

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, JUNE 7, 2012 (JC)

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 21, 2012 at 10:00 A.M.

Minutes of the Meeting of Thursday, May 10, 2012 (JFC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JUNE 21, 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, JUNE 6, 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.

**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

June 7, 2012

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2142609-TAS Vote 5-0.	A-2009-2142609	PENNDOT - Application filed 11/19/09, to rehabilitate the existing crossing structures in the City of Pittsburgh, Allegheny County. RECOMMENDATION: That the Commission adopt the proposed Order approving the application as amended.
2279531-TAS Vote 5-0.	A-2011-2279531	BUCKS COUNTY FOOD TOURS - Application for the right to begin to transport as a common carrier by motor vehicle, household goods in use. Doylestown, Bucks County RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2281563-TAS Vote 5-0.	A-2012-2281563 A-00115529	BURGIT CITY TAXI INC - Application for transfer of issued and outstanding stock. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2282844-TAS Vote 5-0.	R-2012-2282844	NOGA AMBULANCE SERVICE, INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Paratransit PA PUC No. 2, to become effective 6/11/12.
2287026-TAS Vote 5-0.	A-2012-2287026	LLG TRANSPORTATION LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Philadelphia RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2290704-TAS Vote 5-0.	R-2012-2290704	CAPITAL CITY CAB SERVICE INC - Increase in rates. RECOMMENDATION: That the Commission approve Call or Demand PA PUC No. 3, to become effective 6/11/12.
2291449-TAS Withdrawn by the Bureau of Technical Utility Services.	A-2012-2291449	SAMA TRANSPORT SERVICES INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission dismiss the application.

BUREAU OF TECHNICAL UTILITY SERVICES (Transportation)

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2291937-TAS Vote 5-0.	A-2012-2291937	QUALITY TRANSPORT SERVICES INC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission dismiss the application.
2300610-TAS Vote 5-0.	R-2012-2300610 A-00107747	ROBERT P SCOTT PROFESSIONAL MOVING VAN SERVICE CO INC - Increase in rates. RECOMMENDATION: That the Commission approve Tariff Freight Pa. PUC No. 3, to become effective 6/11/12.
2303222-TAS Vote 5-0.	R-2012-2303222	WALLS/DELAWARE VALLEY HAVERTOWN/ WESTTOWN MOVERS, LLC - Increase in rates. RECOMMENDATION: That the Commission approve 2nd Revised Page 106-D and 1st Revised Page 106-E of Tariff Freight PA PUC No. 54, to become effective 6/11/12.
2303237-TAS Vote 5-0.	R-2012-2303237	EZ MOVING LLC - Increase in rates. Levittown, Bucks County RECOMMENDATION: That the Commission approve 1st Revised Page 31-M and 1st Revised Page 31-N to Tariff Freight PA PUC No. 54, to become effective 6/11/12.
2303247-TAS Vote 5-0.	R-2012-2303247	MOVIN' MURDY, INC - Increase in rates. RECOMMENDATION: That the Commission approve 2nd Revised Page 106-D and 1st Revised page 106-E to Tariff Freight Pa. PUC No. 54, to become effective 6/11/12.
2303256-TAS Vote 5-0.	R-2012-2303256	GARTMEYER MOVING & STORAGE, INC - Increase in rates. RECOMMENDATION: That the Commission approve 2nd Revised Page 43 to Tariff Freight Pa. PUC No. 54, to become effective 6/11/12.
2303266-TAS Vote 5-0.	R-2012-2303266	ALPHA INTERNATIONAL MOVERS, INC - Increase in rates. RECOMMENDATION: That the Commission approve 6th Revised Page 15-B to Tariff Freight Pa. PUC No. 54, to become effective 6/11/12.
2304977-TAS Vote 5-0.	A-2012-2304977	BENNETT MOTOR EXPRESS, LLC - Application for Self-Insurer. RECOMMENDATION: That the Commission approve the application.

DIRECTOR OF ADMINISTRATION

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

**2272902-BAS
(PP from 05/24/2012)**

**Postponed until the Public Meeting of
June 21, 2012.**

PA UNIVERSAL SERVICE FUND
ADMINISTRATOR

- The Commission is seeking to secure an Administrator for the PaUSF for the next contracting period anticipated to be 7/1/12 through 6/30/16, with one optional year (at the Commission's option) through 6/30/17.

RECOMMENDATION:

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

BUREAU OF CONSUMER SERVICES

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

2207924-BCS

M-2010-2207924

Vote 5-0.

