



COMMONWEALTH OF PENNSYLVANIA

June 10, 2020

**E-FILED**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Petition of Duquesne Light Company For Approval of Default Service Plan For The Period  
June 1, 2021 Through May 31, 2025 / Docket No. P-2020-3019522**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding. I respectfully request that a copy of any documents filed in this case also be shared with our witness at the address below:

Brian Kalcic  
Excel Consulting  
225 S. Meramec Avenue, Suite 720  
St. Louis, MO 63105  
(314)725-2511  
[excel.consulting@sbcglobal.net](mailto:excel.consulting@sbcglobal.net)

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Sharon E. Webb

Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

*Enclosures*

cc: Brian Kalcic  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Duquesne Light Company** :  
**Petition for Approval of Default Service Plan** :  
**For the Period June 1, 2021 through** : **Docket No. P-2020-3019522**  
**May 31, 2025** :

**PREHEARING MEMORANDUM  
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

**I. INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to the above-captioned proceeding.

Representing the OSBA in this matter is Assistant Small Business Advocate Sharon E. Webb and Senior Supervising Assistant Small Business Advocate Steven C. Gray. Please address all correspondence in this matter as follows:

Sharon E. Webb  
Assistant Small Business Advocate  
Steven C. Gray  
Senior Supervising Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
[swebb@pa.gov](mailto:swebb@pa.gov)  
[sgray@pa.gov](mailto:sgray@pa.gov)

## **II. FILING BACKGROUND**

On April 20, 2020, the Duquesne Light Company (“Duquesne” or “Company”) initiated the above-captioned proceeding by filing with the Commission a petition for approval of a default service plan for the period of June 1, 2021, through May 31, 2025 (“Petition”).

Notice of the Petition was published in the May 9, 2020 issue of the Pennsylvania Bulletin. The Notice in the Pennsylvania Bulletin set a deadline for protests, answers or interventions of June 5, 2020. Consistent with the requirements set forth in the Pennsylvania Bulletin the OSBA filed an Answer, Notice of Intervention, Public Statement, and a Notice of Appearance on May 20, 2020.

## **III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES**

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Mr. Brian Kalcic  
Excel Consulting  
Suite 720-T  
225 S. Meramec Avenue  
St. Louis, MO 63105  
(314) 725-2511  
[excel.consulting@sbcglobal.net](mailto:excel.consulting@sbcglobal.net)

After an initial review of the materials submitted by Duquesne, the OSBA offers the following summary of the issues:

1. Duquesne proposes to acquire electricity for customers in the Residential and Lighting classes through a mix of 12 and 24 month full requirements, load-following contracts. *See* Petition, para. 8. Except for Lighting customers, Duquesne would acquire electricity to serve non-residential default service customers with maximum peak demands of less than 25 kW with the same procurement strategy, full-requirements, load-following contracts as residential customers. *See* Petition, para. 16. Duquesne would acquire electricity to serve non-residential default service customers with maximum peak demands equal to or greater than 25 kW and less than 200 kW with full-requirements, load-following contracts. *See* Petition, para. 22. Duquesne would continue serving default customers with maximum peak demands of 200 kW or higher through hourly pricing. *See* Petition, para. 29. The OSBA agrees that Duquesne should acquire default service electricity for Small and Medium C&I customers through fixed price full-requirements contracts. The OSBA also agrees that Duquesne should impose a load cap on Small C&I suppliers. The OSBA reserves the right to comment on the details of these, and other, provisions of Duquesne's Petition after the OSBA has had the opportunity to engage in discovery.

2. In its DSP IX DSP plan, Duquesne is proposing to implement an Electric Vehicle Time-of-Use ("EV-TOU") Pilot Program that would be available to Residential, Small C&I and Medium C&I customers who own or lease an EV, or who operate EV charging infrastructure. *See* Petition, para. 49. Customers electing the EV-TOU Pilot would be charged Peak, Shoulder and Off-Peak rates, depending on time of use. *See* Petition, para. 50. Duquesne proposes to obtain default service supply for EV-TOU customers through the same procurements used for their respective customer classes.

Likewise, any mismatches between EV-TOU revenues and supply costs would be included within Duquesne's existing reconciliation process, by customer class. The OSBA will examine Duquesne's proposed EV-TOU Pilot to ensure there is no cost shifting between procurement classes.

