

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUBLIC MEETING

THURSDAY, DECEMBER 17, 2009 (KP)

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
Wayne E. Gardner	Tyrone J. Christy	James H. Cawley	Kim Pizzingrilli	Robert F. Powelson

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

The Next Public Meeting is Tentatively Scheduled for Thursday, January 14, 2010 at 10:00 A.M.

Minutes of the Meeting of Thursday, November 19, 2009 (TC)

*****ANNOUNCEMENTS*****

THE NEXT PUBLIC MEETING OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION IS SCHEDULED FOR THURSDAY, JANUARY 14, 2010 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 WILL HOLD AN EXECUTIVE SESSION ON THURSDAY, DECEMBER 17, 2009, IMMEDIATELY FOLLOWING PUBLIC MEETING, AT APPROXIMATELY 10:30 A.M., IN THE JR. EXECUTIVE CHAMBERS, THIRD FLOOR, KEYSTONE BUILDING.

THE COMMISSION'S AGENDA WILL BE LIMITED TO:

- 1. DISCUSSING PERSONNEL MATTERS.**
- 2. CONSULTING WITH ITS LEGAL OR TECHNICAL STAFF ABOUT ACTIONS WHICH THIS COMMISSION IS LITIGATING BEFORE OTHER ADMINISTRATIVE AGENCIES OR COURTS.**
- 3. DISCUSSING CASES WHICH WILL BE COMMENCED OR ADJUDICATED BY COMMISSION ACTION.**
- 4. REVIEWING LEGALLY PRIVILEGED OR CONFIDENTIAL MATTERS.**
- 5. DISCUSSING COLLECTIVE BARGAINING ISSUES.**
- 6. CONSIDERING THE PURCHASE OR LEASE OF REAL ESTATE.**

AN AGENDA FOR THE EXECUTIVE SESSION WILL BE DISTRIBUTED TO ALL COMMISSIONERS IN ADVANCE OF THIS SESSION. THIS NOTICE IS PROVIDED IN ACCORDANCE WITH ACT 84 of 1986, KNOWN AS THE SUNSHINE ACT.

**COPIES OF CHAIRMAN AND COMMISSIONERS'
MOTIONS AND STATEMENTS WILL BE
AVAILABLE FOR PICK-UP
IMMEDIATELY AFTER PUBLIC MEETING
IN JR. EXECUTIVE CHAMBERS
3RD FLOOR KEYSTONE BUILDING**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

FINAL AGENDA

December 17, 2009

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1194001-TAS Vote 5-0.	A-00121999	PENNDOT - Application for bridge construction over Norfolk Southern Railways Company lines in Rochester Township, Beaver County. RECOMMENDATION: That to Commission adopt the proposed order approving the application.
2063220-TAS Vote 5-0.	A-2008-2063220	NORFOLK SOUTHERN RAILWAY CO. - Application for approval to alter the public highway/railroad crossings over the tracks of Norfolk Southern Railway Company in the city of Lebanon, Lebanon County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2079774-TAS Postponed until the Public Meeting of January 14, 2010.	R-2008-2079774	DONALD FIX t/a DON FARR MOVING CO. - Increase in rates. West Mifflin, Allegheny County. RECOMMENDATION: That the Commission suspend Supplement No. 3 to Tariff Freight Pa. PUC No.3, and that the carrier be offered the option of adopting a supplement reflecting changes recommended by the BTS.
2079778-TAS Postponed until the Public Meeting of January 14, 2010.	R-2008-2079778	DONALD FIX t/a HINDMAN MOVING & STORAGE - Increase in rates. Butler, Butler County. RECOMMENDATION: That the Commission suspend Supplement No. 3 to Tariff Freight Pa. PUC No. 3 and Supplement No. 2 to Tariff Freight Pa. PUC No. 4 , and that the carrier be offered the option of adopting a tariff reflecting changes recommended by the BTS.
2096891-TAS Vote 5-0.	A-2009-2096891	DNA AMBULANCE INC. - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2105150-TAS Vote 5-0.	A-2009-2105150	PENNDOT - Application for approval to replace existing bridge over tracks of Union Railroad Company in the Borough of West Mifflin, Allegheny County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2117512-TAS Vote 5-0.	A-2009-2117512	RENZENBERGER, INC. - Application for the discontinuance of service and cancellation of its certificate to transport persons as a contract carrier by motor vehicle. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2122074-TAS Vote 5-0.	A-2009-2122074	BLACK TOP LIMOUSINE, 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. Philadelphia, Philadelphia County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2123084-TAS Vote 5-0.	A-2009-2123084	JOHN J LAMPARTER III t/a LAMPARTER ENTERPRISES - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service limited to those persons whose personal convictions prevent them from owning or operating motor vehicles. Lancaster, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2123103-TAS Vote 5-0.	A-2009-2123103	M&T TRANSPORTATION SERVICE, LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. RECOMMENDATION: That the Commission adopt the proposed order approving the application.