WEST PENN POWER CO

- Universal Service and Energy Conservation Plan for 2011-2013 filed on 5/14/10, and a final amended Plan was filed on 2/6/12 in accordance with the Commission's regulations at 52 Pa. Code sections 54.71-78.

RECOMMENDATION:

That the Commission adopt the proposed Final Order, which approves the West Penn Power Company's Plan.

OFFICE OF SPECIAL ASSISTANTS

AGENDA NO.

DOCKET NO.

NAME AND SUBJECT

1098442-OSA

**C-00019560
P-2011-2267892**

Vote 5-0.

UNITED TRANSPORTATION UNION, PA STATE LEGISLATIVE BOARD VS NORFOLK SOUTHERN RAIL - Petition filed on 11/13/09, by Norfolk Southern Railway asking the Commission to rescind or amend the Commission Order entered 6/12/75 at Docket No. C-00019560. The United Transportation Union, PA Legislative Board filed Comments opposing the Petition. Norfolk filed an Amended Petition and the Union filed Comments. On 10/19/11, the Union filed a Petition for Emergency Relief. An emergency hearing was held before ALJ Salapa. On 11/2/11, ALJ Salapa issued his Order denying Emergency Relief. By Order of 12/1/11, the Commission upheld the ALJ's Order. During the hearing, Norfolk raised the issue of federal preemption of the 1975 Order and directed the ALJ to dispose of the issue. The ALJ directed the Parties to file motions for summary judgments and answers. On 3/20/12, the ALJ issued his Recommended Decision recommending that Norfolk's Motion be granted and that the 1975 Order be rescinded. The Union filed Exceptions and Norfolk filed Reply Exceptions.

RECOMMENDATION:

That the Commission adopt the proposed Opinion and Order that: (1) denies the Union's Exceptions; (2) adopts the ALJ's Decision, to the extent consistent with the Opinion and Order; and (3) rescinds the 1975 Order in its entirety.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2058148-OSA (PP from 05/24/2012) Vote 4-1 with Commissioner Cawley Dissenting.	C-2008-2058148	GUY LAREN VS PHILADELPHIA GAS WORKS - Formal Complaint filed on 8/8/08, regarding the responsibility for an unpaid bill for service at a property owned by the Complainant. On 11/14/08, the Parties reached a Settlement and the case was closed on 12/9/08. On 9/4/09, the Complainant filed a Petition to Enforce the Settlement. On 11/29/10, the Complainant filed a Petition to Join an Essential Party. ALJ Fordham issued an Initial Decision denying both Petitions on 1/8/12. On 2/24/12, the Complainant filed Exceptions to the Initial Decision. On 3/9/12, PGW filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that denies the Complainant's Exceptions and adopts the Initial Decision.
2192381-OSA Vote 5-0.	C-2010-2192381	DANIEL SCHUTZER VS COLUMBIA GAS OF PA - Formal Complaint filed on 8/5/10, alleging, inter alia, that Columbia Gas improperly applied "monthly charges" for the period of time when his gas service was unavailable. Columbia answered the Complaint on 8/30/10, denying that any credit was owed to the Complainant. A telephonic hearing was held on 10/19/11. In her Initial Decision, issued on 3/8/12, ALJ Long concluded that the instant Complaint should be dismissed. On 4/23/12, the Complainant filed Exceptions to the Initial Decision. On 5/3/12, Columbia filed Reply Exceptions. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that: (1) denies the Complainant's Exceptions to the Initial Decision; and (2) adopts the ALJ's Initial Decision, to the extent consistent with the Opinion and Order.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2223657-OSA (PP from 05/24/2012)	C-2011-2223657	BUREAU OF TRANSPORTATION & SAFETY VS HANDY DELIVERY INC - Complaint instituted alleging a violation of Section 29.314(d) of the Commission's Regulations by using overage vehicles to transport passengers without first obtaining a waiver for the vehicles. BTS requested that a civil penalty of \$1,500 be imposed for three violations. The Complaint was served on the Respondent on 2/18/11. The Respondent filed an Answer to the Complaint on 2/25/11. On 3/5/12, Respondent and the Commission's Law Bureau Prosecutory Staff filed a Settlement Agreement in order to satisfy the Complaint. As part of the Settlement, the proposed civil penalty of \$1,500 would be reduced to \$750. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
2227108-OSA Vote 5-0.	M-2012-2227108	WINDSTREAM PENNSYLVANIA LLC - Proposed Settlement Agreement filed on 3/23/12 pertaining to an informal investigation of Windstream's "no proration" billing practice. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order issuing the proposed Settlement Agreement for comment.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2262613-OSA Vote 5-0.	A-2011-2262613 A-00119245	AMERICAN EAGLE BUS & LIMO INC - Application filed on 7/29/11, for certain paratransit rights. Notice was published in the PA Bulletin. No protests were filed and the unopposed Application was certified to the Commission for decision. The Applicant submitted verified statements with its Application. Additional information was required and the Applicant was sent a data request. The Applicant submitted the additional information. Per Order entered 3/1/12, the Commission directed that the Application, as amended, be approved, granting paratransit rights to additional counties. On 3/13/12, the Applicant filed a Petition for Reconsideration of the 3/1/12 Order. No response was filed to the Petition. Per Order of 3/29/12, the Petition was granted pending further review of, and consideration on, the merits. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which: (1) grants the Petition in part and denies it in part; (2) modifies the Order entered 3/1/12; and (3) refers this matter to the Bureau of Technical Utility Services for processing.
2300998-OSA Vote 5-0.	A-2012-2300998	TIME WARNER CABLE INFO SVC (PA) AND WINDSTREAM COMMUNICATIONS - Joint Petition filed on 4/25/12, requesting approval of an Interconnection Agreement pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2302432-OSA Vote 5-0.	A-2012-2302432	CONSOLIDATED COMMUNICATIONS OF PA AND TCG PITTSBURGH - Joint Petition filed on 5/4/12, requesting approval of an Interconnection Agreement pursuant to Section 252(i) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2289611-FUS Vote 5-0.	P-2012-2289611	PPL ELECTRIC UTILITIES CORP - Petition filed on 2/21/12, for approval for a finding that a second building to shelter control equipment at the Hosensack 230-69 kV substation to be constructed in Lower Milford Township, Lehigh County, is reasonably necessary for the convenience or welfare of the public and therefore, exempt from any local zoning ordinance. No protest was filed. A hearing was held. RECOMMENDATION: That the Commission adopt the proposed Order that grants the petition.
2289865-FUS Vote 5-0.	A-2012-2289865	TELESTRIDE LLC - 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 area of Commonwealth Telephone d/b/a Frontier Communications Commonwealth Telephone. No protests were filed and no hearings were held. RECOMMENDATION: The Commission approve the application consistent with the proposed Order.
2289944-FUS (PP from 05/24/2012) Vote 5-0.	A-2012-2289944	HIKO ENERGY LLC - Application filed 2/21/12, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier of electricity to residential, small commercial (25 kW and under), large commercial (over 25 kW), industrial and governmental customers in all of the electric distribution company service territories 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>
2291136-FUS Vote 5-0.	A-2012-2291136	BEST POWER LLC - Application filed on 2/27/12, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), industrial, and governmental customers in the electric distribution service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2292048-FUS Vote 5-0.	A-2012-2292048	SPRAGUE OPERATING RESOURCES LLC - Application filed on 1/19/12, for approval to offer, render, furnish or supply electricity or electric generation services as a broker/marketer for small commercial (25 kw and under demand), large commercial (over 25 kw demand), and industrial customers in all of the electric distribution company service territories throughout PA. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2292611-FUS Vote 5-0.	A-2012-2292611	HESS SMALL BUSINESS SERVICES LLC - Application filed on 3/9/12, for approval to offer, render, furnish or supply electricity or electric generation services as a supplier of retail electric power and as a broker/marketer to residential, small commercial (25 kw and under demand), large commercial (over 25 kw), 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.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2295389-FUS Vote 5-0.	M-2012-2295389 M-00950751	CAMERON COUNTY'S 911 - System Renewal Plan filed by PEMA on 3/27/12, requesting a formal review of the costs associated with the contribution rate of \$1.50 per access line per month and to make a recommendation to PEMA within 90 days of the receipt date. RECOMMENDATION: The Commission adopt the proposed Order which approves a contribution rate of \$1.50 per access line per month.
