



Michael Zimmerman
Senior Counsel, Regulatory

411 Seventh Avenue
Mail drop 15-7
Pittsburgh, PA 15219

Tel: 412-393-6268
mzimmerman@duqlight.com

July 10, 2020

Via Electronic Mail

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Bo 3265
Harrisburg, PA 17105-3265

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 is the Motion of Duquesne Light Company for a Protective Order in the above-captioned proceeding. Copies will be provided as indicated on the enclosed Certificate of Service. Please feel free to contact me with any questions, comments, or concerns.

Best Regards,

A handwritten signature in blue ink that reads "Michael Zimmerman".

Michael Zimmerman

Enclosures

cc: Honorable Mark A. Hoyer
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

ELECTRONIC MAIL

Bureau of Investigation & Enforcement
Scott B. Granger
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265
sgranger@pa.gov

Office of Consumer Advocate
David T. Evrard
Aron J. Beatty
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
DEvrard@paoca.org
ABeatty@paoca.org

Norris McLaughlin, P.A.
John F. Lushis, Jr.
James Laskey
515 W. Hamilton Street
Suite 502
Allentown, PA 18101
jlushis@norris-law.com
jaskey@norris-law.com
On behalf of
Calpine Retail Holdings, LLC

Excel Consulting
Brian Kalcic
225 S. Meramac Avenue
Suite 720-T
St. Louis, MO 63105
Excel.consulting@sbcglobal.net
On behalf of OSBA

Office of Small Business Advocate
Sharon E. Webb
Steven C. Gray
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
swebb@pa.gov
sgray@pa.gov

Pennsylvania Utility Law Project
Elizabeth R. Marx
John Sweet
Ria Pereira
118 Locust Street
Harrisburg, PA 17101
pulp@palegalaid.net
On behalf of CAUSE-PA

Hawke McKeon & Sniscak, LLP
Todd S. Stewart
100 North Tenth Street
Harrisburg, PA 17101
tsstewart@hmslegal.com
On behalf of EGS Parties

Post & Schell, P.C.
Michael W. Gang
Anthony D. Kanagy
17 North Second Street
12th Floor
Harrisburg, PA 17101
mgang@postschell.com
akanagy@postschell.com
On behalf of Duquesne Light Company

Barbara Alexander Consulting, LLC
Barbara R. Alexander
83 Wedgewood Drive
Winthrop, ME 04364
barbalexand@gmail.com
barbalex@ctel.net
On behalf of OCA

Phillips Lytle, LLP
Gregory L. Peterson
201 West Third Street
Suite 205
Jamestown, NY 14701-4907
gpeterson@phillipslytle.com
On behalf of StateWise

Phillips Lytle, LLP
Thomas F. Puchner
30 South Pearl Street
Albany, NY 12207
tpuchner@phillipslytle.com
On behalf of StateWise

Phillips Lytle, LLP
Kevin C. Blake
125 Main Street
Buffalo, NY 14203
Kblake@phillipslytle.com
On behalf of StateWise

Keyes & Fox LLP
James M. Van Nostrand
275 Orchard Drive
Pittsburgh, PA 15228
jvannostrand@keyesfox.com
On behalf of ChargePoint

MAREC Action
Bruce Burcat
P.O. Box 385
Camden, DE 19934
Marec.org@gmail.com

Thomas, Niesen & Thomas, LLC
Charles E. Thomas, Jr.
212 Locust Street, Ste 302
Harrisburg, PA 17101
cthomasjr@tntlawfirm.com
On behalf of MAREC Action

Natural Resources Defense Council
Mark C. Szybist
Kathy Harris
1152 15th Street, Suite 300
Washington, DC 20005
mszybist@nrdc.org
KHarris@nrdc.org