BUREAU OF TRANSPORTATION & SAFETY

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2128001-TAS Vote 5-0.	A-2009-2128001	EDNA WEILER - Application for the right to transport as a common carrier by motor vehicle, persons in paratransit service limited to those persons whose personal convictions prevent them from owning or operating motor vehicles. Manheim, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2128939-TAS Vote 5-0.	A-2009-2128939	PERSONAL TOUCH TRANSPORTATION, LLC - Application for the right to begin to transport as a common carrier by motor vehicle, persons in paratransit service. Lancaster, Lancaster County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2131607-TAS Vote 5-0.	A-2009-2131607	JOSEPH A. MOUSSA - Application for the right to begin to transport as a common carrier by motor vehicle, persons in call or demand service which is to be a transfer of all rights authorized under the certificate issued to Joseph A. Marzuoli, t/d/b/a Yellow Cab of Easton. Easton, Northampton County. RECOMMENDATION: That the Commission adopt the proposed order approving the application.
2131615-TAS Vote 5-0.	A-2009-2131615	JOSEPH A. MOUSSA - Application for the right to begin to transport by motor vehicle, persons in call or demand service which is to be a transfer of all rights authorized under the certificate issued to Easton Taxi, Inc. Easton, Northampton County. RECOMMENDATION: That the Commission adopt the proposed transfer order approving the application.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2118614-AUD Vote 5-0.	D-2009-2118614	DUQUESNE LIGHT - Transmission Service Charge for the 12 months ended 2/28/09, and for 12 months ended 2/29/08; and for the 2 months ended 2/28/07. RECOMMENDATION: That the Commission release the Audit Report to the public.
2128293-AUD Statement by Commissioner Powelson. Vote 5-0.	M-2009-2128293	PECO ENERGY COMPANY-ELECTRIC - Tariff Electric - Universal Service Fund Charge and Supplemental Universal Service Fund Charge. RECOMMENDATION: That the Commission approve the proposed USFC rate of 0.17 cents per KWH and proposed Supplemental USFC rate of 0.05 cents per KWH, effective 1/1/10.
2144764-AUD Statement by Commissioner Powelson. Vote 5-0.	M-2009-2144764	METROPOLITAN EDISON CO. - Universal Service Charge Rate. RECOMMENDATION: That the Commission approve the proposed Supplement No. 14 to Tariff Electric - Pa. PUC No. 50, reflecting a USC rate of \$0.00588 per KWH, effective 1/1/10.
2144792-AUD Statement by Commissioner Powelson. Vote 5-0.	M-2009-2144792	PENNSYLVANIA ELECTRIC CO. - Universal Service Charge Rate. RECOMMENDATION: That the Commission approve the proposed Supplement No. 13 to Tariff Electric - Pa. PUC No. 79, reflecting a USC rate of \$0.00902 per KWH, effective 1/1/10.
2144793-AUD Statement by Commissioner Powelson. Vote 5-0.	M-2009-2144793	PENNSYLVANIA POWER CO. - Universal Service Charge Rate. RECOMMENDATION: That the Commission approve the Supplement No. 61 to Tariff Electric - Pa. PUC No. 35, reflecting a USC rate of \$0.01100 per KWH, effective 1/1/10.
2145179-AUD Statement by Commissioner Powelson. Vote 5-0.	M-2009-2145179	PPL ELECTRIC UTILITIES CORP - Universal Service Rider Rate. RECOMMENDATION: That the Commission adopt the proposed Secretarial Letter directing PPL Electric Utilities Corporation to file by 12/18/09, a tariff supplement implementing a revised USR rate to become effective 1/1/10.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1197952-OSA Vote 5-0.	A-00122477	<p>NORFOLK SOUTHERN RAILWAY COMPANY - Petition to Appeal the 9/4/09 Secretarial Letter filed by the City of Lebanon on 9/23/09. ALJ Cocheres issued a Recommended Decision on 8/3/07, concluding that the relevant crossing should remain open. Several Parties filed Exceptions. By Order entered 10/27/07, the Commission denied the Exceptions and directed that the crossing should remain open but be improved with new lights and gates. By Secretarial Letter of 9/4/09 the Commission approved the construction plans submitted by Norfolk Southern for the project.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denies the City of Lebanon's Petition.</p>
2031300-OSA Vote 5-0.	C-2008-2031300 C-2008-2035103 C-2008-2032340 C-2008-2032359 C-2008-2032375 C-2008-2032402 C-2008-2032786 C-2008-2034113 C-2008-2034348 C-2008-2035086 C-2008-2035213	<p>BETTY LOU SHOUP VS PENELEC - An Initial Decision was issued on 11/19/08, by ALJ Meehan sustaining two complaints against Respondent with respect to the latter's termination of Outdoor Area Lighting Service. On 3/26/09, the Commission adopted the decision, with modifications. That Opinion and Order was entered 5/8/09. On 5/22/09, Respondent filed a Petition for Reconsideration which was subsequently denied by the Commission by Opinion and Order entered on 10/9/09. On 10/26/09, Respondent filed a Petition for Clarification and Stay of the Commission's Opinion and Order of 10/9/09.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition for Clarification, denies the Petition for Stay, and which affirms the Commission's underlying Opinions and Orders of 5/8/09 and 10/9/09.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2060309-OSA Vote 5-0.	