1 Transmission lines to register with the Commission. RECOMMENDATION: That the Commission adopt the proposed Tentative Order.
2287339-LAW Vote 5-0.	P-2012-2287339	KEYSTONE WIRELESS D/B/A IMMIX WIRELESS - Petition filed on 2/6/12, seeking Eligible Telecommunications Carrier (ETC) designation in various areas of incumbent local exchange carrier the Commonwealth of PA in order to be eligible to receive high-cost support universal service funding in order to speed the delivery of advanced wireless services to Pennsylvania citizens. The OCA filed comments to the Petition. Keystone filed Reply Comments in response to OCA's comments. Subsequently, Keystone filed an Amended Petition and a Supplement to the Petition. RECOMMENDATION: That the Commission grants the petition for approval of designation as an ETC in order to receive high-cost support from the Universal Service Fund.