Fair Shake Environmental Legal Services

Emily Collins

Andrew J. Karas

647 E. Market Street

Akron, OH 44304

ecollins@fairshake-els.org

akaras@fairshake-els.org

On behalf of NRDC

Applied Economics Clinic

Elizabeth Stanton

Joshua Castigliero

1012 Massachusetts Avenue

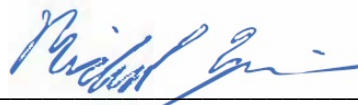
Arlington, MA 02476

liz.stanton@aeclinic.org

joshua.castigliero@aeclinic.org

On behalf of MAREC Action

Date: July 10, 2020



Michael Zimmerman

Duquesne Light Company

411 Seventh Avenue, 15-7

Pittsburgh, PA 15219

Phone: 412-393-6268

Email: mzimmerman@duqlight.com

**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 of June 1, 2021 :
Through May 31, 2025 :

**MOTION OF DUQUESNE LIGHT COMPANY
FOR A PROTECTIVE ORDER**

TO ADMINISTRATIVE LAW JUDGE MARK A. HOYER:

Duquesne Light Company ("Duquesne Light" or the "Company") hereby requests that the attached Protective Order be entered in the above-captioned proceeding pursuant to the provisions of 52 Pa. Code § 5.365(a). In support thereof, Duquesne Light states as follows:

I. Procedural History

1. On April 20, 2020, Duquesne Light filed a Petition for Approval of a Default Service Plan for the Period June 1, 2021 through May 31, 2025 ("DSP IX," "Default Service Plan," or "Plan") which sought approval of the Default Service Plan, an Electric Vehicle Time-of-Use ("EV-TOU") Pilot Program, a Customer Assistance Program ("CAP") Shopping Program, amendments to a Standard Offer Program ("SOP"), a Solar Project Program, and other approvals required for implementations of the Default Service Plan.

2. On April 27, 2020, a Notice was issued scheduling an initial prehearing conference for June 12, 2020.

3. On April 30, 2020, Administrative Law Judge Mark A. Hoyer ("ALJ") issued a Prehearing Conference Order.

4. On April 30, 2020, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) filed a Petition to Intervene through its counsel at the Pennsylvania Utility Law Project.

5. On April 30, 2020, Calpine Retail Holdings, LLC filed a Petition to Intervene.

6. On May 1, 2020, Interstate Gas Supply, Inc., Shipley Choice LLC, NRG Energy, Inc, Vistra Energy Corp., Engie Resources LLC, WGL Energy, and Direct Energy Services, LLC (collectively, “EGS Parties”), filed its Petition to Intervene.

7. On May 9, 2020, notice of the filing of the Petition and of the scheduled prehearing conference was published in the Pennsylvania Bulletin. *50 Pa. Bulletin* 2508.

8. On May 19, 2020, EGS Parties filed a Prehearing Memorandum.

9. On May 20, 2020, the Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention and Answer.

10. On May 22, 2020, the Office of Consumer Advocate (“OCA”) filed a Notice of Intervention and Answer.

11. On June 2, 2020, Calpine filed a Motion for Admission *Pro Hac Vice* of James H. Laskey.

12. On June 3, 2020, StateWise Energy Pennsylvania LLC and SFE Energy Pennsylvania (collectively, “StateWise”) Petition to Intervene and filed a Motions for Admission *Pro Hac Vice* of Thomas F. Pucher and Kevin C. Blake.

13. On June 5, 2020, the following entities filed Petitions to Intervene: MAREC Action (“MAREC”), ChargePoint, Inc. (“ChargePoint”); the Natural Resources Defense Council (“NRDC”); and Solar United Neighbors of Pennsylvania (“SUN-PA”). NRDC also filed an Answer on June 5, 2020.

14. On June 8, 2020, Calpine and CAUSE-PA each filed a Prehearing Memorandum.

15. On June 9, 2020, the Company filed an Answer to the Petition to Intervene of SUN-PA. Also, on June 9, 2020, the Commission's Bureau of Investigation & Enforcement (I&E) filed a Notice of Appearance and Prehearing Memorandum.