P-2008-2060309	PPL ELECTRIC UTILITIES CORP - Petition for Expedited Approval filed on 11/16/09, to amend the Joint Petition for Settlement, which was approved by Order entered 6/30/09. PPL requests approval of a single modification to the Request for Proposal Process and Rules for Alternative Energy Credits under its Default Service Procurement Plan. On 11/23/09, the PP&L Industrial Consumer Alliance filed an Answer to the Petition. On 11/30/09, the Sustainable Energy Fund of Central Eastern PA filed a letter in support of PPL's Petition for Expedited Approval. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants PPL's Petition for Expedited Approval.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2078299-OSA (PP from 12/03/2009) Motion by Vice Chairman Christy. Vote 5-0.	C-2008-2078299	HOLLY ROBBINS VS PECO ENERGY COMPANY - Formal Complaint filed on 12/3/08, requesting a payment arrangement and that late charges not be assessed. On 12/3/08, PECO filed an Answer and New Matter which, inter alia, denied the allegations that the Complainant is entitled to a new payment arrangement. On 8/21/09, ALJ Jones issued an Initial Decision wherein she dismissed the complaint because the Complainants did not meet their burden of proof. The Complainants filed Exceptions on 9/9/09. No Reply Exceptions were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which denied the Complainants' Exceptions and adopts the ALJ's Initial Decision, as amended by this Opinion and Order.
2088072-OSA Vote 5-0.	R-2009-2088072 C-2009-2091475 C-2009-2098330 C-2009-2100312	EQUITABLE GAS CO. - Petition for Reconsideration filed on 10/15/09, of the Order of 9/30/09. Equitable is asking the Commission to remove its modification and reinstate the TETCO capacity settlement term. RECOMMENDATION: That the Commission adopt the proposed Opinion and order which grants, in part, the Petition for Reconsideration and remands the proceeding for further hearings.
2092222-OSA Vote 5-0.	M-2009-2092222 M-2009-2112952 M-2009-2112956	METROPOLITAN EDISON CO. PENNSYLVANIA ELECTRIC CO. PENNSYLVANIA POWER CO. - Energy Efficiency & Conservation Plans filed on 7/1/09. Commission approved in part and rejected in part the Plans. On 11/12/09, OSBA filed a Petition for Reconsideration. First Energy filed its Answer on 11/23/09. By Order entered 11/19/09, the Commission granted reconsideration pending review of, and consideration on, the merits. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which denies reconsideration.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2093215-OSA Vote 5-0.	M-2009-2093215	PECO ENERGY COMPANY-ELECTRIC - Energy Efficiency & Conservation Plan filed on 7/1/09. By Opinion and Order entered 10/28/09, the Commission approved the EE&C Plan, in part, and rejected it, in part. On 11/12/09, OSBA filed a Petition for Reconsideration. By Opinion and Order entered 11/19/09, the Commission granted the Petition pending review of, and consideration on, the merits. No Answers to the Petition were filed. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Petition for Reconsideration.
2093216-OSA Vote 5-0.	M-2009-2093216	PPL ELECTRIC UTILITIES CORP - Energy Efficiency & Conservation Plan filed on 7/1/09. On 10/15/09, the Commission adopted an Opinion and Order that granted PPL's Petition for Approval of its EE&C Plan in part and denied it in part. On 11/10/09, the OSBA filed a Petition for Reconsideration. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants in part, and denies in part the Petition for Reconsideration.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2093217-OSA Vote 5-0.	M-2009-2093217	DUQUESNE LIGHT COMPANY - Energy Efficiency & Conservation Plan filed on 7/1/09. By Order entered 10/27/09, the EE&C Plan was conditionally approved. On 11/12/09, the OSBA filed a Petition for Reconsideration. On 11/23/09, Duquesne filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants in part and denies in part the Petition for Reconsideration.
2093218-OSA Vote 5-0.	M-2009-2093218	WEST PENN POWER CO. d/b/a ALLEGHENY POWER - Energy Efficiency & Conservation Plans filed on 7/1/09. By Order entered 10/23/09, the Commission approved Allegheny's Plan, as modified. On 11/9/09, the OSBA filed the instant Petition for Reconsideration. Allegheny Power filed an Answer to the Petition. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants, in part, and denies, in part, OSBA's Petition.
2097544-OSA Dissenting Statement by Vice Chairman Christy. Vote 4-1 with Vice Chairman Christy Dissenting.	A-2009-2097544	PENNSYLVANIA ENERGY SAVINGS CORP. JUST ENERGY PENNSYLVANIA CORP (JEPC) - Application filed on 3/18/09, seeking to become a licensed electric generation supplier in the service territory of Duquesne Light Company. No Protests were filed. JEPC filed supplemental information. By Order entered 11/9/09, the Commission denied the application without prejudice on the ground that the applicant is not fit and able to properly perform the proposed service. On 11/20/09, JEPC filed the instant Petition for Reconsideration. No answers were filed. By Opinion and Order entered 12/7/09, the Commission granted reconsideration pending review of, and consideration on, the merits. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants reconsideration and grants the license subject to conditions.