3. The OSBA also reserves the right to pursue additional issues as they arise throughout the proceeding.

#### **IV. SERVICE OF DOCUMENTS**

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept email delivery of documents on the due date<sup>1</sup> as satisfying the in-hand requirement. The OSBA requests that such email delivery of documents is also provided to its witness, identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party. The OSBA also requests that all parties serve an electronic copy of all interrogatory responses upon the OSBA and the OSBA witness, identified above.

#### **V. SETTLEMENT**

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

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<sup>1</sup> In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

**VI. HEARING AND BRIEFING SCHEDULE**

The OSBA will cooperate with the other parties to develop a procedural schedule.

Respectfully submitted,

/s/ Sharon E. Webb

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Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID # 73995

Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Fl  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)

Dated: June 10, 2020

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Duquesne Light Company** :  
**For Approval of Default Service Plan** : **Docket No. P-2020-3019522**  
**for the Period June 1, 2021 through** :  
**May 31, 2025** :

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Honorable Mark A. Hoyer  
Deputy Chief Administrative Law Judge  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120  
[mhoyer@pa.gov](mailto:mhoyer@pa.gov)

Michael Zimmerman  
Tishekia E. Williams  
Emily Farah  
Duquesne Light Company  
411 Seventh Avenue  
Pittsburgh, PA 15219  
[mzimmerman@duqlight.com](mailto:mzimmerman@duqlight.com)  
[twilliams@duqlight.com](mailto:twilliams@duqlight.com)  
[efarah@duqlight.com](mailto:efarah@duqlight.com)

Michael W. Gang  
Anthony D. Kanagy  
Post & Schell, P.C.  
17 North Second Street, 12th Floor  
Harrisburg, PA 17101-1601  
[mgang@postschell.com](mailto:mgang@postschell.com)  
[akanagy@postschell.com](mailto:akanagy@postschell.com)

Aron J. Beatty, Esq.  
David T. Evrard, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101  
[abeatty@paoca.org](mailto:abeatty@paoca.org)  
[devrard@paoca.org](mailto:devrard@paoca.org)

Scott Granger, Esq.  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
[sgranger@pa.gov](mailto:sgranger@pa.gov)

Elizabeth R. Marx, Esquire  
John Sweet, Esquire  
Ria Pereira, Esquire  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)  
Counsel for CAUSE-PA

James M. Van Nostrand  
Keyes & Fox LLP  
275 Orchard Drive  
Pittsburgh, PA 15228  
[ivannostrand@keyesfox.com](mailto:ivannostrand@keyesfox.com)

Todd S. Stewart  
Hawke McKeon & Sniscak, LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
[tsstewart@hmslegal.com](mailto:tsstewart@hmslegal.com)

Mark Szybist  
Natural Resources Defense Council  
1152 15th Street, NW, Suite 300  
Washington, DC 20005  
[mszybist@nrdc.org](mailto:mszybist@nrdc.org)

Gregory Peterson, Esq.  
Phillips Lytle, LLP  
201 West Third Street Suite 205  
Jamestown, NY 14701  
[gpeterson@phillipslytle.com](mailto:gpeterson@phillipslytle.com)

Charles E. Thomas, Jr.  
Thomas, Niesen & Thomas LLC  
212 Locust Street Suite 302  
Harrisburg, PA 17101  
[cthomasjr@tntlawfirm.com](mailto:cthomasjr@tntlawfirm.com)

Henry McKay  
Solar United Neighbors of Pennsylvania 3  
27 Whipple Street  
Pittsburgh, PA 15218  
[henry@solarunitedneighbors.org](mailto:henry@solarunitedneighbors.org)

James Laskey  
Norris McLaughlin, PA  
400 Crossing Boulevard, 8th Floor  
Bridgewater, NJ 08807  
[jlasky@norris-law.com](mailto:jlasky@norris-law.com)

John F. Lushis, Jr.  
Norris McLaughlin, P.A.  
515 Hamilton Street, Suite 502  
Allentown, PA 18101  
[jlushis@norris-law.com](mailto:jlushis@norris-law.com)

/s/ Sharon E. Webb

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Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

DATE: June 10, 2020