16. A prehearing conference was held on June 12, 2020.

17. On June 23, 2020, a Prehearing Order was entered. *Inter alia*, the Prehearing Order established a litigation schedule for the proceeding; adopted modified discovery rules; and granted the Petitions to Intervene filed by CAUSE-PA, Calpine, EGS Parties, StateWise, MAREC, ChargePoint, Inc., and NRDC.

18. On July 2, 2020, an Initial Decision was entered denying the Petition to Intervene of SUN-PA.

19. The Parties are engaging in the discovery process in this proceeding.

20. Proprietary Information within the definition of 52 Pa. Code § 5.365 has been requested during the course of this proceeding, which justifies the issuance of a Protective Order. Parties have sought information that is customarily treated as sensitive, proprietary, or highly confidential, including information regarding the identity of Electric Generation Suppliers ("EGSs") that are or have participated in the Company's Standard Offer Customer Referral Program. Treatment of such information as set forth in the attached proposed Protective Order is justified because unrestricted disclosure of such information would not be in the public interest. These considerations constitute cause for the restrictions specified in 52 Pa. Code § 5.365 and in Administrative Law Judge or Commission Orders granting relief pursuant to said regulation.

21. Under 52 Pa. Code §§ 5.362(a)(7) and 5.365, the Office of Administrative Law Judge or the Commission may issue a Protective Order to limit or prohibit disclosure of confidential commercial information where the potential harm to a participant would

be substantial and outweighs the public's interest in having access to the confidential information. In applying this standard, relevant factors to be considered include: the extent to which disclosure would cause unfair economic or competitive damage; the extent to which the information may already be known by others; and the potential value of such information to the party and the party's competitors. 52 Pa. Code §§ 5.365(a)(1)-(3).

22. The attached proposed Protective Order defines two categories of protected information. The first is "Confidential," which is defined in Paragraph 3 of the attached proposed Protective Order as "those materials that customarily are treated by that Party as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that Party or its clients to risk of competitive disadvantage or other business injury." The second is "Highly Confidential," which is defined in Paragraph 3 of the attached proposed Protective Order as "those materials that are of such a commercially sensitive nature or of such private, personal nature that the producing Party is able to justify a heightened level of confidential protection with respect to those materials."

23. Paragraph 17 of the proposed Protective Order protects against overly broad designations of protected information by giving all Parties the right to question or challenge the confidential or proprietary nature of the "Confidential" or "Highly Confidential" information.

24. Limitation on the disclosure of "Confidential" or "Highly Confidential" information will not prejudice the rights of the participants, nor will such limitation frustrate the prompt and fair resolution of this proceeding. The proposed Protective Order balances the interests of the Parties, the public, and the Commission.

25. Duquesne Light notes that it has provided an advance copy of this Motion and Protective Order to the Parties in this proceeding. No Parties have indicated objection to the Motion or the Protective Order.

26. The attached proposed Protective Order will protect the proprietary information while allowing the Parties to use such information for purposes of the instant litigation.

REQUEST FOR RELIEF

WHEREFORE, for all of the reasons stated herein, Duquesne Light Company respectfully requests that Administrative Law Judge Mark A. Hoyer grant this Motion for Protective Order and issue the attached Protective Order pursuant to 52 Pa. Code § 5.365(a).

Michael W. Gang, Esquire
Anthony D. Kanagy, Esquire
Post & Schell, P.C.
17 North 2nd Street, 12th Floor
Harrisburg, PA 17101-1601
Telephone: 717-612-6026
717-612-6034
Facsimile: 717-731-1985
Email: mgang@postschell.com
akanagy@postschell.com

July 10, 2020

Respectfully submitted,



Tishekia E. Williams (ID# 208977)
Director, Regulatory
Michael Zimmerman (ID #323715)
Senior Counsel, Regulatory
Emily Farah (ID #322559)
Counsel, Regulatory
Duquesne Light Company
411 Seventh Avenue, 15th Floor
Pittsburgh, PA 15219
Phone: 412-393-1541
412-393-6268
Email: twilliams@duqlight.com
mzimmerman@duqlight.com
efarah@duqlight.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