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2098011-OSA Vote 4-1 with Vice Chairman Christy Dissenting.	A-2009-2098011	<p>PENNSYLVANIA ENERGY SAVINGS CORP. JUST ENERGY PENNSYLVANIA CORP (JEPC) - Application filed on 3/18/09, to operate as a supplier of natural gas supply services and a broker/marketer and aggregator engaged in the business of supplying natural gas services in the service territory of Columbia Gas of PA, Inc. No Protests were filed. JEPC filed supplemental information. By Secretarial Letter dated 4/13/09, the Commission advised JEPC that the 45-day period for processing the license application was extended until further Order of the Commission. By Order entered 11/9/09, the Commission denied the application without prejudice on the ground that the applicant is not fit and able to properly perform the proposed service. On 11/20/09, JEPC filed the instant Petition for Reconsideration. By Opinion and Order entered 12/3/09, the Commission granted reconsideration pending review of, and consideration on, the merits.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Opinion and Order, which grants reconsideration and grants the license subject to conditions.</p>

OFFICE OF SPECIAL ASSISTANTS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2103276-OSA (PP from 11/19/2009) Withdrawn by the Office of Special Assistants.	C-2009-2103276	BUR OF TRANSPORTATION & SAFETY VS TWIN MOVING & STORAGE CO., INC. - Application filed on 4/20/04, for household goods authority. On 5/23/05, the Application was dismissed for noncompliance. On 7/28/09, BTS instituted a Complaint alleging that the Respondent held itself out to transport household goods for compensation, while not then holding a Certificate issued by the Commission. BTS requested that a civil penalty of \$1,000 be imposed. On 8/11/09, the Respondent filed an Answer to the Complaint. On 9/15/09, the 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 penalty of \$1,000 is reduced to \$500. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which approves the proposed Settlement.
2137472-OSA Vote 5-0.	A-2009-2137472	VERIZON PENNSYLVANIA INC and ENTELEAGENT SOLUTIONS, INC. - Joint Petition filed on 10/22/09, seeking approval of an Interconnection Agreement, pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was posted in the PA Bulletin on 11/7/09. No comments or protests were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order that grants the Joint Petition.
2137473-OSA Vote 5-0.	A-2009-2137473	VERIZON NORTH INCORPORATED and ENTELEAGENT SOLUTIONS, INC. - Joint Petition filed on 10/22/09, seeking approval of an Interconnection Agreement, pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice of the Joint Petition was posted in the PA Bulletin on 11/7/09. 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>
2137489-OSA Vote 5-0.	A-2009-2137489	VERIZON NORTH INCORPORATED and iNETWORKS GROUP, INC. - Joint Petition filed on 10/22/09, seeking 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 were received. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.
2137513-OSA Vote 5-0.	A-2009-2137513	VERIZON PENNSYLVANIA INC and iNETWORKS GROUP, INC. - Joint Petition filed on 10/22/09, seeking approval of an Interconnection Agreement, pursuant to Section 252(e) of the Telecommunications Act of 1996. Notice was published in the PA Bulletin. RECOMMENDATION: That the Commission adopt the proposed Opinion and Order which grants the Joint Petition.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1156488-FUS Vote 5-0.	A-125093	NIAGARA MOHAWK ENERGY MARKETING - Letter Request filed on 9/14/09, to cancel the Natural Gas Supplier License. RECOMMENDATION: That the Commission adopt the proposed Order that approves the Letter Request.
2100320-FUS Vote 5-0.	A-2009-2100320	PALMCO ENERGY PA, LLC - Application filed on 2/18/09, seeking a license to operate as a supplier of natural gas supply services in the service territory of PECO Energy Co. RECOMMENDATION: That the Commission adopt the proposed order which approves the application.
2108338-FUS Vote 5-0.	A-2009-2108338	PALMCO POWER PA, LLC - Application filed on 5/20/09, for a license to offer, render, furnish or supply electricity or electric generation services for retail electric residential commercial and industrial customers in the service territories of PECO, Duquesne, PPL, Met Ed, Penelec, Pike County Light, Penn Power, and Allegheny Power. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2109812-FUS Vote 5-0.	A-2009-2109812	ENERNOC, INC - Application filed on 5/5/09, 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 commercial, industrial and governmental customers. EnerNOC, Inc., requests a reduction in the amount of security bond. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2120213-FUS Vote 5-0.	A-2009-2120213	COMMERCIAL UTILITY CONSULTANTS INC - Application filed on 7/6/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/consultant engaged in the business of utility rate analysis and specializing in utility cost savings for the purchase of electricity by commercial, industrial, and governmental customers in the electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2121342-FUS Vote 5-0.	A-2009-2121342	DACOTT ENERGY MANAGEMENT, LLC - Application filed on 7/21/09, for a license to offer, render, furnish or supply electricity or electric generation services as a consultant who will advise industrial cooperative and municipal customers on electricity supply issues in the electric distribution company service territories. DaCott Energy requests a reduction in the amount of security bond. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2121389-FUS Vote 5-0.	A-2009-2121389	COMPERIO ENERGY, LLC d/b/a CLEARCHOICE ENERGY - Application filed on 7/7/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/consultant engaged in the business of providing brokerage and consulting services for retail electric commercial, industrial, and governmental customers in the service territories of PECO, Duquesne, PPL, Met Ed, Penelec, Penn Power, and Allegheny Power. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2121954-FUS Vote 5-0.	A-2009-2121954	PAY TEL COMMUNICATIONS INC - Application filed on 7/24/09, for approval to offer, render, furnish or supply telecommunication services as a Reseller Interexchange Carrier. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2124035-FUS Postponed until the Public Meeting of January 14, 2010.	A-2009-2124035	DUQUESNE LIGHT COMPANY - Letter of Notification filed on 8/2/09, for the construction of a 7.8 mile long single circuit 345 kV transmission line in the City of Pittsburgh, Municipality of Penn Hills, Verona Borough, and Plum Boro, Allegheny County. A protest was filed but no hearing has been held. RECOMMENDATION: That the Commission adopt the proposed Order that denies the application.