2296742-FUS Vote 5-0.	A-2012-2296742	PENNSYLVANIA ELECTRIC CO - Letter of Notification filed on 3/30/12, pursuant to 52 Pa. Code Chapter 57.72 with respect to the East Towanda-Moshannon 230kV Transmission Line Loop to the Marshall Substation in Jackson Township, Lycoming County. Authority for this procedure is provided for at §57.72(d)(1)(iii) and (vi). No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2298957-FUS Vote 5-0.	R-2012-2298957	LACKAWAXEN TELECOM SVCS INC - 2012 Price Stability Index/Service Price Index filing of 5/1/12. No tariffs were filed. No protests were filed and no hearings were held. RECOMMENDATION: The Commission adopt the proposed Order that approves this filing.
2301050-FUS Vote 5-0.	S-2012-2301050	PPL ELECTRIC UTILITIES CORP - Securities certificate filed on 4/27/12, for registration of a securities certificate for the issuance of debt in an aggregate principal amount not to exceed \$250 million. PPL Electric agreed to a voluntary extension of the consideration period until 6/8/12. RECOMMENDATION: That the Commission register the securities certificate consistent with the proposed Order.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2292000-LAW Vote 5-0.	P-2012-2292000	NATIONAL FUEL GAS DISTRIBUTION - Petition filed pursuant to 52 Pa. Code § 62.6(b) for an extension of time to submit its evaluation report for Universal Service and Energy Conservation Programs from 8/1/12 to 3/31/13. National Fuel states that its third-party evaluator cannot complete the evaluation until 12/2012, because of other commitments and it needs the remaining time to complete its report. RECOMMENDATION: That the Commission adopt the proposed Order granting the petition.
2294746-LAW (PP from 05/24/2012) Vote 5-0.	L-2012-2294746	PROPOSED RULEMAKING-- UNACCOUNTED-FOR-GAS - Bureau of Investigation and Enforcement and the Bureau of Audits in 2/2012 provided the Commission with their findings in a report entitled, UNACCOUNTED-FOR-GAS In the Commonwealth of Pennsylvania. This Report discusses the findings of the Staff evaluation and is available on the Commission's website at http://www.puc.state.pa.us/transport/gassafe/pdf/UFG_Report_Feb2012.pdf RECOMMENDATION: That the Commission adopts the Proposed Rulemaking Order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2195549-ALJ Joint Motion by Vice Chairman Coleman and Commissioner Witmer. Vote 5-0 with Commissioner Cawley Partially Dissenting.	C-2010-2195549	GARY GASKINS VS VERIZON PA - Formal Complaint filed 8/23/10, alleging a service problem and a billing dispute. An Answer was filed 10/1/10. Hearing held on 4/18/11. COMMISSION REVIEW: That the Commission adopt ALJ Dunderdale's Initial Decision sustaining in part, directing VZ PA to re-calculate the bills from 6/09 through 3/11 and denying in part, VZ PA no longer provides Complainant with a wire maintenance plan.
2197891-ALJ Postponed until the Public Meeting of July 19, 2012.	C-2010-2197891	GILA WILLIAMS VS PHILADELPHIA GAS WORKS - Formal Complaint filed 9/2/10 alleging a request to PGW to repair a water leak in her basement at the entry point of the PGW service line. An Answer was filed 9/27/10. Hearing held on 10/11/11. COMMISSION REVIEW: That the Commission adopt ALJ Melillo's Initial Decision denying the Complaint.
2240934-ALJ Vote 5-0.	C-2011-2240934	MARGARET WALZER VS DUQUESNE LIGHT COMPANY - Formal Complaint filed 5/5/11 alleging an inability to pay for electric service. An Answer was filed 6/3/11. Hearing held on 1/6/12. COMMISSION REVIEW: That the Commission adopt Special Agent Hunt's Initial Decision denying the Complaint.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2285047-ALJ Vote 5-0.	M-2012-2285047	NEWTOWN ARTESIAN WATER CO - Section 1307(e) Annual Distribution System Improvement Charge reconciliation statement filed on 1/23/12, 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 Cheskis' Recommended Decision accepting the statement insofar as it is undisputed.
2286042-ALJ Vote 5-0.	M-2012-2286042	PENNSYLVANIA AMERICAN WATER COMPANY - Section 1307(e) Distribution System Improvement Charge reconciliation statement filed on 1/30/12, setting forth the over/under collections for the twelve-month period ending 12/31/11. A hearing was held on 3/27/12. COMMISSION REVIEW: That the Commission adopt ALJ Cheskis' Recommended Decision accepting the statement insofar as it is undisputed.
2286114-ALJ Vote 5-0.	M-2012-2286114	COLUMBIA WATER CO - Section 1307(e) Statement of Over/Under Collection of Distribution System Improvement Charge filed on 1/30/12, for the twelve-month period ending 12/31/11. A hearing was held on 3/27/12. COMMISSION REVIEW: That the Commission adopt ALJ Cheskis' Recommended Decision accepting the statement insofar as it is undisputed.
2286252-ALJ Vote 5-0.	M-2012-2286252	CITIZENS ELEC CO OF LEWISBURG - 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.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2286648-ALJ Vote 5-0.	M-2012-2286648	PECO ENERGY COMPANY-ELECTRIC - Section 1307(e) Generation Supply Adjustment Reconciliation Statement filed on 1/31/12, 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.
2288272-ALJ (PP from 05/24/2012) Motion by Commissioner Gardner. Vote 5-0.	C-2012-2288272	BRANDON RUSSELL VS VERIZON NORTH LLC - Complaint filed 2/7/12 alleging a reliability, safety or quality problem with his Verizon service. Answer and New Matter and Preliminary Objections were filed 3/2/12 by Verizon stating Complainant is a customer of AT&T. Complainant did not file an Answer to New Matter or to the Preliminary Objections. COMMISSION REVIEW: That the Commission adopt ALJ Barnes' Initial Decision dismissing the Complaint for lack of standing.
2290155-ALJ Vote 5-0.	M-2012-2290155	AQUA PENNSYLVANIA, INC - Section 1307(e) Consolidated Distribution System Improvement Charge True-Up for 2011 and 2010/2009 E-Factor for the first nine months of billing. A hearing was held on 3/27/12. COMMISSION REVIEW: That the Commission adopt ALJ Cheskis' Recommended Decision accepting the statement insofar as it is undisputed.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