PROTECTIVE ORDER

Upon consideration of the Motion for a Protective Order that was filed by Duquesne Light Company on July 10, 2020;

IT IS ORDERED THAT:

1. The Protective Order is hereby granted with respect to all materials and information identified in Paragraphs 2 and 3 below, which have been or will be filed with the Pennsylvania Public Utility Commission (“Commission”), produced in discovery, or otherwise presented during the above-captioned proceeding and all proceedings consolidated therewith. All persons previously or hereafter granted access to the materials and information identified in Ordering Paragraphs 2 and 3 of this Protective Order shall use and disclose such information only in accordance with this Protective Order.

2. The materials or information subject to this Protective Order are all correspondence, documents, data, information, studies, methodologies and other materials which are believed by the producing Party to be of a proprietary or confidential nature, and which are so designated by

being stamped “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL” (hereinafter collectively referred to as “Proprietary Information”). When a statement or exhibit is identified for the record, the portions thereof that constitute Proprietary Information shall be appropriately designated as such for the record.

3. This Protective Order applies to the following materials:

(a) The producing Party may designate as “CONFIDENTIAL” those materials that customarily are treated by that Party as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that Party or its clients to risk of competitive disadvantage or other business injury;

(b) The producing Party may designate as “HIGHLY CONFIDENTIAL” those material that are of such a commercially sensitive nature or of such private, personal nature that the producing Party is able to justify a heightened level of confidential protection with respect to those materials. Each of the Parties shall endeavor to limit its designation of information as HIGHLY CONFIDENTIAL.

4. Proprietary Information shall be made available to counsel for the non-producing Party, subject to the terms of this Protective Order. Such counsel shall use or disclose the Proprietary Information only for purposes of preparing or presenting evidence, cross examination or argument in this proceeding and not in any other proceedings or matters. To the extent required for participation in this proceeding, counsel for a Party may afford access to Proprietary Information subject to the conditions set forth in this Protective Order.

5. Proprietary Information produced in this proceeding shall be made available to the Commission and its Staff. For purposes of filing or otherwise, to the extent that Proprietary Information is placed in the Commission's report folders, such information shall be handled in accordance with routine Commission procedures inasmuch as the report folders are not subject to public disclosure. To the extent that Proprietary Information is placed in the Commission's testimony or document folders, such information shall be separately bound, conspicuously marked, and accompanied by a copy of this Protective Order. Public inspection of Protected Information shall be permitted only in accordance with this Protective Order.

6. Proprietary Information shall be made available to a Reviewing Representative in this proceeding pursuant to the following procedures:

(a) Information deemed as "CONFIDENTIAL," shall be made available to a "Reviewing Representative" who is a person who has signed a Non-Disclosure Certificate and who is:

- (i) an attorney who has made an appearance in this proceeding for a Party;
- (ii) attorneys, paralegals, and other employees associated for purposes of this case with an attorney described in Paragraph (i);
- (iii) an expert or an employee of an expert retained by a Party for the purpose of advising, preparing for or testifying in this proceeding;
- (iv) employees or other representatives of a Party appearing in this proceeding with significant responsibility for the docket; or
- (v) a person designated as Reviewing Representative for purposes of Confidential Information pursuant to Paragraph 11.

(b) Information deemed as "HIGHLY CONFIDENTIAL," may be provided to a "Reviewing Representative" who has signed a Non-Disclosure Certificate and who is:

- (i) attorney for a statutory advocate pursuant to 52 Pa. Code § 1.8 or a counsel who has made an appearance in this proceeding for a Party;

- (ii) an attorney, paralegal, or other employee associated for purposes of this case with an attorney described in Paragraph (i);
- (iii) an outside expert or an employee of an outside expert retained by a Party for the purposes of advising, preparing for or testifying in this proceeding;
- (iv) a person designated as a Reviewing Representative for purposes of Highly Confidential Information pursuant to Paragraph 11.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission's rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), the producing Party may, by subsequent motion or objection, seek further protection with respect to "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" material, including but not limited to, total prohibition of disclosure or limitation of disclosure only to particular Parties.