2130863-FUS Vote 5-0.	A-2009-2130863 A-2009-2130862 A-2009-2130864 A-2009-2130865 A-2009-2130900	ENTELEGENT SOLUTIONS INC - Application filed on 9/8/09, for approval to offer, render, furnish or supply telecommunication services as a Reseller Interexchange Carrier, and a Competitive Local Exchange Carrier in the service areas of Verizon PA Inc., Verizon North Inc., United Telephone d/b/a Embarq, and Windstream PA, LLC. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission approve the application consistent with the proposed Order.
2131012-FUS Vote 5-0.	A-2009-2131012	TELE CIRCUIT NETWORK CORPORATION - Application filed on 9/15/09, for approval of authority to offer, render, furnish, or supply telecommunications services. The Applicant has elected to detariff. No protest were filed. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2133124-FUS Vote 5-0.	P-2009-2133124	T. W. PHILLIPS GAS & OIL CO. - Petition filed on 9/30/09, for Authority to Establish a Regulatory Asset for the Unfunded Balance of a Defined Benefit Pension Plan and Other Postretirement Employee Benefit Plans. RECOMMENDATION: That the Commission adopt the proposed Order approving the petition.
2134418-FUS Vote 5-0.	A-2009-2134418	ACCLAIM ENERGY ADVISORS - Application filed on 10/5/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/marketer and aggregator to commercial, industrial and governmental customers. Acclaim requests a reduction in the amount of security bond. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2134742-FUS Vote 5-0.	A-2009-2134742	ENERGY TRUST LLC - Application filed on 9/9/09, for a license to offer, render, furnish or supply electric generation services as a broker/consultant in the electric distribution company service territories. Energy Trust LLC requests a reduction in the amount of security bond. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2135746-FUS Vote 5-0.	A-2009-2135746	UTILITECH INC - Application filed on 9/16/09, for a license to offer, render, furnish or supply electricity or electric generation services as an electric bill auditor/consultant/ broker in the electric distribution company service territories. UtiliTech, Inc. requests a reduction in the amount of security bond. RECOMMENDATION: That the Commission adopt the proposed Order, which approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2136801-FUS Vote 5-0.	A-2009-2136801	AQUA PENNSYLVANIA, INC. - Application filed on 10/9/09, for the approval of acquisition of the water system assets of Paupackan Lake Association, Inc.; and, the right to begin to offer, render, furnish or supply water service to the public in a portion of Lake Township and an additional portion of Paupack Township, Wayne County, PA. Proofs of service and publication to 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.
2137275-FUS Vote 5-0.	A-2009-2137275	GATEWAY ENERGY SERVICES CORPORATION - Application filed on 10/19/09, for a license to offer, render, furnish or supply electricity or electric generation services as an electric generation supplier for the purchase of electricity for residential, commercial and industrial customers in the electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2138294-FUS Vote 5-0.	A-2009-2138294	AQUA PENNSYLVANIA, INC. - Application filed on 10/19/09, for the approval of the acquisition of the water system assets of Athens Township Authority, situated in a portion of the Township of Athens, Bradford County, which is located within Aqua's existing service territory; and, for confirmation of its authority, or such approvals and certificates as may be necessary granting authority, to offer, render, furnish and supply water service throughout the entirety of the Boroughs of Sayre, Athens, South Waverly and Township of Athens, Bradford County. RECOMMENDATION: That the Commission adopt the proposed order that approves the application.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2138338-FUS Withdrawn by the Bureau of Fixed Utility Services.	R-2009-2138338 R-2009-2138337	XO COMMUNICATIONS SERVICES, INC - Supplement 8 to Tariff Telephone Pa. P.U.C. No. 13 and Supplement No. 8 to Tariff Telephone Pa. P.U.C. No. 11, filed on 10/28/09, proposing to modify billing dispute language, to become effective 11/28/09. On 11/10/09, the Commission issued a letter extending the review period of the filings by 30 days. On 12/2/09, Verizon PA, Verizon North, Verizon Select Services, Bell Atlantic d/b/a Verizon Long Distance, Verizon Global Networks, Inc., MCImetro Access Transmission Services Inc. (collectively Verizon) filed a letter of complaint requesting that the Commission investigate the above-captioned tariff revisions. RECOMMENDATION: That the Commission adopt the proposed Order.
2138828-FUS Vote 5-0.	A-2009-2138828	PENNSYLVANIA AMERICAN WATER COMPANY - Application filed on 10/29/09, for approval of the right to offer, render, furnish, or supply water service to the public in additional portions of Mount Pleasant Township, Washington County. Proofs of service and publication to appropriate entities were submitted by PAWC. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application.
2139409-FUS Statement by Vice Chairman Christy. Vote 5-0.	R-2009-2139409 P-2009-2139452	VERIZON PENNSYLVANIA INC - 2010 Annual Price Change Opportunity Filing and Tariff Changes to Telephone Tariff Pa. P.U.C. Nos. 180A, 182, 182A, 185B, 185C, and 500. Report filed on 11/2/09, requesting a \$7.353 million increase in rates from the implementation of its PCO. No protests were filed and no hearings were held. RECOMMENDATION: That the Commission adopt the proposed Order approving the proposed rate increases.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2139806-FUS Vote 5-0.	A-2009-2139806 A-2009-2139807	LOCUS TELECOMMUNICATIONS and KDDI AMERICA, INC. - Joint Application filed on 11/6/09, for approval of the transfer of control authorizing KDDI America, Inc., to purchase 51% of the issued and outstanding capital stock of Locus Telecommunications, Inc. RECOMMENDATION: That the Commission adopt the proposed Order approving the transfer of control of Locus Telecommunications, Inc., to KDDI America, Inc.
2139871-FUS Vote 5-0.	A-2009-2139871	NOBELTEL, LLC - Application filed on 10/29/09, for approval of an indirect change in ownership of an authorized telecommunications provider. RECOMMENDATION: That the Commission adopt the proposed Order for the indirect change in ownership of NobelTel, LLC from its current owners, Thomas Knobel and Michael Knobel, to Nobel Holding Inc., a newly-formed holding company that is wholly-owned by Richard Mahfouz.
2142605-FUS Vote 5-0.	A-2009-2142605	AMERITECH PAYPHONE SERVICES, INC. - Application filed on 11/10/09, for approval of the Company's Discontinuance and Abandonment of Interexchange Carrier Services to the public. RECOMMENDATION: That the Commission adopt the proposed Order approving the application.
2142843-FUS Vote 5-0.	A-2009-2142843	TOTAL CALL INTERNATIONAL, INC and KDDI AMERICA, INC. - Joint Application filed on 11/6/09, for approval of a transfer of control of Total Call International, Inc., to KDDI America, Inc., and a transfer of control of OPEX Communications, Inc., from Total Call International, Inc. to the current shareholders of Total Call International, Inc. RECOMMENDATION: That the Commission adopt the proposed Order approving the transfers of control.

