

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

Entered: September 29, 2000

CASE NO. 00-0810-E-PC

MONONGAHELA POWER COMPANY,
doing business as ALLEGHENY POWER;
and THE POTOMAC EDISON COMPANY,
doing business as ALLEGHENY POWER.

RECOMMENDED DECISION

On May 26, 2000, Monongahela Power Company, doing business as Allegheny Power (Mon Power), and The Potomac Edison Company, doing business as Allegheny Power (Potomac Edison) (or collectively "the Companies"), submitted what it termed an informational filing related to revisions to their "Customer Requirements for Electric Service" (also referred to as "Wiring Rules"). The Companies indicated the revisions were minor in nature and requested that the filing be placed in previous Case No. 99-0363-E-PC (Final August 8, 1999) for informational purposes only. The specific revisions proposed by the Companies were: (1) addition of a paragraph 7.08 to address the topic of phase converters; (2) revision of Figure 42 to relocate the metering disconnect location from the line side of the meter socket to the load side; (3) addition of three (3) drawings on concrete pad foundations for transformers; and (4) addition of an application for service. According to the Companies, the proposed changes had been previously presented to the Engineering Division of the Commission and approved. Specific Commission action was not requested at that time due to the minor and non-controversial nature of the changes.

On July 5, 2000, Staff Attorney Caryn Watson Short filed an Initial Joint Staff Memorandum. An Engineering Division Initial Staff Memorandum dated June 29, 2000, from James W. Ellars, P.E., Chief Utilities Manager, Engineering Division, was attached thereto. Mr. Ellars stated that the Companies had misrepresented in its filing that the Engineering Division Staff had previously reviewed and approved the proposed revisions on an informal basis. Staff had, in fact, informally reviewed the proposed revisions; however, Staff had recommended to the Companies via voice mail message that the proposed revisions be filed as a formal proceeding. Subsequently, Staff ensured that the filing was designated as a formal case and placed on the Commission's docket. Referral of this matter to the Division of Administrative Law Judges for further disposition was recommended. Commission Staff would file a final recommendation upon completion of its investigation.

By Order dated July 12, 2000, the Commission referred this matter to the Division of Administrative Law Judges for disposition and ordered that an Administrative Law Judge's decision be rendered on or before December 26, 2000.

On September 13, 2000, Ms. Short filed a Final Joint Staff Memorandum, to which was attached an Engineering Division Final Staff Memorandum dated August 31, 2000, from Mr. Ellars. After reviewing the proposed revisions, Engineering Staff had only one (1) item of concern. The proposed revision to Section 4.05(b), "Requirements for Electrical Inspection," expands the definition of "services disconnected" to "INCLUDE **booted**, cut and de-energized installations." (Emphasis added). Staff interpreted this to mean any service where the meter prongs have been booted for purposes of disconnection.

Engineering Staff questioned whether a complete safety inspection was necessary simply because boots are installed by the Companies on a customer's meter. Section 4.05(c) already allowed the Companies to require an inspection where evidence of tampering and/or theft was suspected. In general, safety inspections for existing customers should be required only when evidence of tampering, theft or unauthorized modification of equipment is

suspected. Cases where a customer's meter has been "booted" by a Company employee should not be grounds for requiring a safety inspection prior to reconnection.

Ms. Short stated that in prior "Wiring Rule" cases, the Commission has allowed the Companies an opportunity to respond in writing to concerns raised by Commission Staff. The Staff and the Companies had then reached an agreement on the appropriate language to be included in the "Wiring Rules." Therefore, Staff requested that the Companies be given fifteen (15) days to indicate, in writing, any objection they had to Staff's recommendation. In the event no response was received, Staff recommended that an Order be entered approving the proposed revisions exclusive of the requirement of an electrical safety inspection when a customer's meter has been "booted" by a Company employee, which should be denied. If a response was received from the Companies, Staff would file a further recommendation, as necessary.

By letter dated September 13, 2000, from Sandra Squire, Executive Secretary, the Companies were furnished a copy of Staff's Final Joint Staff Memorandum and afforded seven (7) days within which to respond thereto in writing. In accordance with the Staff Attorney's recommendation, the undersigned has waited until the expiration of the suggested fifteen (15) day response period prior to issuing this Order. As of the date of the issuance of this Order, no response has been filed.

FINDINGS OF FACT

1. On May 26, 2000, Monongahela Power Company, doing business as Allegheny Power, and The Potomac Edison Company, doing business as Allegheny Power, submitted an informational filing related to revisions in their "Customer Requirements for Electric Service" publication. (See, May 26, 2000 filing).

2. Commission Staff recommended that the proposed revisions be approved except for the proposal to expand the requirement for an electrical safety inspection to include "booted" meter prongs, which should be denied. (See, Final Joint Staff Memorandum and attachment filed September 13, 2000).

3. No objections were filed by the Companies to the Staff recommendation, despite being given the opportunity to do so. (See, September 13, 2000 Executive Secretary's letter; case file generally).

CONCLUSION OF LAW

Upon consideration of all of the above, the undersigned Administrative Law Judge is of the opinion that the filing/petition submitted herein on May 26, 2000, by Monongahela Power Company, doing business as Allegheny Power, and The Potomac Edison Company, doing business as Allegheny Power, seeking consent and approval of certain revisions and modifications to their "Customer Requirements for Electric Service," should be approved, except as modified by Commission Staff.

ORDER

IT IS, THEREFORE, ORDERED that the filing/petition submitted herein on May 26, 2000, by Monongahela Power Company, doing business as Allegheny Power, and The Potomac Edison Company, doing business as Allegheny Power, seeking Commission consent and approval of certain revisions to their "Customer Requirements for Electric Service" publication be, and hereby is, approved, except that such approval does not include the revision to Rule 4.05(b) to expand the requirement for an electrical safety inspection to "booted" meter prongs, which revision is hereby specifically denied.

IT IS FURTHER ORDERED that this matter be, and hereby is, removed from the Commission's docket of open cases.

The Executive Secretary hereby is ordered to serve a copy of this Recommended Decision upon the Commission by hand delivery, and upon all parties of record by United States Certified Mail, return receipt requested.

Leave hereby is granted to the parties to file written exceptions supported by a brief with the Executive Secretary of

the Commission within fifteen (15) days of the date this Recommended Decision is mailed. If exceptions are filed, the parties filing exceptions shall certify to the Executive Secretary that all parties of record have been served said exceptions.

If no exceptions are so filed this Recommended Decision shall become the order of the Commission, without further action or order, five (5) days following the expiration of the aforesaid fifteen (15) day time period, unless it is ordered stayed or postponed by the Commission.

Any party may request waiver of the right to file exceptions to an Administrative Law Judge's recommended decision by filing an appropriate petition in writing with the Executive Secretary. No such waiver will be

effective until approved by order of the Commission, nor shall any such waiver operate to make any Administrative Law Judge's recommended decision the order of the Commission sooner than five (5) days after approval of such waiver by the Commission.

Melissa K. Marland
Chief Administrative Law Judge

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