7. A Reviewing Representative may not be a "Restricted Person." For the purpose of this Protective Order, "Restricted Person" shall mean: (a) an officer, director, stockholder, partner, owner or employee of any competitor of the Parties or an employee of such an entity if the employee's primary duties involve the development, marketing or pricing of the competitor's products or services; (b) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of a Party (including any association of competitors of the Parties) or an employee of such an entity if the employee's primary duties involve the development, marketing or pricing of the competitor's products or services; (c) an officer, director, stockholder, owner or employee of a competitor of a Party's customer if the Proprietary Information concerns a specific, identifiable customer of a Party; and (d) an officer, director, stockholder, owner or employee of an affiliate of a competitor of a Party's customer if the Proprietary Information concerns a specific, identifiable customer of a Party; provided, however, that no expert shall be disqualified on

account of being a stockholder, partner, or owner unless that expert's interest in the business would provide a significant motive for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Protective Order stocks, partnership or other ownership interests valued at more than \$10,000 (excluding mutual funds) or constituting more than 1% interest in a business establishes a significant motive for violation.

8. If an expert for a Party, another member of the expert's firm or the expert's firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person, said expert must: (1) identify for the Parties each Restricted Person and each expert or consultant; (2) make reasonable attempts to segregate those personnel assisting in the expert's participation in this proceeding from those personnel working on behalf of a Restricted Person; and (3) if segregation of such personnel is impractical, the expert shall give to the producing Party written assurances that the lack of segregation will in no way jeopardize the interests of the Parties or their customers. The Parties retain the right to challenge the adequacy of the written assurances that the Parties' or their customers' interests will not be jeopardized. No other persons may have access to the Proprietary Information except as authorized by order of the Commission.

9. A qualified "Reviewing Representative" for "HIGHLY CONFIDENTIAL" materials subject to special restrictions may review and discuss the "HIGHLY CONFIDENTIAL" material that has been so restricted with his or her client or with the entity with which he or she is employed or associated, to the extent that the client or entity is not a "Restricted Person," but may not share with or permit the client or entity to review the "CONFIDENTIAL" material that has been so restricted, provided, however, that counsel for the

Bureau of Investigation and Enforcement (“I&E”), Office of Consumer Advocate and Office of Small Business Advocate may share Proprietary Information with the I&E Deputy Chief Prosecutor, I&E Director, Consumer Advocate and Small Business Advocate, respectively, without obtaining a Non-Disclosure certificate from these individuals, provided, however, that these individuals otherwise abide by the terms of the Protective Order.

10. Proprietary Information shall be treated by the non-producing Party and by the Reviewing Representative in accordance with the certificate executed pursuant to Paragraph 12(a). Information deemed Proprietary Information shall not be used except as necessary for the conduct of this proceeding, nor shall it be disclosed in any manner to any person except a Reviewing Representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person’s responsibilities in this proceeding. For I&E, the I&E Prosecutor may afford access to Proprietary Information made available by Duquesne Light only to I&E’s assigned and identified internal expert(s) who are full-time I&E employees, and therefore, subject to the terms of this Protective Order by virtue of the signature of the I&E Prosecutor affixed to his or her executed Non-Disclosure Certificate. Prior to making the provided Proprietary Information available to its full-time employed expert as provided above, the I&E Prosecutor shall notify said internal expert of the existence of the Protective Order and shall provide a copy of it to that expert with an admonition that he or she is bound by its provisions. Said I&E Prosecutor is responsible for ensuring that each and every individual to whom he or she provides Proprietary Information complies with all terms and conditions of the Protective Order.

11. Reviewing Representatives may not use information contained in any Proprietary Information obtained through this proceeding to give any Party or any competitor of any Party a commercial advantage. In the event that the non-producing Party wishes to designate as a Reviewing Representative a person not described in Paragraph 6 above, that Party shall seek agreement from the Party producing the Proprietary Information. If an agreement is reached, that person shall be a Reviewing Representative pursuant to Paragraph 6 above with respect to those materials. If no agreement is reached, the Party shall submit the disputed designation to the presiding Administrative Law Judge for resolution.