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2103937-FUS Vote 5-0.	R-2009-2103937	<p>PENNSYLVANIA UTILITY CO. - WATER - Supplement No. 1 to Tariff Water – Pa. P.U.C. No. 1 (Corrected to Supplement No. 2 to Tariff Water-Pa. P.U.C. No. 1) filed on 10/30/09, proposing an annual increase in rates of \$112,309 (69.4%) to become effective 12/29/09, and based on a future test year ending 12/31/09. The Commission granted extensions of time for filing the general rate increase request. Formal Complaints have been filed. RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.</p>
2103937-OTS Vote 5-0 to the extent that it is consistent with 2103937-FUS.	R-2009-2103937	<p>PENNSYLVANIA UTILITY CO. - WATER - Supplement Tariff No. 2 Water - Pa. PUC No. 1, filed on 10/30/09, to become effective 12/29/09, proposing an increase of \$112,309 or 69.4%. RECOMMENDATION: That the Commission institute an investigation and suspend the filing for a period of 7 months, or through 7/29/10.</p>

COMBINED BUREAU AGENDA

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2103980-FUS Vote 5-0.	R-2009-2103980	<p>PENNSYLVANIA UTILITY CO-WASTEWATER - Supplement No. 1 to Tariff Wastewater – Pa. P.U.C. No. 1 (Corrected to Supplement No. 2 to Tariff Wastewater – Pa. P.U.C. No. 1), filed on 10/30/09, proposing an annual increase in rates of \$369,827 (232.8%) to become effective 12/29/09, and based on a future test year ending 12/31/09. By letters dated 5/4/09 and 7/28/09, the Commission granted extensions of time for filing the general rate increase request. Formal Complaints have been filed.</p> <p>RECOMMENDATION: That the Commission adopt the proposed Order that suspends the tariff and institutes an investigation.</p>
2103980-OTS Vote 5-0 to the extent that it is consistent with 2103980-FUS.	R-2009-2103980	<p>PENNSYLVANIA UTILITY CO-WASTEWATER - Supplement Tariff No. 2 Wastewater - Pa. PUC No. 1, filed on 10/30/09, to become effective 12/29/09, proposing an increase of \$369,827 or 232.8%.</p> <p>RECOMMENDATION: That the Commission institute an investigation and suspend the filing for 7 months, or through 7/29/10.</p>

