



COMMONWEALTH OF PENNSYLVANIA

April 23, 2021

E-FILED

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

**Re: Pennsylvania Public Utility Commission v. Duquesne Light Company 1308(d)
Proceeding / Docket No. R-2021-3024750**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

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: Robert D. Knecht
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2021-3024750
	:	
Duquesne Light Company	:	
1308(d) Proceeding	:	

**COMPLAINT OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

1. The Complainant is:

John R. Evans
Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
jorevan@pa.gov

2. The name and address of the Complainant's attorney is:

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

3. The respondent utility is:

Duquesne Light
411 Seventh Avenue
8th Floor
Pittsburgh, PA 15219

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Complaint is filed against the rates, terms and other provisions of Supplement No 25 to Tariff Electric –PA PUC No. 25, which was filed on April 16, 2021, by Duquesne Light Company (“Duquesne” or the “Company”). The proposed Tariff, if approved by the Commission, would increase the total distribution rates of Duquesne by \$115 million per year including DSIC, with a return on equity of 10.95%¹. After preliminary review of the materials filed by the Company in support of the proposed Tariff, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

6. Complainant believes, and therefore avers, that Duquesne’s proposed rates, rate design, and cost and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by Duquesne.

¹ DLC Statement No. 13, Direct Testimony of Paul R. Moll, p. 48.

7. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Suspend and investigate the operation of Supplement No, 25 to PA PUC Tariff No. 25;
- B. At the conclusion of such investigation, reject the proposed new rates and other tariff changes in Supplement No. 25 to the extent required to insure that Duquesne's rates are lawful, just, reasonable and not unduly discriminatory; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

/s/ Sharon E. Webb

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

Office of Small Business Advocate
555 Walnut Street, 1st Floor
(717) 783-2525
(717) 783-2831 (fax)

Dated: April 23, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
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**PUBLIC STATEMENT OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Pennsylvania Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the proposed general base rate increase filing of April 16, 2021 by Duquesne Light Company (“Duquesne” or the “Company”).

The Small Business Advocate is filing this formal complaint against the Company’s proposed general base rate increase in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Commission into all of the elements of the Company’s proposed general base rate increase is necessary to ensure that the increase is lawful, just, reasonable, and not unduly discriminatory.


In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate the reasonableness of the proposed base rate increase. The Small Business Advocate will ask the Commission to deny any proposed new rates and other tariff changes that apply to small business customers that are not proven by Duquesne to be lawful, just, reasonable, and not unduly discriminatory.

Dated: April 23, 2021

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 04/23/2021



(Signature)

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
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v.	:	Docket No. R-2021-3024750
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CERTIFICATE OF SERVICE

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

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
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Harrisburg, PA 17120
crainey@pa.gov

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DATE: April 23, 2021

/s/ Sharon E. Webb

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