June 7, 2012

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2247862-OSA	A-2011-2247862	PENNSYLVANIA ELECTRIC CO - Application filed on 6/3/12, for approval to locate and construct the Bedford North-Osterburg East 115 kV HV Transmission Line project situated in Bedford and East St. Clair Townships, Bedford County. An evidentiary hearing was held on 12/13/11. On 2/22/12, ALJ Long issued an Initial Decision that granted Penelec's Application. On 3/12/12, Exceptions to the Initial Decision were filed by Rebecca Beegle Fair. On 3/23/12, Penelec filed Reply Exceptions, and Texas Eastern filed a Letter. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order denying the Exceptions and adopting the Initial Decision.
Vote 5-0.	A-2011-2264762	
	A-2011-2264773	

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2267958-OSA Vote 5-0.	R-2011-2267958	AQUA PENNSYLVANIA INC - Supplement No.115, filed on 11/18/11, which proposed an annual increase in rates of \$38.6 million. By Order entered 1/12/12, a formal investigation was instituted. Tariff Supplement No. 115 was suspended until 8/18/12. Five public input hearings were held within Aqua's service territory between 3/1/12 and 3/8/12. On 3/31/12, the ALJs were informed that Aqua, I&E, the OCA and the Aqua Large Users Group reached a non-unanimous settlement in principle. The OSBA did not oppose the settlement but is not a signatory. On 4/10/12, evidentiary hearings were held. On 5/18/12 the Commission issued the Recommended Decisions ALJs Jones and Heep. Exceptions were filed on 5/25/12 by Aqua, the OCA, the OSBA, I&E, and Robert Curtius and Jerome Linden, pro se Complainants. Replies to Exceptions were not permitted. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order adopting the non-unanimous settlement without modification.

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2304727-FUS Vote 5-0.	R-2012-2304727 R-2012-2304735 R-2012-2304731	EQUITABLE GAS CO. - Supplement Nos.79, 80, and 81 to Tariff Gas Pa. P.U.C. No.22 filed on 5/15/12, for approval for adjusting customer billing as a result of changes in the heating value of gas as well as propose additional modifications establishing a voluntary Purchase of Receivables program ("POR"). Supplement Nos. 79, 80, and 81 have an effective date of 6/29/12. RECOMMENDATION: That the Commission adopt the proposed Order which consolidates, suspends and investigates the tariff Supplements.

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 - Order adopted on 2/16/12, to implement assessment of pipeline operators pursuant to Act 127. A clarification is required to the Implementation Order to explicitly require Class 1 transmission line pipeline operators to register with the Commission. RECOMMENDATION: That the Commission adopt the Final Order.
2288561-LAW Vote 5-0.	M-2012-2288561	IMPLEMENTATION-UNCONVENTIONAL GAS WELL FEE ACT 13 - Implementation Order issued on 5/10/12, Chapter 23 of the Unconventional Gas Well Impact Fee Act (Act 13). The PA State Association of Township Supervisors, the PA Independent Oil & Gas Association, the Marcellus Shale Coalition, and the Associated Petroleum Industries of PA, filed Petitions for Reconsideration and Clarification of the Order. RECOMMENDATION: That the Commission adopt the Order.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
SUPPLEMENTAL CARRY-IN AGENDA**

June 7, 2012

BUREAU OF TECHNICAL UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2308299-FUS Vote 5-0.	A-2012-2308299	GLOBAL NAPS SOUTH, INC - Application filed on 6/5/12, seeking approval of the Company's Discontinuance and Abandonment of Competitive Local Exchange Carrier and Interexchange Carrier Services to the public within PA. RECOMMENDATION: The Commission approve the application consistent with the proposed Order.