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1200232-LAW (PP from 12/03/2009) Statement by Commissioner Pizzigrilli. Vote 5-0.	L-00060179	RULEMAKING -AMENDMENT TO CH. 64 - Provision of Basic Service Packages Plans by Local Exchange Carriers. RECOMMENDATION: That the Commission adopt the Final Rulemaking order on Reconsideration and Revised Annex A.
2117193-LAW Vote 5-0.	P-2009-2117193	NORTH AMERICAN NUMBERING PLAN ADMIN. - Petition filed on 7/1/09, requesting approval of a plan for the 570 Numbering Plan Area (“NPA”). According to the petition, the industry reached a consensus to implement an all services distributed overlay for the geographic area covered by the 570 NPA which would create a new area code to service the area. By Order entered 7/29/09, the Commission rejected the recommendation of Neustar and requested comments from interested parties of the relief alternatives set forth in the petition. Several of the comments requested that the Commission hold public input hearings to further discuss the appropriate form of numbering relief for the 570 NPA. RECOMMENDATION: That the Commission adopt the recommendation to hold public input hearings on the 570 relief plan.
2136508-LAW (PP from 12/03/2009) Motion by Commissioner Pizzigrilli. Vote 5-0 with Vice Chairman Christy Concurring in Result Only.	P-2009-2136508	PHILADELPHIA GAS WORKS - Petition filed on 10/16/09, requesting that the Commission issue a “Statement of Policy” explaining how it intends to apply PGW’s Cash Flow Ratemaking Method on a going forward basis. Answers to the Petition were filed numerous parties. PGW filed a Reply to the Answers. RECOMMENDATION: That the Commission adopt the proposed Order that, among other things, grants the Petition and Statement of Policy with modifications.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2136951-LAW Vote 5-0.	P-2009-2136951	NEUSTAR - Petition filed on 10/10/09, requesting approval of the plan for the 717 Numbering Plan Area ("NPA"). According to the petition, the industry reached a consensus to implement an all services distributed overlay for the geographic area covered by the 717 NPA which would create a new area code to service the area. RECOMMENDATION: That the Commission deny the petition and seek input from interested parties on the appropriate relief plan for the 717 NPA.
2139452-LAW Vote 5-0.	P-2009-2139452 P-2009-2139444 R-2009-2139452 P-00001854F1000 R-2009-2139409 P-00930715F1000	VERIZON PENNSYLVANIA INC - Petition for Protective Order filed on 11/2/09, regarding their respective 2010 Price Change Opportunity filings. RECOMMENDATION: That the Commission grant Verizon North and Verizon PA's Petition.
2142851-LAW (PP from 12/03/2009) Statement by Commissioner Powelson. Vote 5-0.	M-2009-2142851	VOLUNTARY ENERGY EFFICIENCY AND CONSERVATION PROGRAM - Invitation for Electric Distribution Companies, not covered by Act 129, to file voluntary Energy Efficiency and Conservation Plans. RECOMMENDATION: That the Commission adopt the proposed Secretarial Letter.
2146230-LAW Vote 5-0.	P-2009-2146230	CITIZENS ELEC CO. OF LEWISBURG and WELLSBORO ELECTRIC COMPANY - Petition filed 12/3/09, requesting that the Commission issue an Order permitting participation in PJM Load Response Programs. RECOMMENDATION: That the Commission grant permission for all jurisdictional electric distribution companies and load serving entities to participate in PJM Load Response Programs by issuance of the order.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
1200874-ALJ Vote 5-0.	C-20066648	SHRYOCK BROTHERS INC VS UWCHLAN TOWNSHIP - Formal Complaint filed 7/13/06, alleging that the township was operating as a de facto public utility outside of its corporate limits. An Initial Decision was issued on 5/2/07, granting Shryocks' Motion for Partial Summary Judgment, in part. By Opinion and Order entered 1/31/08, the Commission affirmed the Initial Decision in part, and returned the remaining issues to OALJ for adjudication. A Joint Petition for Settlement was filed 9/4/09. COMMISSION REVIEW: That the Commission adopt ALJ Melillo's Recommended Decision approving the Settlement.
2101915-ALJ (PP from 12/03/2009) Motion by Chairman Cawley. Vote 5-0.	F-2009-2101915	JOSEPH AND KRISTA BRANCO VS CITY OF LANCASTER WATER DEPARTMENT - Formal Complaint filed on 4/11/09, alleging a billing dispute. Respondent filed its answer to the complaint on 5/9/09. A hearing was held on 9/24/09. COMMISSION REVIEW: That the Commission adopt ALJ Salapa's Initial Decision denying the complaint.
2105668-ALJ Vote 5-0.	R-2009-2105668	COOPERSTOWN WATER COMPANY - Supplement No. 19 to Tariff Water-Pa. P.U.C. No. 3, filed on 4/30/09, to become effective on 8/17/09, containing proposed changes in rates, rules, and regulations calculated to produce additional annual revenues. By Order dated 9/4/09, the Commission instituted an investigation and suspended the filing by operation of law until 3/17/10, unless otherwise directed by Order of the Commission. By virtue of the Company's filing a tariff supplement agreeing to extend the statutory deadline to allow for mediation, the suspension date of 3/17/10 was extended to 5/17/10. A mediation session was held on 9/3/09. A Joint Petition for Settlement was agreed upon after the session and filed 9/29/09. COMMISSION REVIEW: That the Commission adopt ALJ Dunderdale's Recommended Decision approving the Settlement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

CARRY-IN AGENDA

December 17, 2009

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2128478-AUD Vote 5-0.	M-2009-2128478	PECO ENERGY COMPANY-ELECTRIC - Competitive Transition Charge Reconciliation Statement for the Year ended 9/30/09. RECOMMENDATION: That the Commission accept the reconciliation statement subject to public hearing held pursuant to 66 Pa. C.S. 1307(e) and direct the Company to submit a tariff supplement reflecting revised rates to become effective 1/1/10.
2134358-AUD Statement by Vice Chairman Christy. Statement by Commissioner Gardner. Vote 5-0.	M-2009-2134358	NORTH EAST HEAT & LIGHT CO. - Request for relief from interest charges pursuant to 52 Pa. Code 53.66(d) related to overcollections. RECOMMENDATION: That the Commission grant a waiver of its regulations under 52 Pa. Code 53.66(d) and a rate of 2% interest be applied to net overcollections experienced by NEH&L relating to the 12-month GCR reconciliation period ended 8/31/09.
2134857-AUD Vote 5-0.	M-2009-2134857	WEST PENN POWER CO. - Intangible Transition Charge Reconciliation Filing. RECOMMENDATION: That the Commission approve the calculation of its ITC under collections for the period 12/1/08 through 11/30/09, and to file, in accordance with its tariff, actual ITC collection data for 11/09.
2139375-AUD Vote 5-0.	M-2009-2139375	PPL ELECTRIC UTILITIES CORP - Transmission Service Charge Recalculation. RECOMMENDATION: That the Commission approve the projected PJM transmission service costs and direct the Company to file revised TSC rates to become effective 1/1/10.
2145084-AUD Vote 5-0.	M-2009-2145084	CITIZENS ELEC CO. OF LEWISBURG - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve the Supplement No. 47 to Tariff Electric-Pa. PUC No. 14, reflecting a GSSR of \$0.082687 per KWH, effective 1/1/10.