12. (a) A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Proprietary Information pursuant to this Protective Order unless that Reviewing Representative has first executed a Non-Disclosure Certificate set forth in Appendix A hereto, provided that if an attorney qualified as a Reviewing Representative has executed such a certificate, the paralegals, secretarial and clerical personnel under the attorney's instruction, supervision or control need not do so. A copy of each Non-Disclosure Certificate shall be provided to counsel for the Party asserting confidentiality prior to disclosure of any Proprietary Information to that Reviewing Representative.

(b) Attorneys and outside experts qualified as Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with this Protective Order.

13. The Parties shall designate data or documents as constituting or containing Proprietary Information by stamping the documents "CONFIDENTIAL," "HIGHLY

CONFIDENTIAL” or otherwise noting that the materials are subject to special restrictions. Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, the producing Party, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents that constitute or contain Proprietary Information. Upon request from another party, the producing Party shall produce a redacted (Public) version of any such partially confidential compilation or multi-page document within a reasonable time period. The Proprietary Information shall be served upon the non-producing Party hereto only in an envelope separate from the nonproprietary materials, and the envelope shall be conspicuously marked “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.”

14. The non-producing Party will consider and treat the Proprietary Information as within the exemptions from disclosure provided in Section 335(d) of the Public Utility Code, 66 Pa. C.S. § 335(d), and as within the definition of “confidential proprietary information” in the Pennsylvania Right to Know Law, Act of February 14, 2008, P.L. 6, 65 P.S. §§ 67.101-67.3104, until such time as the information is found to be non-proprietary. In the event that any person or entity seeks to compel the disclosure of Proprietary Information, the non-producing Party shall promptly notify the producing Party in order to provide the producing Party an opportunity to oppose or limit such disclosure.

15. Any public reference to Proprietary Information by a Party or its Reviewing Representative shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to fully understand the reference and not more. The

Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

16. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, testimony, cross examination, argument and responses to discovery, and including references thereto as mentioned in Paragraph 15 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Protective Order, either through the agreement of the Parties or pursuant to order of the Administrative Law Judge, the Commission or appellate court.

17. The non-producing Party shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information and any special restrictions on the review and discussion of such information with a Restricted Person. If a non-producing Party challenges the designation of a document or information as proprietary, the Party providing the information retains the burden of demonstrating that the designation is appropriate.

18. The Parties shall retain the right to question or challenge the admissibility of Proprietary Information; to object to the production of Proprietary Information on any proper ground; to refuse to produce Proprietary Information pending the adjudication of the objection; and to seek additional measures of protection of Proprietary Information beyond those provided in this Protective Order.

19. Within thirty (30) days after a Commission final order is entered in the above-captioned proceeding, or in the event of appeals, within thirty (30) days after appeals are finally decided, the non-producing Party, upon request, shall either destroy or return to the producing Party all copies of all documents and other materials not entered into the record, including notes, that contain any Proprietary Information. In the event that the non-producing Party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning the copies of documents and other materials containing Proprietary Information to the producing Party, the non-producing Party shall certify in writing to the producing Party that the Proprietary Information has been destroyed.

Dated: _____

Mark A. Hoyer
Administrative Law Judge

APPENDIX A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

NON-DISCLOSURE CERTIFICATE

TO WHOM IT MAY CONCERN:

The undersigned is a Reviewing Representative of _____, a Party to this proceeding (“Party”). The undersigned has read and understands the Protective Order executed on behalf of the Party in the above-referenced proceeding, which Protective Order deals with the treatment of Proprietary Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Protective Order, and agrees not to review Proprietary Information that would make him/her a “Restricted Person” as that term is defined in Paragraph 7, pages 4-5 of the Protective Order.

SIGNATURE

PRINT NAME

ADDRESS

EMPLOYER

DATE