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October 7, 2016

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Petition of Duquesne Light Company for Approval of a Default  
Service Plan for the Period June 1, 2017 through May 31, 2021;  
Docket No. P-2016-2543140

Dear Secretary Chiavetta:

Please be advised that Noble Americas Energy Solutions LLC (“Noble”) will not be filing a formal reply to any of the statements filed in support of the Joint Petition for Approval of Non-Unanimous Settlement (“Non-Unanimous Settlement”) in the above-referenced matter, as none of the statements in support addresses Noble’s bases for opposing the Non-Unanimous Settlement. Accordingly, Noble relies on the arguments set forth in its Objections and Statement in Opposition, filed on September 29, 2016, and reiterates that Paragraph 22 of the Non-Unanimous Settlement (i) consists of an inappropriately raised proposal in the context of this proceeding in violation of the Commission regulations at 52 Pa. Code § 5.243(e)(2) and (3); (ii) is unjust, unreasonable, and otherwise contrary to the public interest; and (iii) ignores the anti-competitive and discriminatory impact the implementation of such a provision would have on the competitive retail market in violation of the Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. §§ 2801-2812. Moreover, despite what RESA asserts, the implementation of Paragraph 22 would harm (not help) the competitive marketplace, tilting the playing field substantially in favor of EGSs participating in Duquesne Light’s Purchase of Receivables program to the detriment of non-participating EGSs and Pennsylvania ratepayers.

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

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

Charles E. Thomas, III

cc: Honorable Conrad A. Johnson  
Certificate of Service  
Becky Merola

## CERTIFICATE OF SERVICE

I hereby certify that I have this 7<sup>th</sup> day of October, 2016, served a true and correct copy of the foregoing letter upon the parties, listed below, via email and first class mail in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

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