BUREAU OF AUDITS

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2145091-AUD Vote 5-0.	M-2009-2145091	WELLSBORO ELECTRIC CO. - Generation Supply Service Rates. RECOMMENDATION: That the Commission approve the Supplement No. 46 to Tariff Electric-Pa. PUC No. 8, reflecting a GSSR of \$0.073017 per KWH, effective 1/1/10.
2145186-AUD Vote 5-0.	M-2009-2145186	PPL ELECTRIC UTILITIES CORP - Remand Rate-1 Reconciliation for 2009. RECOMMENDATION: That the Commission accept the RR-1 reconciliation statement subject to public hearing held pursuant to 66 Pa. C.S. 1307(e) and direct PPL to file by 12/18/09, the appropriate tariff supplement to terminate the RR-1 Tariff Rider.
2145273-AUD Vote 5-0.	M-2009-2145273	PPL ELECTRIC UTILITIES CORP - Competitive Transition Charge Reconciliation Statement for the year ended 12/31/09. RECOMMENDATION: That the proposed CTC reconciliation statement be accepted subject to a public hearing held pursuant to 66 Pa. C.S. 1307(e) and PPL be directed to file by 12/18/09, a tariff supplement implementing revised CTC rates to be effective 1/1/10.
2145482-AUD Vote 5-0.	M-2009-2145482	PPL ELECTRIC UTILITIES CORP - Generation Supply Charge. RECOMMENDATION: That the Commission approve the proposed GSC rates reflected in the 12/10/09, revised filing and direct the Company to submit the appropriate tariff supplement to become effective 1/1/10.

BUREAU OF FIXED UTILITY SERVICES

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2090931-FUS Vote 5-0.	A-2009-2090931	MID AMERICAN NATURAL RESOURCES LLC - Application filed on 11/24/08, requesting to either transfer the existing license of Mid American Natural Resources Inc. (MA INC) to MA LLC, or grant a new license to MA LLC to offer, render, furnish, or supply natural gas supply services to large commercial, industrial and governmental customers in the service territories of Columbia Gas, Equitable Gas, National Fuel Gas Distribution and Dominion Peoples, as a broker/marketer and aggregator. RECOMMENDATION: That the Commission adopt the proposed Order that approves the application and the abandonment.
2132859-FUS Vote 5-0.	A-2009-2132859	GOOD ENERGY, LP - Application filed on 9/28/09, for a license to offer, render, furnish or supply electricity or electric generation services as a broker/ marketer/ aggregator offering retail energy supply brokerage to commercial and industrial energy users, as well as aggregation services to municipal and government users in the electric distribution company service territories. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.
2136166-FUS Vote 5-0.	A-2009-2136166	AGR GROUP, INC - Application filed on 10/9/09, for a license to offer, render, furnish or supply electric generation services as a broker/marketer engaged in the business of marketing the competitive electric services of EGSs (Electric Generation Suppliers) to residential, commercial and industrial customers. RECOMMENDATION: That the Commission adopt the proposed Order which approves the application.

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2144640-LAW Vote 5-0.	M-2009-2144640	SERVICE ELECTRIC TELEPHONE, LLC - Petition filed on 11/25/09, for expedited review of a denial by the Pooling Administrator of a request for 1,000 newly assigned consecutive Direct Inward Dialing numbers in the 570 Number Plan Area. Service Electric Telephone requests 1,000 telephone numbers from the 570 NPA be assigned to the Lewisburg rate center, since the Company's current inventory of numbers will not meet the demand of its customer. RECOMMENDATION: That the Commission grant Service Electric Telephone's safety valve request for additional numbering resources in the 570 NPA.

OFFICE OF ADMINISTRATIVE LAW JUDGE

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2111011-ALJ Vote 5-0.	R-2009-2111011	TRIGEN-PHILADELPHIA ENERGY CORP - Supplement No. 5 to Tariff Heating and Cooling-Pa. P.U.C. No. 4, filed on 6/26/09. The tariff supplement was suspended by operation of law until 8/1/10. On 8/21/09 and 8/25/09, respectively, Large Steam Users Group and the Penn Trustees filed complaints. On 8/21/09, Jefferson University and Hospital filed a Petition to Intervene. Three mediation sessions took place on 10/6/09, 10/28/09, and 11/17/09. On 11/25/09, a Joint Petition for Settlement was filed. COMMISSION REVIEW: That the Commission adopt ALJ Nguyen's Recommended Decision approving the Settlement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SUPPLEMENTAL CARRY-IN AGENDA

December 17, 2009

LAW BUREAU

<u>AGENDA NO.</u>	<u>DOCKET NO.</u>	<u>NAME AND SUBJECT</u>
2022931-LAW Vote 5-0.	P-2008-2022931	UGI UTILITIES, INC-ELECTRIC DIV - Petition filed on 12/11/09, requesting waiver of wholesale supplier bid limit for the 25% of supply related to swing service for Group One customers. RECOMMENDATION: That the Commission grant the limited waiver requested.